



FIVE
ESTUARIES
OFFSHORE WIND FARM

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VOLUME 9, REPORT 18.1: WORKING IN PROXIMITY TO WILDLIFE IN THE MARINE ENVIRONMENT

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DEFINITION OF ACRONYMS

Term	Definition
CTV	Crew Transport Vessel
DCO	Development Consent Order
dML	deemed Marine Licence
EPS	European Protection Species
ES	Environmental Statement
EU	European Union
ML	Marine Licence
MMMP	Marine Mammal Mitigation Protocol
RAMS	Risk Assessment Method Statement
SAC	Special Area of Conservation
SIP	Site Integrity Plan
SNS	Southern North Sea
UK	United Kingdom
UXO	Unexploded Ordnance
VE	Five Estuaries



Term	Definition
Array Area	The areas where the WTGs will be located.
Development Consent Order	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP) from the Secretary of State (SoS) for the Department for Energy Security and Net Zero (DESNZ).
Effect	Term used to express the consequence of an impact. The significance of an effect is determined by correlating the magnitude of the impact in question with the sensitivity of the receptor in question, in accordance with defined significance criteria.
ES	Environmental Statement (the documents that collate the processes and results of the EIA).
Export Cable Corridor (ECC)	The area(s) where the export cables will be located. Refer to either the offshore or onshore ECC.
Impact	An impact to the receiving environment is defined as any change to its baseline condition, either adverse or beneficial, resulting from the activities associated with the construction, operation and maintenance, or decommissioning of the project.
Mitigation	Mitigation measures, or commitments, are commitments made by the project to reduce and/or eliminate the potential for significant effects to arise as a result of the project..
Significant Effects	It is a requirement of the EIA Regulations to determine the likely significant effects of the development on the environment which should relate to the level of an effect and the type of effect. Where possible significant effects should be mitigated.
The Applicant	The company Five Estuaries Offshore Wind Farm Ltd.
The Project	Five Estuaries Offshore Wind Farm (VE) including the proposed offshore and onshore infrastructure.



1 INTRODUCTION

1.1 THE PROJECT

1.1.1 The Five Estuaries Offshore Wind Farm (hereafter VE) is a proposed extension to the operational Galloper Offshore Wind Farm, which is located off the coast of Suffolk (England, UK) in the Southern North Sea. At its closest point, VE is located 37 km off the Suffolk coast. VE will consist of both onshore and offshore infrastructure, including two proposed array areas, two offshore substation platforms and subsea cables to transfer electricity onshore (see Volume 6, Part 2, Chapter 1: Offshore Project Description for full details).

1.1.2 This Working in Proximity to Wildlife in the Marine Environment document has been produced in accordance with Condition 12 of the Generation Assets deemed Marine License (dML) in Schedule 10 of the draft Development Consent Order (DCO), and Condition 12 of the Transmission Assets dML in Schedule 11 of the draft DCO (see Volume 3).

1.2 PURPOSE OF THIS DOCUMENT

1.2.1 In the course of planning, developing, constructing, operating, maintaining and decommissioning offshore wind farms, various activities may take place offshore involving vessels and personnel in sometime close proximity to wildlife in the marine environment, including marine mammals and birds.

1.2.2 The objective of this Working in Proximity to Wildlife in the Marine Environment document is to:

- > Minimise the risk of collision with and injury to marine wildlife.
- > Minimise the risk of disturbance to marine wildlife.
- > Offer guidance to VE contractors for conducting activities in proximity to wildlife.
- > Provide VE contractors with procedures for reporting collisions with marine mammals.

1.2.3 This document on working in proximity to wildlife in the marine environment shall undergo regular reviews in line with commitments in the Outline Project Environment Management Plan (PEMP) (see Volume 9, Report 18 for more details) to incorporate updated guidance and information. However, individuals must ensure that they reference the latest guidance or legislation before proceeding with any relevant activities.

1.2.4 It's essential to note that while this document provides guidance for working in proximity to wildlife, there may be additional requirements within project consents, such as those outlined in the DCO, dML, Marine Licenses (ML) or other permissions. It is the responsibility of the individual to be fully aware of these requirements in relation to any planned or undertaken work.

1.2.5 VE employees and contractors are reminded that certain wildlife, including most birds (including their nests and eggs) and marine mammals, are protected by the European Union (EU) Directives, transposed regulations, and other domestic legislation.

1.2.6 This report should be read in conjunction with the following Environmental Statement (ES) chapters and reports:

- > Volume 6, Part 2, Chapter 1: Offshore Project Description;



- > Volume 6, Part 2, Chapter 4: Offshore Ornithology;
- > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology;
- > Volume 6, Part 2, Chapter 9: Shipping and Navigation;
- > Volume 9, Report 10: Navigational Risk Assessment
- > Volume 9, Report 14.1: Outline Marine Mammal Mitigation Protocol - Piling;
- > Volume 9, Report 14.2: Outline Marine Mammal Mitigation Protocol - UXO;
- > Volume 9, Report 15: Outline Southern North Sea Special Area of Conservation Site Integrity Plan and
- > Volume 9, Report 18: Outline Project Environmental Management Plan

1.3 SCOPE

- 1.3.1 This document on working in proximity to wildlife in the marine environment is applicable to the development, construction, maintenance, operations, and decommissioning phases of VE.



