

Norfolk Projects Offshore Wind Farm

Benthic

Implementation and

Monitoring Plan V2

Annex 2 Benthic Compensation

Consultation Report

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Glossary of Acronyms

| | |
|-------|--|
| BEIS | Department for Business, Energy & Industrial Strategy |
| DCO | Development Consent Order |
| DESNZ | Department for Energy Security and Net Zero |
| EEPC | East England Plastic Coalition |
| EIFCA | Eastern Inshore Fisheries and Conservation and Authority |
| BIMP | Benthic Implementation and Monitoring Plan |
| BSG | Benthic Steering Group |
| MMO | Marine Management Organisation |
| NFFO | The National Federation of Fishermen's Organisations |
| PoW | Plan of Works |
| ToR | Terms of Reference |

1 INTRODUCTION

1. This document reports on the consultation which has occurred to date in order to develop the Benthic compensation for the Norfolk Vanguard and Norfolk Boreas offshore wind farms (collectively referred to as the Norfolk Projects).
2. In light of the refusal of version 1 of the Benthic Implementation and Monitoring Plan (BIMP), this document forms part of the 2nd version of the BIMP which is to be resubmitted to the Secretary of State for Energy Security and Net Zero (SoS) for approval prior to the compensation being delivered. This document provides an updated overview of the consultation that underpins the BIMP. Consultation will continue far beyond the point at which the 2nd version of the BIMP is submitted and, therefore, this document does not capture a complete consultation log, rather a snapshot in time.

2 ESTABLISHING THE BENTHIC STEERING GROUP

2.1 Defining the membership

3. The membership of the Benthic Steering Group (BSG) has been determined through consultation with parties named in paragraph 27 of Schedule 17, Part 3 of the Norfolk Vanguard DCO and Schedule 19 Part 3 of the Norfolk Boreas DCO (together referred to as the Benthic Compensation Schedules). The named parties are Natural England as the statutory nature conservation body and the Marine Management Organisation. To ensure a broad representation of experience and expertise during the development of the compensation measures other members are consulted as advisory bodies.
4. As named in the DCOs, it is intended that the core members of the BSG are:
 - a) The Norfolk Projects (Norfolk Vanguard and Norfolk Boreas);
 - b) Natural England; and
 - c) The Marine Management Organisation (MMO).
5. Consultation has been conducted in accordance with the Plan of Works which has been agreed with the BSG (pursuant to paragraph 24 of the Benthic compensation Schedules) and approved by the Secretary of State for the Department for Business, Energy & Industrial Strategy (BEIS)¹ (Norfolk Projects 2022). Core members have and will continue to be consulted on matters pertaining to (but not limited to): benthic ecology, identification and locating marine debris, nature and size of material to be removed, methodologies for removal, mitigation of impacts of removal, programme for removal, monitoring success criteria, marine debris awareness campaign, details of how impacts on reef habitats will be minimised, details of disposal locations. Reaching agreement with core members on these issues has been and will continue to be the primary focus of the BSG.
6. The following advisory members were not named in the DCOs but were also invited to form part of the steering group:
 - The Eastern Inshore Fisheries and Conservation and Authority (EIFCA); and
 - The National Federation of Fishermen's Organisations (NFFO).
7. Advisory members have and will continue to be consulted on aspects of the 2nd version of the BIMP which are relevant to their area of expertise, for example the NFFO will be consulted on the possible locations of the marine debris and elements of the marine debris awareness campaign.

¹ As of the 7th February 2023 now the Department for Energy Security and Net Zero (DESNZ)

2.2 Plan of Works

8. Natural England requested that a Plan of Works (PoW) should be agreed by email and review of draft documents as they would not have resource to attend the meetings, therefore, their requested approach was implemented by the group.
9. The first draft of the BSG PoW was emailed to all members for review on March 10th 2022, with a request for comments to be returned by March 23rd 2022.
10. A reminder email was sent to Natural England on 14th April 2022, requesting comments on the BSG PoW.
11. Natural England returned comments on the BSG PoW on the 21st April 2022.
12. All comments were fully implemented within the Plan of Works

3 STEERING GROUP MEETINGS

3.1 Steering Group Meeting 1

13. Invitation letters were emailed to core and advisory members of the BSG on the 8th and 9th of February 2022 by the Norfolk Projects. The invitations included a request for a response to be returned by February 11th or February 15th 2022 depending on when the email was issued.
14. Signed invitations to engage as a member of the BSG and the date they were returned are listed below and the letters can be found in Appendix 1 of this document:
 - MMO (10/02/2022).
 - NFFO (15/02/2022);
 - EIFCA (08/03/2022); and
 - Natural England (21/04/2022).
15. Natural England agreed via email on 11th February 2022 to participate in the BSG and provided signed invitation letters 21st February 2022.
16. Defra declined the invitation to engage as a member of the BSG due to resourcing constraints.
17. A selection of provisional dates for all three BSG meetings were arranged using Doodle poll and links were emailed to all core and advisory members on 1st March 2022. Members were asked to use the Doodle poll links to fill in their availability for BSG meetings. For the first BSG meeting which was set to be held in early April, members were requested to respond by 4th March 2022. A reminder email was sent on the 3rd March 2022 reminding all members to fill in their availability using the Doodle poll links.
18. Natural England were unable to find availability for the proposed dates and confirmed they would not attend the first BSG meeting held on 7th April 2022.
19. A first draft PoW was sent to all members of the BSG for review on the 10th March 2022. A deadline of the 23rd March 2022 was set for members to return their comments on the draft PoW.
20. In preparation for the first BSG meeting, an initial agenda was emailed to members on 21st March 2022. The final agenda was later emailed to members on 1st April 2022.
21. As Natural England were not available for the first BSG meeting, they were asked to provide comments on the skeleton BIMP prior to the first BSG meeting. Comments were returned on 21st April 2022 and implemented within the draft document.

3.2 Steering Group Meeting 2

22. Date options were circulated on 14th April 2022, the most mutually available date was the 1st July. On the 16th July Norfolk Projects were informed that no representative from Natural England would be attending the meeting.
23. Pre meeting material was circulated on the 16th June which included:
- Final meeting minutes from Norfolk Projects BSG Meeting 1: No comments from attendees of the meeting were received and therefore the draft minutes circulated on the 14/4/2022 were taken as final;
 - A proposed agenda for the second BSG meeting: along with a request for any amendments or additions to be provided by the 22th June so that the final Agenda could be issued on the 24th June.
 - Womble Bond Dickinson's (Vattenfall's legal advisors) advice note to seek clarification on how to interpret the Benthic Compensation Schedules.
 - A covering letter explaining how Vattenfall intend to inform BEIS of progress;
 - An exert from the BSG Actions log; and
 - A first draft of the BSG Agreement log which will form part of this consultation report accompanying the BIMP
24. Due to the fact that neither the MMO nor Natural England were able to attend the Benthic Steering group meeting scheduled for the 1st of July, the decision was made to postpone to the 2nd or 3rd August. It was felt that a with only 3 for the 5 members present the meeting would not be quorate.
25. In light of postponing BSG meeting 2 to the start of August, and due to the imperative nature that agreement on the first two aims (outlined below) for meeting 2, progress was sought after through email correspondence. An email was sent with the following attachments:
- BSG meeting 2 slide pack
 - Draft letter from Vattenfall (Confidential)
 - HHW SAC Schedule 19 and 17 compensation provisions
26. With regard to the 1st Aim of the meeting which was to consider the interpretation of the benthic compensation condition and how to discuss this with other relevant stakeholders it was agreed that once all members of the steering group had confirmed their position discussions would held with other stakeholders
27. With regard to the 2nd Aim *“To agree the survey locations for the Marine Debris identification surveys”* the following actions was issued:
- In lieu of the BSG meeting 2 postponement a report detailing the area of search selection process for marine debris survey (based on that which has been approved by the SoS for Hornsea project 3) will be circulated. Following this we hope that the area of search can be agreed as the surveys are planned for mobilisation on the 1st August.

28. By the 6th July all members of the steering group had provided their position on the whether 8.3 hectares could be interpreted as an area of search.
29. On the 8th of July, in lieu of the meeting 2 postponement the Norfolk Projects circulated the revised and updated marine debris search area identification desk study to show the BSG the work done to select an Area of Search and an adaptive management area of search. The BSG was given 14 days to comment and provide feedback. A reminder email was sent out on the 19th July.
30. On Monday 1st August, The Norfolk Projects circulated BSG Plan of Works document after BEIS had reviewed. BEIS requested a revision of the wording in the section on Dispute Resolution Mechanism. They requested that The Norfolk Projects change:

“if the dispute has not been resolved following a referral in accordance with this section, the details would be presented to the Secretary of State for Business Energy and Industrial Strategy alongside the documents for which the Secretary of State has to give approval and the Secretary of State would determine whether to approve those documents.”

to:

“if the dispute has not been resolved following a referral in accordance with this section, the core members shall settle the dispute by mediation in accordance with the Centre for Effective Dispute Resolution (CEDR) Model Mediation Procedure. Unless otherwise agreed between the core members, the mediator will be nominated by CEDR.”?

