

Chairman: Prof Peter Jones  
Chief Fisheries & Conservation Officer: Mr Robert Pearson

C/O Ms Maria Militsky  
Offshore Consents Manager Rampion 2  
Email: [REDACTED]@rwe.com

Sussex IFCA Contact Officer:  
Dr Jen Lewis, Conservation and Research Manager

28th February 2024

Dear Ms Militsky,

**RE: Rampion 2 Environmental Statement Consultation – Written Representation**  
**Reference Number: DCO/2019/00005**

Please read this letter in conjunction with Sussex IFCA's initial representations (dated 6<sup>th</sup> November 2023).

Sussex Inshore Fisheries and Conservation Authority (IFCA) welcomes the opportunity to provide further written representations on the Environmental Statement (ES). Sussex IFCA has inputted to date through participation in the Fish Ecology Expert Topic Group (ETG), as part of the Evidence Plan Process (EPP), provided comment on the Preliminary Environmental Information Report (PIER) and through initial representations on the ES. The Authority has also helped inform assessments through the provision of relevant data held.

**General comments**

Sussex IFCA recognises that the project will contribute materially towards meeting the urgent national need for renewable energy generation. The proposed array falls outside, but closely borders the Sussex IFCA District, and the cable route passes through. Therefore, the construction and maintenance phases of the array and, in particular the cable route will affect Sussex IFCA fishers, fisheries and habitats within the District.

Sussex IFCA has invested considerable resources fulfilling its statutory duties in managing fishing activities across the Sussex IFCA District, within MPAs and with district-wide measures such as the introduction of nearshore trawling restrictions to protect essential fish habitats, and permit schemes to ensure fishing effort is sustainable. There is a high expectation by the fishing sector and the wider community, that other public bodies and developments will take every step to ensure impacts on these areas are minimised and that a precautionary approach is taken in the absence of sufficient evidence.

There is a high level of uncertainty regarding the proposed development, due to the extended use of the Rochdale Envelope. This makes it challenging to pass meaningful comments on mitigation measures for installation techniques. Therefore, there is little certainty of the actual environmental impacts of the project and how the developer will mitigate these impacts. This is of concern to Sussex IFCA and threatens to undermine the intention to complete the project in a sustainable manner that minimises impact on stakeholders.

Sussex IFCA is aware of the community benefit fund set up as part of the Rampion project. We strongly support the use of this fund for marine ecological surveys in and around the proposed development, for improvements of

habitat and for the interpretation of local marine issues. Understanding the habitats in Sussex seas is critical in protecting their intrinsic biodiversity value and their natural capital value that support, for example, sustainable fisheries and aquaculture.

Sussex IFCA reiterate their request for a commitment to making all Rampion 1 and 2 survey data available and providing access to survey reports. Such data is vitally important in enabling wider organisations to best manage and protect our local marine environment.

#### **Comments on Chapter 7: Other Marine Users**

7.6.46 - Sussex IFCA would like to reference Fig. 2, Annex 1 for the scale of boat-based recreational angling across the Sussex coast in the vicinity of the proposed development.

#### **Comments on Chapter 8: Fish and Shellfish Ecology**

As previously stated (PIER Consultation response in Sept 2021 and ES Initial Representations in Nov 2023), Sussex IFCA remain concerned about the lack of up-to-date site-based survey data and the age of the baseline datasets utilised. These concerns are highlighted in 8.5.8, eg. “Many of the conclusions drawn by Coull *et al.* (1998), are based on historic research and may fail to account for more recent changes in fish distributions and spawning behaviour.”. It is important to note that required fish surveys as part of any monitoring requirement are yet to be fully discussed and agreed. Bespoke liaison with statutory authorities and wider ETG participants is required.

Section 8.6.1 would benefit from a full summary of the sampling events and survey coverage of the Rampion 1 datasets utilised so that stakeholders can better understand how much of the ES assessment boundary area has had data collected within it to inform the fish baseline for Rampion 2. The final fish survey coverage and associated fish ecology survey reports for Rampion 1 were requested previously to enable Sussex IFCA to better understand how much of the scoping area had survey data collected within it to inform the fish baseline for Rampion 2 but were not received ahead of this consultation.

