

Rampion 2 Wind Farm Category 8:

Examination Documents:

Applicant's Post Hearing Submission – Issue
Specific Hearing 1

Appendix 10 – Further Information for Action
Point 42 – Proximity to Marine Wildlife

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Acronyms and Abbreviations

Term	Definition
CTV	Crew Transport Vessel
DCO	Development Consent Order
dML	deemed Marine Licence
EPS	European Protection Species
ES	Environmental Statement
EU	European Union
km	Kilometres
m	Metre
ML	Marine Licence
MMMP	Marine Mammal Mitigation Protocol
MW	Megawatts
NSIP	Nationally Significant Infrastructure Project
OWFL	Offshore Wind Farm Limited
RAMS	Risk Assessment Method Statement
RED	Rampion Extension Development Ltd
SAC	Special Area of Conservation
SIP	Site Integrity Plan
SoS	Secretary of State
UK	United Kingdom
UXO	Unexploded Ordnance

1. Introduction

1.1 Overview

- 1.1.1 Rampion Extension Development Limited (hereafter referred to as 'RED') (the 'Applicant') is developing the Rampion 2 Offshore Wind Farm Project ('Rampion 2') located adjacent to the existing Rampion Offshore Wind Farm Project ('Rampion 1') in the English Channel.
- 1.1.2 Rampion 2 will be located between 13km and 26km from the Sussex Coast in the English Channel and the offshore array area will occupy an area of approximately 160km². A detailed description of the Proposed Development is set out in **Chapter 4: The Proposed Development, Volume 2** of the Environmental Statement (ES) [APP-045], submitted with the Development Consent Order (DCO) Application.

1.2 Purpose of this Document

- 1.2.1 This document provides further information requested in response to Action Point 42 which states *"The Applicant to submit a 'Working in proximity to wildlife protocol' into the examination, in lieu of an Outline Vessel Management Plan."*
- 1.2.2 It has been produced to be submitted as part of the DCO Application and will form part of the Vessel Management Plan (VMP) which the Applicant has committed to in condition 11(1)(f) of schedule 11 and 12 of the Draft Development Consent Order [PEPD-009]. It draws on the guidance provided by Scottish Marine Wildlife Watching Code (MWWC) (Scottish Natural Heritage, 2017a), the Guide to Best Practice for Watching Marine Wildlife (Scottish Natural Heritage, 2017b) and the WiSe Scheme¹ for vessel operators.
- 1.2.3 The VMP will be incorporated into the contracts for the principal contractor(s) of all offshore works authorised by the DCO. All offshore contractors will be required to observe the relevant provisions of the VMP and provide evidence on how they will ensure its requirements are implemented.
- 1.2.4 In the course of planning, developing, constructing, operating, maintaining and decommissioning offshore wind farms, various activities may take place offshore involving vessels and personnel with wildlife in the marine environment, including marine mammals.
- 1.2.5 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;

¹ <https://www.wisescheme.org/> [Accessed: 28 February 2024]

- Offer guidance to Rampion 2 contractors for conducting activities in proximity to wildlife; and
- Provide Rampion 2 contractors with procedures for reporting collisions with marine mammals.

1.2.6 This document on working in proximity to wildlife in the marine environment shall undergo regular reviews to incorporate updated guidance and information. However, individuals must ensure that they reference the latest guidance or legislation before proceeding with any relevant activities.

1.2.7 It is 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, Deemed Marine Licences (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.

1.2.8 Rampion 2 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.

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

- **Chapter 4: The Proposed Development, Volume 2** of the ES [APP-045];
- **Chapter 11: Marine mammals, Volume 2** of the ES [APP-052];
- **Chapter 12: Offshore and intertidal ornithology, Volume 2** of the ES [APP-053];
- **Chapter 13: Shipping and navigation, Volume 2** of the ES [APP-054];
- **Draft Piling Marine Mammal Mitigation Protocol (MMMP) [APP-236];**
- **Draft Unexploded Ordnance Clearance Marine Mammal Mitigation Protocol [APP-237];** and
- **Offshore In Principle Monitoring Plan [APP-240]**

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 the Proposed Development.