31. The rescheduled BSG meeting 2 took place on Tuesday 2nd August from 14:00 – 17:00. Minutes and actions were circulated on Monday 8th – 4 working days later.
32. On 2nd of August, The Norfolk Projects circulated a comparison of The Norfolk Projects and Hornsea 3 plan of works section on dispute resolution. The MMO, NFFO, EIFCA and Natural England were asked if they had any objections to the inclusion of the paragraph being included in the Plan of Works.

3.3 Steering Group Meeting 3

33. Ten meeting date options were circulated on 9th August 2022 the most mutually available date was the 6th December 2022. Natural England representatives on the BSG were not able to attend, however, quorum was reached with NFFO, EIFCA, and the MMO in attendance.
34. Pre meeting material was circulated on the 22nd November 2022 which included:
- Final Minutes from Norfolk projects BSG Meeting 2: No comments from attendees of the meeting were received and therefore the draft minutes were taken as final;
 - A proposed Agenda for the third BSG meeting: along with a request for any amendments or additions was issued;
 - The Agreement log (see Appendix 2 for the most recent version of the Agreement log); and

- A confidential first draft of the BIMP.
35. Natural England declined the invitation to attend BSG meeting 3 but agreed to send comments on the first full draft of the BIMP to allow their comments to be discussed with other BSG members during the meeting. However, the comments were not provided until Friday 16th January.
36. The meeting was successful, reaching agreement on the Norfolk Projects plans and methods for progressing the benthic compensation conditions in line with the project schedule.
37. Key areas of discussion revolved around:
- Further consideration was given to the interpretation of condition in line with how Hornsea Project Three’s similar condition had been interpreted.
 - An update on the marine debris awareness campaign.
 - Refinement of the success criteria with a definition of “sufficient” marine debris removed before switching gear to the adaptive management area of search.
38. The result of this discussion were the following key actions for the BSG:
- The Norfolk Projects to provide the BSG with an update on discussions with other stakeholders;
 - The BSG to provide comments on the draft BIMP before COP Tuesday 13th December;
 - BSG to send through fishing for litter contacts to the Norfolk Projects;
 - The Norfolk Projects to contact Ghost fishing UK and ocean plastic pots NGO’s to pursue collaboration with them on the Marine Debris Awareness Campaign; and
 - The Norfolk Projects to draft a definition in the success criteria of the BIMP to articulate a “sufficient” ratio of targets removed vs targets identified in BIMP Draft 2 for the BSG to review and agreement upon.
39. Meeting minutes for BSG Meeting 3 and a doodle poll for BSG Meeting 4 w/c 13th February were circulated on the 9th December.
40. During the meeting a timetable was agreed for finalising the BIMP. This timeline included receipt of all comments on the BIMP by the 13th December the provision, by the Norfolk Projects team of Draft 2 by the 21st December. A chaser email was sent to the MMO, Natural England and NFFO for their comments on draft 1 BIMP on 12th December. Natural England Comments on Draft 1 of the BIMP were not returned until late on the 16th December and therefore not all of Natural England’s comments could be addressed in Draft 2. A final chasing email was issued for BIMP draft 2 comments from the BSG on the 19th of January, the day before the comments were due (20th). Natural England gave notice that they would comment on the BIMP 3 draft. The NFFO provided comments in an email on 22nd December. The EIFCA provided comments on BIMP 2 draft on the 24th January.

3.4 Steering Group Meeting 4

41. Ten date options were provided via doodle poll on 9th December 2022, and in order to ensure that a date was secured in members calendars prior to the Christmas break an invite was sent for 13th February 2023.
42. On the 30th January, two weeks prior to meeting 4, the following material was circulated to the BSG for their review:
 1. Draft meeting agenda for comments/amends;
 2. Meeting 3 minutes;
 3. Agreement Log (see Appendix 2 for the most recent version of the Agreement log);
 4. An extract from the action tracker showing outstanding actions; and
 5. BIMP draft 3 for review and comments
43. The meeting was quorate with all members present. Key areas of discussion revolved around:
 - Approve previous minutes from BSG meeting 3.
 - The approach to adaptive management: there was full agreement from the BSG that an alternative to marine debris removal should be included.
 - When the cables could be installed.
 - A more explicit reference to the monitoring strategy.
 - Continued pursuit for approval by the regulator at key decision points in accordance with the Benthic compensation schedules paragraph 32.
 - Report on progress with the Marine awareness campaign.
44. Following discussions with other stakeholders it was determined that the benthic compensation condition would not be interpreted as referring to an area of search and therefore the revised draft 3 of the BIMP was based on a success criterion of retrieving a quantum of debris rather than clearing an area of search.
45. After the meeting, BSG members responded with comments which were implemented into the final version of the BIMP.
46. The main actions following the meeting were for the Norfolk Projects to update the BIMP to address all comments and discussion points. Vattenfall then issue Version 4 of the BIMP on the 3rd of March for final review and sign off by BSG by the 17th March.

3.5 Steering Group Meeting 5

47. BSG meeting 5 was purposed to discuss and agree details of the Marine License Application for marine debris removal in the HHW SAC.
48. Ten date options were provided via doodle poll on 26th July 2023, and in order to ensure that a date was secured in members calendars. This date was initially set for 22nd September but due to a delayed decision on version 1 of the BIMP from the Secretary of State The Norfolk Projects

were not able to obtain the relevant information required for a fruitful discussion. The Norfolk Projects decided to postpone the meeting to Monday 4th December 2023.

49. On the 30th October 2023 letter from the SoS for DESNZ explaining why the BIMP V1 was not approved.
 50. On the 20th November, two weeks prior to meeting 5, the following material was circulated to the BSG for their review:
 1. BSG 5 Briefing Note;
 2. Draft meeting agenda for comments/amends;
 3. Meeting 4 minutes; and
 4. A link to the SoS letter of the 30th October 2023 explaining why the BIMP had not been approved.
 51. The meeting was quorate with all members present. Key areas of discussion revolved around:
 - Approve previous minutes from BSG meeting 4;
 - The ramifications of the version 1 BIMP Refusal to the Project;
 - The HHW SAC Marine Debris Removal License Application; and
 - Report on progress with the Marine awareness campaign.
 52. Following discussions agreement was reached on the proposed timeline for the marine license application and the plan to resubmit the BIMP to address their concerns. The BSG were in approval of the marine debris awareness campaign. The BSG agreed to meet again to discuss the finalised version of version 2 of the BIMP before submission to DESNZ.
- ### 3.6 Steering Group Meeting 6
53. Two links to canvas for dates for BSG meeting 6 and meeting 7 were provided via doodle poll on 13th December 2023. Both links contained 10 calendar slots for BSG members to provide their availability.
 54. Meeting 6 was held on the 15 March 2024 to finalise the implementation of comments made on the draft BIMP V2. Following this the content of the BIMP was fully agreed by the EIFCA, the NFFO and the MMO before its submission to DESNZ.
 55. Natural England maintained their position that marine debris removal is not compensation. Natural England also shared that the nature of the comments that they would be feeding back to DESNZ refer to the adaptive management and monitoring.
 56. The agreement log was discussed at BSG meeting 6 and all positions by members were captured (Appendix 2) and the text agreed for submission.

4 AGREEMENT LOG

57. As described throughout this document an Agreement Log which is included as Appendix 2 of this report has been progressed by the BSG. This was updated during each meeting and circulated prior to and following each meeting. Members have been asked to review the Agreement Log and if necessary, make any amendments in track changes in order to more accurately reflect their position.
58. Emails from BSG members verifying that the Agreement Log represents a true record of their position, and that they have contributed to the production of the have been provided to the SoS with the submission of this document.
59. The Agreement log will be kept as a live document and updated to reflect key decisions made during the delivery of the Benthic compensation and the document presented in Appendix 2 shows the Agreement log at the time of submission of the BIMP.
60. On 07 March 2024, the MMO provided a written response to version 2 of the BIMP voicing their agreement with outlined plans. This MMO written response has been included in Appendix 3.

