

Question Reference	Question Directed to:	Question:	Port of Boston Response/Comment
Q3.3.0.14	Natural England	Do NE have any outstanding concerns in relation to light spillage across the estuary during hours of darkness, and the impacts this may have on European smelt larvae?	<p>The Port of Boston is concerned to ensure that the lighting of the facility does not cause significant impact on navigation, and that this does not lead to excessive light spillage.</p> <p>The Port notes that design submissions in this regard should be subject to agreement with the Port.</p>
Q3.3.0.19	MMO and Port of Boston	Are the MMO and the Port of Boston satisfied with the Applicant's position regarding vessel speed as stated in their Comments on Interested Parties Responses to the Examining Authority's Second Written Questions [REP6-030], and if not please detail specific reasons?	<p>Statements submitted by the applicant in the draft NRA and elsewhere have incorrectly characterised vessel speed and are inconsistent with current practice.</p> <p>The Port has asked the Applicant to make changes to the draft NRA to ensure that the actual prevailing situation regarding vessel speed, and the current implementation of 'safe speed', is properly described in the DCO submission documents. The Applicant has given assurances that it will do this.</p>
Q3.10.0.17	BFFS (or legal representative) and The Applicant	I note from the Applicant's response to my second written question Q2.10.0.5 [REP5-004] that the BFFS had misgivings regarding the Navigation Risk Assessment (NRA), and that there were resourcing issues for the BFFS in reviewing this document. Please provide an update on progress with agreeing the NRA.	<p>The Port notes that BFFS will be consulted on the NRA but has no role to approve or agree the NRA.</p> <p>The Port is the primary approver of the NMP (and the NRA which informs the assessment of mitigation in the NMP) and will ensure that BFFS would be consulted on all concerns expressed by their organisation, and indeed we note that the Port has separately recently written to invite BFFS to make any specific representations on this topic directly to the Port.</p>
Q3.10.0.18	The Applicant	I note that you have advised that the Navigation Management Plan (NMP) will be produced post-consent; please submit at Deadline 7 (1 March) an Outline NMP (or at least a full template and proposal of how it will be completed). Please also provide details of how the NMP post-consent will be secured and who will be the discharging authority. I will expect the IPs to comment on, or agree, the Outline NMP before end of Examination.	<p>In conjunction with the Port the Applicant has prepared an outline NMP for submission at Deadline 7, and has also agreed a Technical Note in respect of bird risk to aid understanding of the scope and development of the NMP.</p> <p>The outline NMP describes the consultation that will take place with statutory bodies and other IP's. Comments received during the Examination will be carried forward into the development of the final NMP. IP's do not have any role to approve or agree the final NMP but ongoing consultation will take place as may be needed.</p> <p>The status of the outline NMP is made clear in the document itself but the final NMP cannot be constrained or limited by anything in the outline document.</p>

Q3.10.0.26	Port of Boston	Please advise any navigational requirements from your point of view you consider that the Applicant should consider regarding the fishermen's interests by Deadline 7.	<p>The Port is content that the Port's Pilotage Statement and outline NMP will provide further clarity on the impact of the BAEF on navigation, including the impact on the BFFS.</p> <p>The Port contends that the Fishermen's concerns will be listened to such that their concerns should be incorporated into the further development of the NRA and NMP.</p> <p>The Port has stated and explained why it is content that the additional vessels calling at the facility can be safely managed and can co-exist with BFFS current practices.</p> <p>The increase in vessels using the swinging area, may have an impact on the fishing fleet should the fleet wish to pass the swinging hole area at the same time that ships are swinging but recent ship bridge simulations conducted by the Port during the Boston Barrier detailed design have shown the actual swing manoeuvre only takes between 10 to 15 minutes to complete. Furthermore, it is likely that a proportion of BAEF commercial ships will swing in the dock basin, reducing the number of tides when BFFS vessels could be impacted.</p> <p>The cockle season is when the majority of the BFFS vessels go to into The Wash. Eastern IFCA place quotas on the catch and this generally limits the number of days that the BFFS can catch cockles to around 110 to 120 per annum. Outside of this season a much-reduced number of fishing vessels use the river daily (anywhere from 0 to perhaps 8).</p> <p>It is also worth emphasising that the tidal window for commercial cargo vessels navigating in the river is not expected to change due to the prevailing tidal restrictions on the draught of large ships.</p> <p>It is current practice that commercial cargo ships and BFFS discuss on VHF any out of the ordinary manoeuvres (to minimise conflict of space) and the Port would likely seek both a continuation and increase in this practice.</p> <p>Overall, the Port is content that the BAEF will not cause any significant impact on other river users (including Port of Boston vessels, fishing vessels and others), and that where practicable measures for mitigating impact will be introduced or reinforced.</p>
Q3.10.0.27	Port of Boston	The Applicant identifies major adverse significance of effects to	The Port contends that the increase in commercial shipping numbers (of itself)

		<p>the fishermen resulting from the following operational impacts in delivering refuse derived fuel to the Boston Alternative Energy Facility [APP-056]:</p> <ul style="list-style-type: none"> <li>• increase in the number of vessels using The Haven; and</li> <li>• the increased use of the turning circle.</li> </ul> <p>Post mitigation the Applicant identifies moderate adverse residual effects to the fishermen resulting from the above impacts. What in your view would be appropriate mitigation of these effects?</p>	<p>does not lead to any significant impact on the safety or efficiency of navigation in the Haven.</p> <p>This opinion is supported by experience when commercial ship numbers arriving at the Port were similar to that predicted when BAEF would become operational.</p> <p>Port of Boston vessel traffic is irregular and unpredictable, and it is quite usual to have tides with 2 or 3 ships arriving or sailing. In contrast the BAEF vessels are forecasted to generate a predictable and steadier (albeit higher) flow of traffic, which would aid traffic management.</p> <p>As noted in our response to Q3.10.0.26, the Port anticipates that BAEF vessels will be turning either in the river or in the Port's wet dock. The decision to use the wet dock for swinging would be taken by the pilot on board the vessel in conjunction with Port Control and be based on several factors, including whether there was a likelihood of a significant delay to BFFS.</p> <p>At the dock entrance there is short length of quay known as the 'Lead-In Jetty' and just upstream of the wet dock entrance is a new NAABSA berth, both of which could be used to temporarily hold a vessel in the circumstances of a timing clash between BFFS and commercial ships that cannot be otherwise safely mitigated by adjustment of speed by one party or the other.</p> <p>It is the Port's opinion that on most occasions, discussions between BFFS and Port Control (or the on-board pilot) would allow a window of 10 to 15 minutes in which commercial cargo vessels could be swung unhindered and without causing a significant delay to other river traffic including BFFS.</p> <p>Overall, mitigation of both vessel numbers and increased swinging in the river, is likely to be focussed on measures to improve the management of shipping, as described in the Port's separate Pilotage Statement.</p>
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