2. Marine Wildlife

2.1 Marine mammals

- 2.1.1 A Construction Method Statement (as required as required under dML Condition 11(c) in Schedules 11 and 12 of the **Draft Development Consent Order [PEPD-009]**) will be produced, post-consent, prior to construction which will include details of the procedures for soft start and ramp up of piling activity, in accordance with those assessed in Chapter 11: Marine Mammals, Volume 2 [APP-052].
- 2.1.2 In compliance Condition 11(l & m) of Schedules 11 and 12 of the **Draft Development Consent Order [PEPD-009]**, a Piling Marine Mammal Mitigation Protocol and a UXO Clearance Marine Mammal Mitigation Protocol 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. These comprehensive plans will encompass embedded mitigations, including details of soft-start procedures and control measures for UXO clearance. The **Draft Piling Marine Mammal Mitigation Protocol (MMMP) [APP-236]** and **Draft Unexploded Ordnance Clearance Marine Mammal Mitigation Protocol [APP-237]** have been submitted as part of the DCO Application. The clearance of UXO will be controlled through a separate Marine Licence
- 2.1.3 Prior to construction, the detailed design of the Proposed Development will be completed which will , specify the foundation type and installation method. and the potential for significant disturbance to marine mammals will be determined. This will inform the need for further mitigation measures to minimise sound propagation and disturbance. If required, a comprehensive review will be undertaken to determine the most suitable and effective methods based on the latest available practices before construction commences. This will include a thorough examination of all suitable noise abatement measures at that time.

3. Vessel Operation Guidelines and Safety Awareness

3.1 Vessel Operation Guidelines

- 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) will be specified in the contracts for the principal contractor(s), 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 approaches or pursuits of animal;
 - Refrain from touching animals;
 - When animals are alongside vessels, maintain a steady speed and avoid course changes;
 - Minimise engine over-revving of engines to reduce noise disturbance;
 - Operators trained in the WiSe Scheme; and
 - 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 Code of Conduct

- 3.2.1 Embedded 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 Operators of all vessels will be briefed on the risks and measures to avoid marine mammal collisions during mobilisation. Site introductions and toolbox talks with vessel operators will be conducted to promote collision awareness and avoidance, including adherence to a code of conduct.

- 3.2.3 A comprehensive code of conduct for vessel operators will be developed, taking into account the measures set out in the guidance provided by Scottish Marine Wildlife Watching Code (MWWC) (Scottish Natural Heritage, 2017a), the Guide to Best Practice for Watching Marine Wildlife (Scottish Natural Heritage, 2017b) and the WiSe Scheme¹ for vessel operators. The code of conduct will be distributed to reduce risk of collisions with marine mammals throughout all phases of the Project.
- 3.2.4 The code of conduct for good practice will be formulated before construction, incorporating the latest information and guidance.
- 3.2.5 The code of conduct for good practice to avoid marine mammal collisions with vessels will include, but not be limited to:
- 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 m or more off the coast, particularly near known seal haul-out sites during sensitive periods;
 - Report details of any collision between a vessel and marine mammal to the principal contractor.

3.3 Toolbox Talks

- 3.3.1 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.

4. References

Planning Act 2008, (2008). [Online]

<https://www.legislation.gov.uk/ukpga/2008/29/introduction> [Accessed: February 2023].

Scottish Natural Heritage (2017a) *The Scottish Marine Wildlife Watching Code*. [Online] Available at: <https://www.nature.scot/sites/default/files/2017-06/Publication%202017%20-%20The%20Scottish%20Marine%20Wildlife%20Watching%20Code%20SMWWC%20-%20Part%201%20-%20April%202017%20%28A2263518%29.pdf> [Accessed: February 2023]

Scottish Natural Heritage (2017b) *A Guide to Best Practice for Watching Marine Wildlife SMWWC*. [Online] Available at: <https://www.nature.scot/sites/default/files/2017-06/Publication%202017%20-%20A%20Guide%20to%20Best%20Practice%20for%20Watching%20Marine%20Wildlife%20SMWWC%20-%20Part%202%20-%20April%202017%20%28A2263517%29.pdf> [Accessed: February 2023]