5 EAST OF ENGLAND PLASTIC COALITION & THE EASTERN INSHORE FISHERIES CONSERVATION AUTHORITY

61. On 19th August, an initial meeting between the East England Plastic Coalition (EEPC) and the Norfolk Projects took place to explore scope for collaboration and support to discharge the Norfolk Project's 2nd strand of the benthic Compensation Condition "To Develop Education, Awareness and Facilities to Limit Further Marine Debris to develop education, awareness and facilities to limit further marine debris").
62. Four collaboration areas were identified and progressed with Vattenfall for approval:
- Collaboration Area 1: Harbour and Beach Bins
 - Collaboration Area 2: Amnesty Day Skips
 - Collaboration Area 3: Investigation into the development of a code of best practice for fishing in the HHW SAC
 - Collaboration Area 4: Engagement with Fishermen
63. During subsequent meetings with the EEPC on the 20th October 2022, 3rd February 2023 and 2nd March, the EEPC contacted the EIFCA to seek further support. The Eastern IFCA agreed work in partnership with to EEPC and the Norfolk Projects to help deliver and coordinate these collaboration areas. This led to the finalisation of the proposals which are presented within the BIMP as well as a formal letter of agreement from the EEPC and the Eastern IFCA to participate in the work provided the BIMP is approved.
64. The proposal for collaboration with the EEPC and the EIFCA was presented to the BSG on during meeting 3 and was given full support by all members present. As Natural England is limiting its advice to ensuring that no further damage to designated site features will occur in the delivery of compensation measures it has not provided advice on these proposals.
65. On the 28th February 2023, the EEPC issued a separate proposal to Vattenfall outlining the request to part-fund the EEPC Secretariate team, as well as to issue the funds to cover the project management and reporting side of the proposed campaign for the first year. Vattenfall accepted this proposal on the 2nd March 2023 irrespective of the success of the agreement with EIFCA and EEPC as a gesture of good intent (evidence of this is provided in Annex 4 of the BIMP). Vattenfall are determined to develop a successful marine debris awareness, education and provision of facilities campaign and the early release of funds (Prior to BIMP approval) demonstrates this.
66. During the development of the campaign proposal with the EEPC and the EIFCA it was identified that there may be some overlap between the measures being undertaken by Orsted's Hornsea Project Three offshore wind farm to discharge their own benthic compensation requirement. As a result, a series of meetings were held between Hornsea Project Three and the Norfolk Projects. These meetings are ongoing with the intention of establishing a combined united effort to

increase the positive impact of the Norfolk Project's proposed plans to deliver a Marine Debris Awareness campaign with the EEPC and the EIFCA.

5.1 Following the SoS Letter of the 30th October 2023

67. The proposed marine debris awareness campaign prepared to discharge strand 2 of The Norfolk Projects benthic compensation requirement hinged on the approval from the SoS to initiate the campaign. On the 30th October 2023 the SoS issued a letter explaining why version 1 of the BIMP was not approved SoS.
68. In light of this refusal, the BSG agreed to prepare a 2nd version of the BIMP. Thankfully the SoS was approving of the strand 2 aspects of the plan. This means that the Norfolk Projects can continue with some certainty (albeit that should BIMP V2 also be refused a different strategy will need to be applied which may not involve debris removal or attempts to prevent debris entering the marine environment) to refine and develop the proposed campaign with the EEPC and the EIFCA in the 2nd version of the BIMP.
69. It has been agreed with the EIFCA that the campaign would start with its first year with a series of 4 amnesty days (collaboration area 2 in paragraph 56 above) in Lowestoft, Suffolk. These initial amnesty days in the first year of the campaign would not be open to the general public and would focus on the fisheries sector. The EIFCA would carry out the stakeholder engagement (collaboration area 3) with local fishermen to inform the scope of the amnesty days moving forwards. As time passes, The Norfolk Projects hope to increase the geographical scope of these amnesty days with additional locations in the 2nd year of the campaign, with the integration of the collaboration area 1 harbour and beach bins.
70. The Norfolk Projects is in the final stages of formalising this proposal with the EIFCA in a signed agreement.

6 BIMP VERSION 2 CONSULTATION

71. In light of SoS letter of 30 October 2023, the BSG agreed to prepare a 2nd version of the BIMP. The letter outlined a concern that in version 1 of the BIMP, The Norfolk Projects were not providing sufficient confidence that the required quantum of debris can be removed from the seabed.
72. This has led to a series of further efforts from the Norfolk Projects to explore all possible avenues that could directly and indirectly contribute to removal of marine debris. During these efforts, the Norfolk Projects have consulted with numerous beach clean organisations, diving organisations, conservation NGO's and The Ocean Cleanup – a large non-profit organisation that removes marine debris from the sea surface.
73. This section of annex 2 provides an overview of the consultation that led to the establishment of the new suite measure from marine debris provided in the BIMP V2. The Norfolk Projects is now confident that it has provided DESNZ with sufficient confidence that every effort is being made to reach the 10.7 hectare target.
74. A summary of the outcomes of this consultation is provided in Table 6.1.

Table 6.1: An overview of the outcome of the additional consultation for BIMP Version 2

| Organisation | Outcome |
|--|----------------------------|
| Marine Conservation Society | No Collaboration agreed |
| Dive the North Sea Foundation | Collaboration agreed |
| The Ocean Cleanup | Collaboration agreed |
| Marine Plastics Experts | Advice received |
| Ghost Fishing UK | Collaboration agreed |
| Surfers Against Sewage | No Collaboration agreed |
| Norfolk Beach Cleans | Collaboration agreed |
| Keep Britain Tidy | Collaboration agreed |
| 2 Minute Beach Clean | No response |
| Beach Guardian | No response |
| Turn the Tide | No response |
| Ghostnetbusters | No response |
| Marine Conservation for Norfolk Action Group | Declined invite to meeting |
| Kent and Essex IFCA | No response |
| Sussex IFCA | No response |
| North Eastern IFCA | No response |

6.1 Marine Conservation Society

75. On 03 and 10 January 2024 the Norfolk Projects met with key personnel from the Marine Conservation Society (MCS) to explore a collaboration to remove debris from the coastline of the North Sea.

76. After three further conversations MCS concluded that they were not able to support the Norfolk Projects on this campaign as their trustees were not comfortable with how this debris removal campaign lined up with their organisations conservation objectives. MCS had issue that the compensation proposed did not offset the benthic impact.

6.2 DDNZS

77. On 18 January 2024 the Norfolk Projects met with a Dutch diving organisation called Stichting Duik de Noordzee Schoon (DDNZS), which translates to Dive the North Sea Foundation. The objective of the call was to make an introduction and discuss any potential alignment in objectives for a potential collaboration with the Norfolk Projects to remove marine debris from ship wrecks on the seabed in the North Sea.

78. Over consecutive calls an opportunity to collaborate became apparent and the Norfolk Projects worked with DDNZS to put together a proposal to fund the removal 9,000 kg of marine debris from the seabed.

79. The Norfolk Projects have been informed in writing that DDNZS have all the relevant agreements, permits and licences in place with the State of the Netherlands for the removal of marine debris from the seabed, including within Natura2000 sites. Before commencing debris removal, DDNZS are required to check shipping lanes, recent locations of anchorage, and areas of offshore construction. DDNZS ensure that vessel captains have the relevant up-to-date data on dive permissions prior to all operations.

80. On 2 February 2024, DDNZS signed a letter of intent to demonstrate their acceptance of this proposal subject to the approval of the BIMP Version 2.

6.3 The Ocean Clean Up

81. On 23 November 2023, the Norfolk Projects met with a well-established non-profit organisation called The Ocean Cleanup (TOC) who have a proven track record with removing large amounts of marine debris from the sea surface.

82. Discussions continued to determine the feasibility of collaboration to contribute the debris removed from the sea surface to the Norfolk Projects 10.7 removal target. TOC shared that there are no planned operations in the North Sea due to the lack of data to suggest the presence of marine debris on the seas surface. In 2024, TOC will have a main focus of their works in the north pacific garbage patch.

83. The Norfolk Projects determined that in order for a collaboration with TOC to feasibly contribute toward the suite of measures to be included in version 2 of the BIMP, the connection between debris found on the sea surface in the North Pacific Ocean and impacts to the seabed would need to be proved.

84. TOC shared their literature with the Norfolk Projects and the contact of marine plastic experts (see section 6.4 below for more).

85. After establishing that a case can be made to connect debris from the sea surface to a potential fate on the seabed, a clear alignment in objectives was quickly established and further conversations led to a drafted proposal to remove nearly 40,000kg of floating marine debris. A conversion rate was established that allowed this proposal to be established in light of the 10.7-hectare removal target.
86. The Norfolk Projects has been informed that The Ocean Cleanup has all the necessary licenses and permits to be able to remove marine debris from the sea surface in the international waters of the Pacific Ocean. The Ocean Cleanup has a formal agreement set up with the State of the Netherlands to ensure operation under the Dutch flag. Part of the obligations under this agreement involved performing a Formal Safety Assessment and an Environmental Impact Assessment in accordance with Dutch Law. The Ocean Cleanup's operations require the possession of a Basel Permit for the transboundary shipment of waste from Canada to the Netherlands for recycling (which has been granted). The Ocean Cleanup also provided confidence that their vessel contractor – Maersk complies with all local customary legislation related to ships, use of ports, and transit through Canadian waters.
87. On 30 January 2024, TOC signed a letter of intent to demonstrate their acceptance of this proposal subject to the approval of the BIMP Version 2.