2 MARINE WILDLIFE

2.1 MARINE MAMMALS

- 2.1.1 A MMMP will delineate proposed mitigation measures aimed at minimising the risk of any physical or permanent auditory injury to marine mammals during piling and UXO clearance operations. This plan will encompass mitigations, including details of soft-start procedures. The outline MMMPs for piling and UXO clearance activities (see Volume 9, Reports 14.1 and 14.2, respectively) have been submitted as part of the DCO application.
- 2.1.2 In addition to the aforementioned MMMPs, a VE Site Integrity Plan (SIP) for the Southern North Sea (SNS) Special Area of Conservation (SAC) has been produced. This document will offer an overview of the mitigation strategies required to prevent adverse impacts on the site's integrity. The outline version of this document is included in this DCO submission (see Volume 9, Report 15), outlining VE's approach to fulfilling the necessary mitigation measures for avoiding significant disturbance to harbour porpoise in relation to the SNS SAC Conservation Objectives.
- 2.1.3 There is a likelihood of incorporating a risk assessment for European Protected Species (EPS), specifically cetaceans, with EPS licence(s) being applied for where applicable.

2.2 OFFSHORE ORNITHOLOGY

- 2.2.1 This document outlines the proposed mitigation measures aimed at minimising vessel disturbance of rafting birds, specifically red-throated divers (*Gavia stellata*).



3 VESSEL OPERATION GUIDELINES AND SAFETY AWARENESS

- 3.1.1 In the marine environment, operators of vessels should be informed about the potential threat their vessels may pose to marine wildlife. Guidance on collision awareness and avoidance protocols must be communicated to vessel crews during mobilisation briefings.
- 3.1.2 Compliance with activity-specific Risk Assessment Method Statement (RAMS) is mandatory, with strict adherence to any specified requirements for vessel movements within the DCO, dML or ML conditions.
- 3.1.3 As a general guide, the following Vessel Code of Conduct should be implemented, to mitigate risks:
- > Incorporate vessel movements to and from ports within existing routes where feasible.
 - > Avoid active and deliberate approaches or pursuits of animals.
 - > Refrain from touching animals.
 - > When animals are alongside vessels, maintain a steady speed and avoid course changes.
 - > Conduct briefings for vessel crew on the purpose and implications of these vessel management practices, such as through toolbox talks.
- 3.1.4 These recommendations are applicable unless they pose a risk to the safety of the vessel, crew, and other sea users. Safety is the foremost priority in all cases.

3.2 VESSEL GOOD PRACTICE AND COLLISION AVOIDANCE

- 3.2.1 Mitigation to minimise the risk of vessel collisions with marine mammals include utilising existing vessel routes, where possible, as marine mammals are accustomed to vessels in those areas thereby reducing collision risks.
- 3.2.2 Measures to avoid marine mammal collisions during transit to and from site include:
- > Avoid deliberately approaching marine mammals when sighted.
 - > Avoid abrupt changes to course or speed should marine mammals approach the vessel or bow-ride.
 - > Maintain a steady speed and direction to allow marine mammals to predict the vessel's path.
 - > Transit vessels at distances of 600 metres (m) or more off the coast, where possible, particularly near known seal haul-out sites during sensitive periods.
- 3.2.3 Details of any collision between a vessel and marine mammal should be reported to the Five Estuaries Consents and Environmental Manager.

3.3 BEST PRACTICE PROTOCOL FOR MINIMISING DISTURBANCE TO RED-THROATED DIVER

- 3.3.1 This document outlines procedures to minimise disturbance to red-throated diver during construction, operation, and maintenance activities in accordance with Condition 12 of the Generation Assets deemed Marine License (dML) in Schedule 10 of the draft Development Consent Order (DCO), and Condition 12 of the Transmission Assets dML in Schedule 11 of the draft DCO (see Volume 3).



3.3.2 Potential impacts on red-throated diver will be mitigated through the following measures:

- > Export cable installation will not be carried out within the Outer Thames Estuary SPA between 1st November to 31st March inclusive to mitigate disturbance impacts on red throated diver.
- > Selecting routes that avoid known aggregations of birds.
- > Restricting vessel movements to existing navigation routes where possible.
- > Maintaining direct transit routes to minimise distances through areas used by red-throated divers.
- > Considering the potential for crew transfer vessels (CTV) to travel in convoy enroute to the wind farm sites.
- > Avoiding rafting birds either enroute to the array and within the array, where possible, and avoiding disturbance to areas with consistently high diver density.
- > Vessel operators aware of the importance of this species and the associated mitigation measure through toolbox talks.

3.4 TOOLBOX TALKS

3.4.1 Toolbox talks are an effective means of disseminating information related to work activities. Contractors are obligated to deliver environmental toolbox talks to all on-site personnel when required, and records of attendees must be maintained for potential inspection during environmental audits.



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