6.4 Marine Plastics Experts - Academia

6.4.1 Richard Thompson – Plymouth University

88. On the 15 December 2023, the Norfolk Projects reached out to Dr Richard Thompson OBE FRS, the director of the marine institute at Plymouth University, who is a world leading expert in the causes and effects of marine litter – he has recently received the 2023 Blue Planet prize in recognition of his research.
89. The purpose of the call was to seek advice on the best methodology to remove marine debris from the seabed. Dr Richard shared that the majority of debris that enters the marine environment ends up on the beach. He added that the best method for removing this beach debris is through beach cleans. He advised that macroplastics on the beach break down over time into microplastics making the pollution unrecoverable and very damaging to marine organisms. After this conversation, The Norfolk Projects decided to engage with beach clean organisations (see section 6.7).

6.4.2 Dr Miguel Morales Maqueda – Newcastle University

90. On the 18 December 2023, the Norfolk Projects held a conversation with the senior lecturer in Oceanography at the Newcastle University - Dr Miguel Morales Maqueda who is another expert in the field of marine plastics with a focus on modelling microplastic transport in the marine environment.
91. The purpose of this call was to share The Norfolk Project's plan outlined in version 2 of the BIMP to discharge the benthic compensation condition and consult Dr Miguel's advice.

92. Dr Miguel confirmed the Norfolk Projects assumption that marine debris that ends up on the coastline is significantly of maritime origin. He also held a view that beach cleaning operations by hand are a more efficient solution than operating a remotely operated vehicle on the seabed. He also shared scientific papers that show the tidal effects of marine debris distribution and that the North Sea is of course a part of the currents that stir the global oceans.
93. Dr Miguel also shared details of collaboration opportunities with Newcastle University through funded PhD's, data provision for research and supporting by speaking at online lectures through which the Norfolk Projects could partner with Newcastle University.

6.5 Ghost Fishing UK

94. On the 17 January 2024, the Norfolk Projects connected with the operations manager of Ghost Fishing UK, a diving charity that removes lost fishing gear from the seabed. The purpose of the call was to explore potential collaboration opportunities in light of the benthic compensation condition to remove marine debris from the seabed.
95. Ghost Fishing UK shared that the majority of their operations take place on the west coast of England, but they are looking to expand their sphere of influence and extend their operations along the east coast. The Norfolk Projects recognised this as a good opportunity and arranged further conversations to establish the feasibility of partnering with Ghost Fishing to deliver the 10.7 debris removal target.
96. During consultation with Ghost Fishing UK, The Norfolk Projects has been informed that Ghost Fishing UK's protocol for fishing gear removal has been approved by both Natural England and Historic England. The protocol supports a Marine License Exemption which has been granted by the MMO. Ghost This Marine License Exemption grants their operation within Marine Conservation Zones (MCZs), Special Sites of Scientific Interest (SSSI), SACs, Special Protection Areas (SPAs) and Ramsar sites if required.
97. A proposal was drafted and an agreement letter of intent was signed on the 25 January. Subject to BIMP Version 2 approval, Ghost Fishing would remove an estimated 1,820kg from the seabed through ten diving operations, four of which are off the east coast of England. Ghost Fishing UK shared that large trawl nets have been reported which contribute a significantly to the Norfolk Project's 10.7 hectare removal target.

6.6 Surfers Against Sewage

98. On 15 January 2024, the Norfolk Projects attempted to arrange an introduction with Surfers Against Sewage (SAS), a charity that works to tackle the marine debris problem in the UK. On 14 February 2024 a call was arranged to discuss The Norfolk Projects and explore potential collaboration.
99. After the initial conversation showing promising potential of collaboration, Surfers Against Sewage took it away to their trustees. SAS concluded that they were not able to support the Norfolk Projects on this campaign as their trustees were not comfortable with how this debris

removal campaign lined up with their organisation's conservation objectives. No collaboration agreement was reached.

6.7 EEPC Beach Clean Network

100. On 15 January 2024, the Norfolk Projects spoke with the EEPC about beach clean organisations within their network in the southeast of England. The EEPC shared the details of Norfolk Beach Cleans (NBC) and Keep Britain Tidy (KBT). The EEPC reached out to both of these organisations to arrange an introduction. It also invited Marine Conservation for Norfolk Action Group, however, they did not attend the meeting.
101. On the 18 January 2024 the Norfolk Projects shared the background of the wind farm, and the context of the benthic compensation conditions in order to open up discussion with NBC and KBT. It became apparent that both opportunities had the operational capacity and aligned objectives to collaborate with the Norfolk Projects to remove beach debris from the south east coast.
102. The Norfolk Projects put together two proposals outlining a conversion rate for the weight of beach debris to the footprint of the impact this beach debris would have in m² so that the scope of work could be established in light of the 10.7-hectare target.
103. During consultation, the Norfolk Projects were informed that both NBC and KBT work together with the Local Council authorities to ensure that all the relevant permits, licenses and legislation is adhered to during their beach clean operation.
104. Agreement was reached with both organisations in the form of a non-binding letter of intent from NBC on 30 January and KBT on the 31 January to accept these proposals upon approval of version 2 of the BIMP.

6.8 Other EIFCA Beach Clean Network

105. On the 8 January 2024, The Norfolk projects contracted the EIFCA to inquire about any further possibilities to collaborate on marine debris removal. This resulted in an email being sent to Kent and Essex IFCA, Sussex IFCA and the North Eastern IFCA, inviting them to collaborate, however no response was received.

7 OTHER CONSULTATION

7.1 Department for Environment Food and Rural Affairs

106. Following Natural England's advice that an extension to the HHW SAC should be considered as an option for adaptive management the Norfolk Projects consulted Department for Environment Food and Rural Affairs (DEFRA) on 10 January 2023 to understand their position on whether an SAC could be extended. DEFRA's official position was that it could not support the extension of the HHW SAC as a form of adaptive management. This was again confirmed during a meeting with them in August 2023. BEIS (now DESNZ) have been kept apprised of progress by The Norfolk Projects team throughout the development of the BIMP and now version 2 of the BIMP.

107. The Norfolk Projects is aware that on the 1 February 2024 the SoS for DEFRA approved the "designation and extension of Marine Protected Areas in English waters" as a measure for benthic compensation. Following this decision, The Norfolk Projects consulted with DEFRA (offshore Wind Enabling Actions Team) on the 11 March 2024 to understand whether this could be an option for The Norfolk Projects to consider. During this call DEFRA highlighted that:

- There are no firm timelines in place for when a designation would be made.
- The secondary legislation for MRF projects has not yet been passed (and they don't know when it is likely to happen); and
- There is no certainty on the outcome of a consultation on extensions.

8 REFERENCES

Norfolk Projects (2022). Benthic Steering Group Plan of Work. Version 3. Document reference PB5640.009.0003. Available at:
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-002986-Norfolk%20Projects%20Benthic%20Steering%20Group%20Plan%20of%20works.pdf>

APPENDIX 1 SIGNED INVOLVEMENT LETTERS FROM THE BSG

Provided below are letters signed by members of the BSG confirming their intention to engage with the Norfolk Projects BSG.

Eastern Inshore Fisheries and Conservation
Authority
6 North Lynn Business Village
Bergen Way
King's Lynn
Norfolk PE30 2JG

Vattenfall Wind Power Ltd
Norfolk Boreas Ltd
5th Floor
70 St Mary Axe
London
EC3A 8BE

Date:
09/02/2022

Contact:
E-mail:

Phone:

The Norfolk Boreas Offshore Wind Farm Order 2021, Schedule 19, Part 3


Haisborough, Hammond and Winterton Special Area of Conservation: Delivery of measures to compensate for cable installation and protection

Invitation to engage as a member of the Benthic Steering Group

Dear Eastern Inshore Fisheries and Conservation Authority

Vattenfall's Norfolk Boreas Offshore Windfarm is being developed by Norfolk Boreas Limited. We are writing to you in relation to the benthic compensation specified within the Development Consent Order (DCO) for the Wind farm and detailed in documents supporting the Secretary of State's Decision letter.

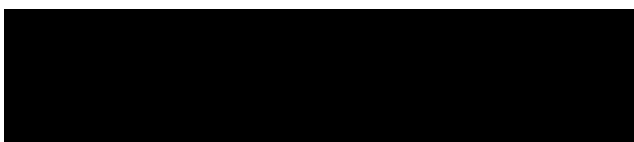
In accordance with Schedule 19 Part 3 of the Norfolk Boreas DCO, a benthic compensation steering group (BSG) must be formed to consult on the preparation, scope, and delivery of the benthic compensation, prior to submission to the Secretary of State for approval. Should Norfolk Vanguard Offshore Wind Farm also be awarded development consent a combined Benthic Steering Group will be progressed.

Prior to commencement of the authorised development the plan of work for the BSG must be approved by the Secretary of State. The requirement is detailed in paragraphs 23 and 24, of Schedule 19, Part 3 (pp 372 of the 

As an advisory member of the Benthic Steering Group you will be invited to input into the process on aspects which directly relate to your organisation, you will be sent relevant documents to review and will be requested to join steering group meetings as appropriate.

We would like to convene the Benthic Steering Group as soon as possible and following your acceptance of this invite we will aim to set up a first meeting in early March. At this initial meeting we would like to progress as far as possible the plan of work for the BSG which will include:

- (a) terms of reference of the BSG;
- (b) the membership of the BSG;
- (c) details of the schedule of meetings, timetable for preparation of the Benthic Implementation and Monitoring Plan (BIMP) and reporting and review periods; and

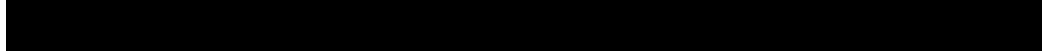


(d) the dispute resolution mechanism.

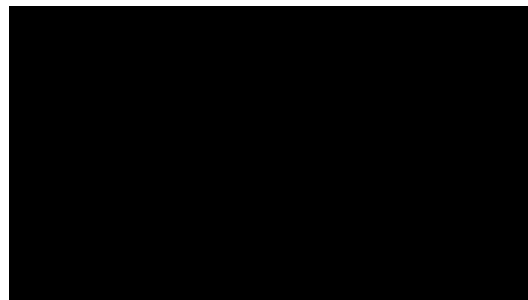
These will form the Plan of Works required to discharge Schedule 19, Part 3 (13).

We would be grateful if you would please respond to this letter by countersigning below to confirm your understanding of the request and your organisations intention to engage with Norfolk Boreas Limited.

If you have any queries in relation to this letter, please do not hesitate to contact Ruari

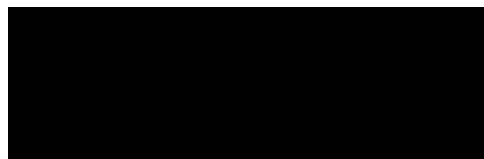


For and on behalf of Norfolk Boreas Limited,



Ruari Lean
Norfolk Boreas and Norfolk Vanguard Project Manager


On behalf of the Eastern Inshore Fisheries and Conservation Authority I confirm participation on the Norfolk Boreas Benthic Steering Group.





Date

The National Federation of Fishermen's
Organisations
30 Monkgate
York
YO31 7PF

Vattenfall Wind Power Ltd
Norfolk Boreas Ltd
5th Floor
70 St Mary Axe
London
EC3A 8BE
Tel: 

Date:
09/02/2022

Contact:
E-mail: 

Phone 

The Norfolk Boreas Offshore Wind Farm Order 2021, Schedule 19, Part 3


Haisborough, Hammond and Winterton Special Area of Conservation: Delivery of measures to compensate for cable installation and protection

Invitation to engage as a member of the Benthic Steering Group

Dear National Federation of Fishermen's Organisations

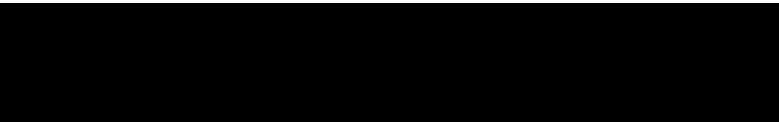
Vattenfall's Norfolk Boreas Offshore Windfarm is being developed by Norfolk Boreas Limited. We are writing to you in relation to the benthic compensation specified within the Development Consent Order (DCO) for the Wind farm and detailed in documents supporting the Secretary of State's Decision letter.

In accordance with Schedule 19 Part 3 of the Norfolk Boreas DCO, a benthic compensation steering group (BSG) must be formed to consult on the preparation, scope, and delivery of the benthic compensation, prior to submission to the Secretary of State for approval. Should Norfolk Vanguard Offshore Wind Farm also be awarded development consent a combined Benthic Steering Group will be progressed.

Prior to commencement of the authorised development the plan of work for the BSG must be approved by the Secretary of State. The requirement is detailed in paragraphs 23 and 24, of Schedule 19, Part 3 (pp 372 of the 

As an advisory member of the Benthic Steering Group you will be invited to input into the process on aspects which directly relate to your organisation, you will be sent relevant documents to review and will be requested to join steering group meetings as appropriate.

We would like to convene the Benthic Steering Group as soon as possible and following your acceptance of this invite we will aim to set up a first meeting in early March. At this initial meeting we would like to progress as far as possible the plan of work for the BSG which will include:

- (a) terms of reference of the BSG;
 - (b) the membership of the BSG;
 - (c) details of the schedule of meetings, timetable for preparation of the Benthic Implementation and Monitoring Plan (BIMP) and reporting and review periods; and
- 

(d) the dispute resolution mechanism.

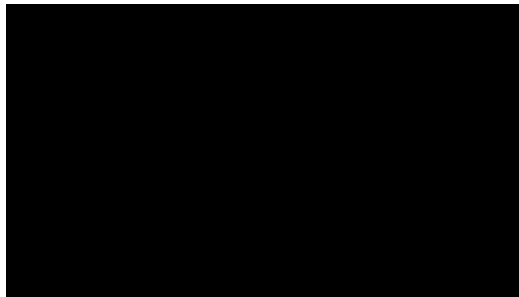
These will form the Plan of Works required to discharge Schedule 19, Part 3 (13).

We would be grateful if you would please respond to this letter by countersigning below to confirm your understanding of the request and your organisations intention to engage with Norfolk Boreas Limited.

If you have any queries in relation to this letter, please do not hesitate to contact Ruari



For and on behalf of Norfolk Boreas Limited,



Ruari Lean
Norfolk Boreas and Norfolk Vanguard Project Manager

On behalf of the National Federation of Fishermen's Organisations I confirm participation on the Norfolk Boreas Benthic Steering Group.



Signature

15/02/22

Date

Natural England
Lancaster House,
Hampshire Court
Newcastle upon Tyne
NE4 7YH

Vattenfall Wind Power Ltd
Norfolk Boreas Ltd
5th Floor
70 St Mary Axe
London
EC3A 8BE

Date:
15/02/2022

Contact:
E-mail:

Phone:

The Norfolk Boreas Offshore Wind Farm Order 2021, Schedule 19, Part 3


Haisborough, Hammond and Winterton Special Area of Conservation: Delivery of measures to compensate for cable installation and protection

Invitation to engage as a member of the Benthic Steering Group

Dear Natural England,

Vattenfall's Norfolk Boreas Offshore Windfarm is being developed by Norfolk Boreas Limited. We are writing to you in relation to the benthic compensation specified within the Development Consent Order (DCO) for the wind farm and detailed in documents supporting the Secretary of State's Decision letter.

In accordance with Schedule 19 Part 3 of the Norfolk Boreas DCO, a benthic compensation steering group (BSG) must be formed to consult on the preparation, scope, and delivery of the benthic compensation, prior to submission to the Secretary of State for approval. Should Norfolk Vanguard Offshore Wind Farm also be awarded development consent a combined Benthic Steering Group will be progressed.

Prior to commencement of the authorised development the plan of work for the BSG must be approved by the Secretary of State. The requirement is detailed in paragraphs 23 and 24, of Schedule 19, Part 3 (pp 372) of the 

As a Core member you will be invited to review all documentation, attend all steering group meetings, develop and agree the plan of works (see Schedule 19, Part 3 paragraph 24 (a) – (d) and proactively engage to develop and progress the benthic compensation.

We would like to convene the Benthic Steering Group as soon as possible and following your acceptance of this invite we will issue a draft Plan of Works for your review. Then at the first meeting we would like to formally sign off the Plan of Works for the BSG which will include:

- (a) terms of reference of the BSG;
- (b) the membership of the BSG;
- (c) details of the schedule of meetings, timetable for preparation of the Benthic Implementation and Monitoring Plan (BIMP) and reporting and review periods; and
- (d) the dispute resolution mechanism.



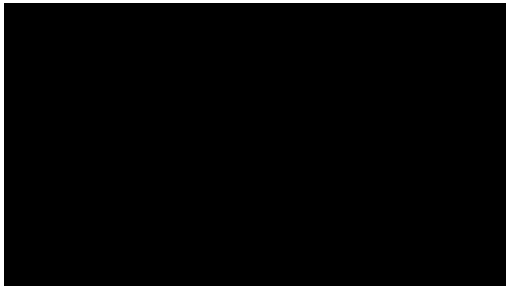
These will form the Plan of Works required to discharge Schedule 19, Part 3 (13).

We would be grateful if you would please respond to this letter by countersigning below to confirm your understanding of the request and your organisations intention to engage with Norfolk Boreas Limited.

If you have any queries in relation to this letter, please do not hesitate to contact Dave Tarrant

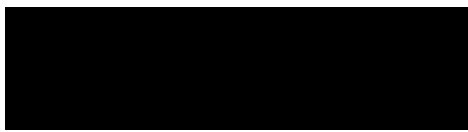


For and on behalf of Norfolk Boreas Limited,



Ruari Lean
Norfolk Boreas and Norfolk Vanguard Project Manager

On behalf of Natural England I confirm participation on the Norfolk Boreas Benthic Steering Group.



Signature

21st April 2022

Date

Marine Management Organisation
Lancaster House,
Hampshire Court
Newcastle upon Tyne
NE4 7YH

Vattenfall Wind Power Ltd
Norfolk Boreas Ltd
5th Floor
70 St Mary Axe
London
EC3A 8BE

Date:
08/02/2022

Contact:
E-mail:

Phone:

The Norfolk Boreas Offshore Wind Farm Order 2021, Schedule 19, Part 3


Haisborough, Hammond and Winterton Special Area of Conservation: Delivery of measures to compensate for cable installation and protection

Invitation to engage as a member of the Benthic Steering Group

Dear Marine Management Organisation,

Vattenfall's Norfolk Boreas Offshore Windfarm is being developed by Norfolk Boreas Limited. We are writing to you in relation to the benthic compensation specified within the Development Consent Order (DCO) for the wind farm and detailed in documents supporting the Secretary of State's Decision letter.

In accordance with Schedule 19 Part 3 of the Norfolk Boreas DCO, a benthic compensation steering group (BSG) must be formed to consult on the preparation, scope, and delivery of the benthic compensation, prior to submission to the Secretary of State for approval. Should Norfolk Vanguard Offshore Wind Farm also be awarded development consent a combined Benthic Steering Group will be progressed.

Prior to commencement of the authorised development the plan of work for the BSG must be approved by the Secretary of State. The requirement is detailed in paragraphs 23 and 24, of Schedule 19, Part 3 (pp 372) of the 

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We would like to convene the Benthic Steering Group as soon as possible and following your acceptance of this invite we will aim to set up a first meeting in early March. At this initial meeting we would like to progress as far as possible the plan of work for the BSG which will include:

- (a) terms of reference of the BSG;
- (b) the membership of the BSG;
- (c) details of the schedule of meetings, timetable for preparation of the Benthic Implementation and Monitoring Plan (BIMP) and reporting and review periods; and



(d) the dispute resolution mechanism.

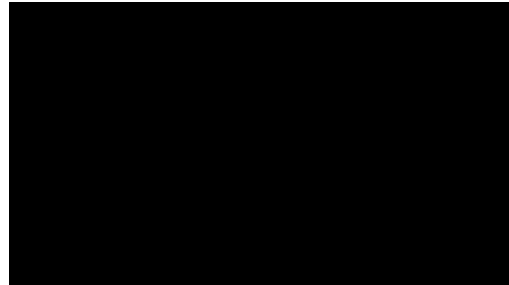
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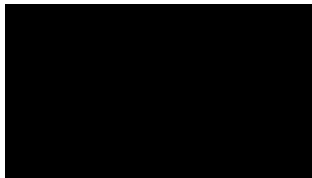


For and on behalf of Norfolk Boreas Limited,



Ruari Lean
Norfolk Boreas and Norfolk Vanguard Project Manager

On behalf of the Marine Management Organisation I confirm participation on the Norfolk Boreas Benthic Steering Group



10/02/2022

Signature

Date

APPENDIX 2 AGREEMENT LOG

Provided below is the BSG Agreement Log at the time of submission of the BIMP to the Secretary of State.

Norfolk Projects Offshore Wind Farms Benthic Steering Group Agreement Log



Developer: Norfolk Boreas Limited, Norfolk Vanguard West and Norfolk Vanguard East Limited
Document Reference: PB5640.008.0022

Date: March 2024
Revision: Version 1
Author: Royal HaskoningDHV

Photo: Kentish Flats Offshore Wind Farm

| Date | Issue No. | Remarks / Reason for Issue | Author | Checked | Approved |
|------------|-----------|--|--------|---------|----------|
| 16/06/2022 | 0.1 | For BSG information | DT | LB | JL |
| 08/08/2022 | 0.2 | For BSG update | SF | DT | JL |
| 09/12/22 | 0.3 | For BSG update following meeting 3 | SF | DT | JL |
| 30/01/23 | 0.4 | For BSG review prior to meeting 4 | DT | LB | JL |
| 02/03/2023 | 0.5 | For BSG review prior to BIMP issue | LB | DT | JL |
| 23/03/2023 | 1.0 | Version for submission to the SoS | LB/DT | BSG | BSG |
| 26/02/2024 | 1.1D | Version for BSG review | SF DT | YB | BSG |
| 15/03/2024 | 2.0F | Final Version submitted to the SoS in support of BIMP V2 | SF DT | YB | BSG |



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| 3 | References | 8 |

Glossary of Acronyms

| | |
|-------|---|
| BEIS | Department for Business, Energy & Industrial Strategy |
| BIMP | Benthic Implementation Management Plan |
| BSG | Benthic Steering Group |
| CSIMP | Cable Specification, Installation and Monitoring Plan |
| EIFCA | Eastern Inshore Fisheries & Conservation Authority |
| HHW | Haisborough, Hammond and Winterton |
| MMO | Marine Management Organisation |
| MLA | Marine Licence Application |
| NFFO | National Federation of Fishermen's Organisations |
| SAC | Special Area of Conservation |
| SoS | Secretary of State |

1 Background

1. This Agreement Log has been prepared between the members of the Benthic Steering Group (BSG) and the Norfolk Projects, to set out the areas of agreement or disagreement in relation to the items which require discussion as detailed in Schedules 19 and 17 of the Norfolk Boreas and Norfolk Vanguard Orders (together referred to as the Orders).
2. The members of the Benthic Steering Group include:
 - Natural England,
 - Marine Management Organisation (MMO),
 - National Federation of Fishermen's Organisations (NFFO), and
 - Eastern Inshore Fisheries & Conservation Authority (EIFCA); and
 - The Norfolk Projects
3. The Steering Group, together with its independent Chair, Dickon Howell, aim to discharge the Benthic Compensation Requirements within the Orders, whilst reducing further impacts on the Haisborough, Hammond and Winterton (HHW) Special Area of Conservation (SAC).
4. The agreement log has been structured to reflect the topics of discussion between the members of the steering group and the Norfolk Projects. The agreement logs outline all topic specific matters agreed, not agreed and any actions to resolve between the BSG members. Matters that are not agreed will be the subject of ongoing discussion wherever possible to resolve or refine the extent of disagreement between the parties.
5. The agreement log includes agreements made when developing Version 1 of the Benthic Implementation and Monitoring Plan (BIMP). Version 1 of the BIMP was submitted to the Secretary of State (SoS) in March 2023 along with latest agreement log at that time. This latest version of Agreement Log includes new entries which have been made whilst developing version 2 of the BIMP.

2 Agreement Log

Table 2.1 Agreement log outlining agreements made within the Benthic Steering Group.

| Topic | Norfolk Projects | Natural England | MMO | NFFO | EIFCA | Outstanding Actions / Notes |
|--|---|---|--|--|--|--|
| Plan of Works | | | | | | |
| Terms of Reference | Agreed 28 April | Agreed 20 May 2022 | Agreed 20 May 2022 | Agreed 5 May 2022 | Agreed 5 May 2022 | |
| Marine Debris Definition | | | | | | |
| Definition of Marine debris Removal: | Proposed the following definition on the 18 August 2022 "Marine Debris removal' is specified as the removal of persistent anthropogenic material within the HHW SAC which has not been intentionally placed on the seabed, with the exception of recognised wrecks." | Agreed definition on 18 August 2022 | Agreed 06 December 2022 during BSG meeting 3 | Agreed 06 December 2022 during BSG meeting 3 | Agreed 06 December 2022 during BSG meeting 3 | |
| Programme of Works (Positions provided during development of BIMP version 1 in 2022 and 2023) | | | | | | |
| Survey Programme | Surveying the Primary Area of Search and the Secondary Area of Search will be conducted in early September 2022 with reporting in November 2022 | Agreed with the current plan - 02 August 2022 | Agreed with the current plan - 02 August 2022 | Agreed with the current plan - 02 August 2022 | Agreed with the current plan - 02 August 2022 | |
| Agreement on the location of the Primary and secondary phase 1 adaptive management Area of Search | Heat mapping and desk-based analysis has been used to determine both the Primary Area of Search and the Secondary Area of Search, which are both 100ha (rather than 16.6ha). This allows considerable contingency should there be Annex I Sabellaria reef located within the two search areas | Natural England have some concern regarding the locations of the search area as confidential data suggests that Sabellaria is likely to be present in these locations. However Natural England do not disagree with the locations but highlight the risk that Sabellaria is likely to be present and therefore contingency is required. | Agreed the location during BSG meeting 2 on 02 August 2022 | Agreed the location during BSG meeting 2 on 02 August 2022 | Agreed the location during BSG meeting 2 on 02 August 2022 | Norfolk Projects has developed the decision tree to be used when deciding whether or not attempt to remove debris. This will include an assessment of whether Sabellaria reef is present and if harm would be caused to that reef the decision would be made not to remove. The Decision tree will be included in the Application for a Marine Licence for the removal |
| Removal Programme | Either to take place in 2023 or 2024 if it is not possible to procure contractors based on the results of the identification survey. Preference for 2023 as removal will be closer to marine debris identification works and lowers the risk of losing identified debris. | No comment and Natural England position is that Marine Debris removal is not compensation | Agreed on 6 December 2022 during BSG meeting 3 | Agreed in principle during BSG meeting 2 on 02 August 2022 | Agreed in principle during BSG meeting 2 on 02 August 2022 | |

| Topic | Norfolk Projects | Natural England | MMO | NFFO | EIFCA | Outstanding Actions / Notes |
|--|---|--|---|---|---|---|
| Marine Debris Surveys | | | | | | |
| Target Criteria | Principles presented at BSG meeting 2 (see Benthic Implementation Management Plan (BIMP) for criteria) | Agreed in principle at BSG meeting 2 02 August 2022 | Agreed in principle at BSG meeting 2 02 August 2022 | Agreed in principle at BSG meeting 2 02 August 2022 | Agreed in principle at BSG meeting 2 02 August 2022 | |
| Success Criteria | <p>Proposed that success would be reached if material had been removed from the Seabed. However, following discussions at BSG3 it was agreed that further definition for success was required.</p> <p>Version 2 of the BIMP included the revised success criteria in section 7.1.1 which includes: <i>“Secondly the area of debris removed in relation to the targets set out in the DCOs as 16.6ha (for Norfolk Boreas and Norfolk Vanguard, but taking into account the quantum of marine debris removal that might be delivered by virtue of the shared cable corridor)”</i></p> | <p>At BSG meeting 2, Natural England expressed concern about defining compensation success in line with the Secretary of State’s requirement. NE do not consider that marine debris is currently hindering the conservation objectives of the HHW SAC.</p> <p>Agreed in principle at BSG meeting 4 13 February 2023 with caveat that written comments be addressed in version 4 of the BIMP.</p> | Agreed in principle at BSG meeting 4 13 February 2023 | Agreed in principle at BSG meeting 4 13 February 2023 | Agreed in principle at BSG meeting 4 13 February 2023 | |
| Marine Debris (from the HHW SAC, now referred to in the BIMP as Workstream 1) Removal Methodology (Positions provided during development of BIMP version 1 in 2023) | | | | | | |
| Removal Feasibility based on size and nature of Debris | Proposed that a Decision Tree approach for target selection for removal is used and have proposed to adapt the example set by Hornsea Project Three and include this in the marine licence application | <p>Natural England confirm that it does not believe that marine debris is currently hindering the conservation objectives of the HHW SAC and it also has raised concerns about marine debris removal causing more harm than benefit to the HHW SAC.</p> <p>Natural England agree with the decision tree approach as this will reduce the risk of any further impacts to the HHW SAC.</p> | Agreed on proposed approach during BSG meeting 3 06 December 2022 | Agreed on proposed approach during BSG meeting 3 06 December 2022 | Agreed on proposed approach during BSG meeting 3 06 December 2022 | Norfolk Projects has finalised the decision tree for debris removal. |
| Avoidance of Potential impacts of removal | <p>Norfolk Projects presented the embedded mitigation proposed within the removal methodology at BSG meeting 3.</p> <p>Firstly, Annex 1 Sabellaria reef would be avoided through the</p> | Natural England advise that removal involves monitoring. For example, might include a photo immediately after removal (taken using the ROV, and then returning to capture a second photo 1 year later. | Agreed during BSG meeting 3 06 December 2022 | Agreed during BSG meeting 3 06 December 2022 | Agreed during BSG meeting 3 06 December 2022 | Norfolk Projects have included Year 1 post removal recoverability survey in BIMP. |

| Topic | Norfolk Projects | Natural England | MMO | NFFO | EIFCA | Outstanding Actions / Notes |
|--|---|--|---|--|--|---|
| | <p>Heat mapping design and the decision tree process, whereby during the removal process a benthic specialist will be viewing the live feed from the retrieval ROV and if Sabellaria reef has established on an item of marine debris it will not be removed from the seabed.</p> <p>Secondly, the proposed methodology for removal of marine debris does not include dredging of the seabed therefore there will be no disposal of dredged material.</p> | | | | | |
| Removal Mechanism for removal of marine Debris within the HHW SAC | Norfolk Projects have proposed removal by Work-Class ROV as this minimises impact to the seabed whilst also minimising HSE risk | Natural England advise that “the use of a Remotely Operated Vehicle (ROV), potentially with the option to jet around partially buried debris, is currently the most likely tool to minimise the impacts. This is because unlike with dredging and/or use of a grapnel anchor it can be targeted thus reducing the area of impact, it is less likely to remove/damage interest feature and/or can be operated more accurately in real time to avoid other interest features.” | Agreed 02 August 2022 | Agreed 02 August 2022 | Agreed 02 August 2022 | |
| Adaptive management (Positions provided during development of BIMP version 1 in 2023) | | | | | | |
| Phase 1 Adaptive management area of search | Norfolk Projects propose that should the success criteria not be met when removing debris from the Primary Area of Search, that a debris removal campaign should then be initiated in a Secondary Area of Search (see BIMP for further detail). All targets will be ground-truthed prior to removal to exclude potential impacts to Sabellaria that might be present. | Natural England have some concern regarding the locations of the search area as confidential data suggests that Sabellaria is likely to be present in these locations. However Natural England do not disagree with the approach. | Agreed approach at BSG meeting 2 02 August 2022 | Agreed approach at BSG meeting 2 02 August 2022 | Agreed approach at BSG meeting 2 02 August 2022 | |
| Phase 2 Adaptive management - extension of the HHW SAC (or MPA designation) | The Norfolk Projects proposed in BIMP V1, that an extension of the HHW SAC could be implemented should the Adaptive Management area of search approach still not meet the Success criteria. | Natural England would support this option as from, an ecological perspective, of the designated features effected, it is the most beneficial. Natural England would support this | No response given | This is fundamentally unfair in principle and therefore the NFFO do not support this option. Spatial squeeze affecting fishing businesses around the UK due to other industries and interest | The EIFCA do not support the extension of the HHW SAC as a form of adaptive management because we do not believe other sea users (such as inshore fisheries) should be impacted by | An alternative option for adaptive management Phase 2 was agreed at BSG4 and therefore this option is no longer being progressed. |

| Topic | Norfolk Projects | Natural England | MMO | NFFO | EIFCA | Outstanding Actions / Notes |
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| | However, following consultation with Defra, it was concluded that because they would not support this option, and the fact that the time scale for implementation would mean that extension of the SAC would not be delivered before cable installation it should be ruled out. | | | groups is becoming increasingly severe and this option would add to that problem | environmental compensation measures required of other sectors. Further, although Eastern IFCA accept the potential environmental benefits of the proposed measure, we query the necessity of the HHW SAC extension given that the SAC was not designated to include the extension zone when implemented in 2017. | |
| Phase 2 Adaptive management – Marine Debris search and removal from the Inner Dowsing, Race Bank and North Ridge SAC | The Norfolk Projects proposes that in line with paragraph 29(f) of the Benthic compensation schedules, should the debris removal from the HHW SAC prove to have achieved partial success but not fully met the Success criteria the Inner Dowsing, Race Bank and North Ridge SAC would also be subject to a debris search and removal campaign. | Principle of including this was agreed at BSG4 | Principle of including this was agreed at BSG4 | Principle of including this was agreed at BSG4 | Principle of including this was agreed at BSG4 | Further surveys have been completed and analysis shows that marine debris removal from the Inner Dowsing, Race Bank and North Ridge SAC is highly unlikely to make a significant contribution to the 10.7ha requirement. |
| Phase 2 Adaptive management – payment into the Marine recovery fund | The Norfolk Projects propose that should the debris removal from the HHW SAC prove to have achieved less than 30% of its Success target then a completely different approach to adaptive management should be taken and that this should be to make payment into the Marine Recovery Fund. | Natural England agree with the principle of this option but have concerns that there is currently no certainty regarding: who will manage the fund, what projects the fund will contribute towards and how these would be, and the scale of the financial contributions by developers. Principle of including this was agreed at BSG4 | Principle of including this was agreed at BSG4 | Principle of including this was agreed at BSG4 | Principle of including this was agreed at BSG4 | The DESNZ Letter of 30 October ruled out any reliance on the MRF and a success criteria which had a 30% threshold. Therefore, this option has been removed from the BIMP V2 |
| Marine Awareness campaign | | | | | | |
| Marine Awareness Campaign | Collaboration areas proposed to the East England Plastic Coalition presented and a progress report provided at BSG meeting 3 for agreement. Plans for Fishing for Litter integration also proposed. | As Natural England is limiting its advice to ensuring that no further damage to designated site features will occur in the delivery of compensation measures it has not provided advice on the marine awareness campaign proposals | Agreed the approach taken during BSG meeting 3 06 December 2022 and are fully supportive of the work being proposed | Agreed the approach taken during BSG meeting 3 06 December 2022 and are fully supportive of the work being proposed | Agreed the approach taken during BSG meeting 3 06 December 2022 and are fully supportive of the work being proposed | Norfolk Projects to continue to engage with organisations such as Ghost Fishing UK to identify further opportunities. |

| Topic | Norfolk Projects | Natural England | MMO | NFFO | EIFCA | Outstanding Actions / Notes |
|--|---|---|--|---|---|---|
| <p>The positions included within the rows above were formed during the development of BIMP Version 1 in 2022 and 2023. The notes have been updated to reflect where actions have been completed.</p> <p>The positions included in the rows below have been formed by the BSG during the development of BIMP Version 2.</p> | | | | | | |
| BIMP Version 2 | | | | | | |
| BIMP Resubmission | In light of the BIMP V1 refusal from the SoS, the Norfolk Projects proposed at BSG5 the submission of a 2 nd version of the BIMP (BIMP V2) to DESNZ in March 2024 to address the concerns raised by the SoS to BIMP V1 | Natural England agreed to review the draft V2 BIMP and provide comment. | This approach was agreed at BSG5. | This approach was agreed at BSG5. | The EIFCA were not present at BSG meeting 5 and therefore no position is provided at this time. | The Norfolk Projects to continue with the BIMP V2 submission plans. |
| Further debris removal from within HHW and other SACs designated for benthic features | The Norfolk Projects do not propose any further marine debris removal from SACs beyond the initial debris removal campaign scheduled to remove the 32 targets within the HHW SAC. | Agreed on the basis that evidence has demonstrated that Debris removal within English marine protected areas is not appropriate compensation to offset impacts from habitat loss and/or disturbance | MMO defer to Natural England on this matter | Agree | Agree | |
| Marine Debris removal from English Waters by Ghost Fishing UK and from Dutch French and Belgium waters by DDNZS | The Norfolk Projects will work with Dive the North Sea Clean Foundation and Ghost Fishing UK to remove material from the southern North Sea and English waters. | Natural England agree that this is compliant with the requirements of the DCO as written. However they have raised concern regarding the regulation of marine debris removal operations undertaken by diving organisations and stated at BSG meeting 5 that they would need evidence that they would not cause harm to MPAs and this should be included within the BIMP V2. | This approach was agreed at BSG5. | This approach was agreed at BSG5. | The EIFCA were not present at BSG meeting 5 and therefore no position is provided at this time. | |
| Marine Debris removal from UK beaches | The Norfolk Projects will collaborate with Keep Britain Tidy and Norfolk Beach Cleans to organise and undertake beach cleaning events along the south east coast of the UK. | Natural England agree that this is compliant with the requirements of the DCO as written. | The inclusion of beach cleans in BIMP2 was agreed at BSG5. | The inclusion of beach cleans in BIMP2 was agreed at BSG5 | The EIFCA agree the inclusion of beach cleans within BIMP V2 | |
| Marine debris removal from the sea surface | The DCO does not explicitly state that Marine Debris needs to come from the seabed. The SoS refusal letter dated 30 October 2023 states that "There is wide scope to identify other locations for such [Marine Debris] recovery". Therefore the Norfolk Projects proposes widening scope of the Marine Debris Removal Campaign to include removal of Marine Debris from the sea | Natural England reaffirm their position that debris removal is not compensation for benthic habitat loss and disturbance within HHW SAC however do agree that this may assist the Norfolk Projects in achieving what is required by the DCO noting however that it does not accord with the original intention of the DCO condition. | This approach was agreed at BSG5. | This approach was agreed at BSG5. | The EIFCA were not present at BSG meeting 5 and therefore no position is provided at this time. | Norfolk Projects to provide evidence for the connectivity between marine debris on the sea surface and the benthic environment within the SAC and to include this in the BIMP V2. |

| Topic | Norfolk Projects | Natural England | MMO | NFFO | EIFCA | Outstanding Actions / Notes |
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| | surface in order to provide greater certainty of reaching the 8.3-hectare requirement. | | | | | |
| Adaptive Management in Version 2 of BIMP | The Norfolk Projects proposes a two option approach to adaptive management whereby either the workstreams mentioned above are continued or, if available another form of adaptive management is taken such as strategic approach to compensation or contribution to the MRF if available and considered appropriate at that time. | Natural England agrees with the inclusion of adaptive management options, but have a strong preference to strategic options if they are available in a timely manner for the Norfolk Projects. But due to Natural England's position that marine litter removal will offset the impacts of habitat loss/disturbance within HHW SAC we do not agree with the proposals to trigger and implement adaptive management. | MMO defer to Natural England on this matter | NFFO Agree with this Approach | The EIFCA Agree with this Approach | |
| Marine Debris Removal License Application Submission to the MMO | | | | | | |
| Marine License Application (MLA) Submission | The Norfolk Projects proposes submission of the MLA for the marine debris removal of 32 debris items across the primary and adaptive areas of search. This MLA would cover a 3 week campaign which would take place in June. The team would aim to submit the MLA to the MMO at the end of January. | Natural England have no comment on the timeline of the MLA, but advise that Red Throated Diver and foraging Little Tern from the Greater Wash SPA should be included in HRA Screening with regard to possible disturbance from vessel transit to the Marine Debris Removal site of works. NE request notification prior to the MMO's consultation to manage resourcing. | This timeline for the MLA was agreed at BSG5. The MMO requested notification prior to submission to manage resourcing. | This timeline for the MLA was agreed at BSG5. | The EIFCA were not present at BSG meeting 5 and therefore no position is provided at this time. | Norfolk Projects to continue with the MLA submission plans. Norfolk Projects have updated the HRA Screening in response to Natural England's comments on Red Throated Diver and foraging Little Tern from the Greater Wash SPA. |

3 References

Natural England's advice note on avoid/reducing impacts from debris removal within North Sea designated site and appropriate monitoring to demonstrate effectiveness and wider benefits – June 2022.

APPENDIX 3 MMO WRITTEN RESPONSE TO THE BIMP



Marine Management Organisation

Marine Licensing
Lancaster House
Hampshire Court
Newcastle Upon Tyne
NE4 7YH



Vattenfall Wind Power Ltd
5th Floor,
70 St Mary Axe,
London,
EC3A 8BE

Our reference: MLA/2017/00002

By email only

07 March 2024

Dear Mr Tarrant,

Norfolk Boreas and Vanguard Offshore Wind Farm (OWF): Benthic Implementation and Monitoring Plan (BIMP) Version 2

Thank you for allowing the opportunity for the Marine Management Organisation (MMO) to review the BIMP version 2, which was received via email on 22 February 2024.

The MMO acknowledges that the benthic compensation requirements for the Norfolk Projects necessitate the removal of 8.3 hectares of marine debris from the Haisborough, Hammond, and Winterton (HHW) Special Area of Conservation (SAC). However, considering that the Habitats Regulations Assessment indicates that 5.9 hectares of this total would result from the combined effects of both Norfolk Boreas and Norfolk Vanguard projects, the overall area of debris to be removed under both Development Consent Orders (DCOs) amounts to 10.7 hectares (2.4 hectares for Norfolk Boreas, 2.4 hectares for Norfolk Vanguard East and West, and 5.9 hectares for in-combination effects). In instances where it is unfeasible to remove the required quantity of debris from the HHW SAC, alternative locations must be identified to fulfill this volume of marine debris removal.

An analysis of data from the section of The Norfolk Projects offshore cable corridor overlapping with the HHW SAC revealed low densities of marine debris. To address this, predictive mapping was conducted to identify high-density areas within the HHW SAC. Subsequent surveys confirmed debris densities of up to 5.3 items per km² in these areas, prompting plans for removal in 2024. A Marine Licence application has been submitted for any marine debris removal. However, further surveys in late 2023 found similarly low densities across the HHW SAC and adjacent areas. Given the challenges of meeting the debris removal requirement solely from SACs, The Norfolk Projects proposes a comprehensive approach, including collaborations with organisation's like The Ocean Cleanup and efforts to remove plastics from southeast England beaches. The plan aims to exceed the 10.7ha removal requirement and deliver long-term environmental benefits. Additionally, efforts are underway to educate and engage local communities in sustainable fishing practices and marine debris management. Through these initiatives, The Norfolk Projects anticipates significant environmental gains in collaboration with its partners.

The MMO agree in principle with the proposal as outlined in the BIMP version 2 and confirms the MMOs position within 'Appendix 2 – Norfolk Projects BSG Agreement Log' is correct. A



marine license application for debris removal has been submitted, validated, and assigned to a case team. The MMO has no further comments to make.

Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey

If you require any further information, please do not hesitate to contact me using the details provided below.

If you have any queries, please do not hesitate to contact us. Kind regards,

[Redacted]
Luke Harto
Marine Licensing Case Officer

[Redacted]
[Redacted]