#### Black seabream

Sussex IFCA have had serious concerns regarding the likelihood of significant impacts to black seabream during the construction, operation, and maintenance of Rampion 2. The proposed mitigation from sedimentation and noise generation has alleviated some of these concerns, however, pre-construction site-specific surveys are needed to inform micro-siting of all elements of construction to minimise the environmental impact. The Authority would also welcome clarity around how the Applicant will be held accountable on any commitments made at this stage in the process.

Sussex IFCA note the recent report on Underwater Noise (Document Reference: 6.4.8.4) that provides a baseline of background noise during a successful nesting season. Sussex IFCA suggest that this baseline is used to inform a suitable target for noise abatement mitigation to achieve. We understand that Natural England have concerns about the relevance of evidence used to determine the noise threshold of 141dB SEL<sub>5s</sub> for behavioural disturbance, due to the application of evidence of thresholds in other species as a proxy for black seabream. Assuming interspecific consistency in behavioural responses to noise is less reliable than the assumption that the current noise levels are compatible with successful spawning populations of black seabream. Sussex IFCA support Natural England’s advice to RED on this matter.

Sussex IFCA recommend that evidence gaps around the spatial distribution of black seabream nesting habitat within proposed development boundary are addressed, with existing datasets containing large gaps between survey boxes.

The geophysical data collected could be utilised to determine presence of suitable nesting habitat, or surveys using acoustic methods during the bream breeding season could be conducted. As mentioned in the ES, data from aggregates consortium monitoring show that black seabream nests are present within the cable corridor data.

#### Herring

The impacts from underwater noise to herring is still a serious concern to Sussex IFCA. Herring are deemed highly sensitive, due to a combination of their restricted habitat requirements (they spawn directly onto the seabed) and their sensitivity to underwater sound over large distances. Sussex IFCA recommends a seasonal piling restriction to limit disturbance to spawning populations during the spawning season (November-January) or methods such as bubble curtains.

#### Seahorses

Seahorses are protected under the Wildlife and Countryside Act 1981 and it is an offence to intentionally or recklessly harm or disturb them or damage their habitat. They are also a Biodiversity Action Plan (BAP) species. With regards to the impact of underwater noise on seahorses, Sussex IFCA have concerns with the current conclusions of the ES. Sussex IFCA suggest that a more cautious approach should be adopted to control the risk and uncertainty associated with this potential impact given the high sensitivity of the receptor.

#### **Comments on Chapter 9: Benthic subtidal and intertidal ecology**

Sussex IFCA agree with the updated assessment in section 9.9 that there will be a permanent loss to chalk habitat during the construction phase of the development.

Avoidance of sensitive features (black seabream nests and chalk reef habitat) is key in any consideration of the routing of the offshore cable and landfall site. Micrositing of the cable route will be essential to avoid impact to these features and Sussex IFCA recommend that RED make a commitment to this.

Sussex IFCA welcome the inclusion of our mapping data in the ES, including SCHIP1 and SCHIP2 outputs.

#### **Comments on Chapter 10: Commercial fisheries**

Sussex IFCA welcomes a Statement of Common Ground being developed with the fisheries working groups (10.3.33). Although we note and support the proposed development functioning as a multi-use site for fishers wishing to fish within the windfarm, post construction, it will have a significant impact on the local fleet during the construction phase. If needed, Sussex IFCA can liaise with the local fleet with respect to any cooperation agreements and associated payment applications, for example by providing evidence of fishing activity through our shellfish permit scheme.

**10.3.33** – Is a SoCG being produced with the fisheries working groups? Are there further working groups being scheduled as part of the DCO application?

**10.9.7** IFCA patrol sightings only cover inshore grounds (inside 6 nautical miles). The array area is outside of the IFCA District. Therefore, IFCA sightings data cannot be used to indicate that netting does not take place within the array area. However, the impacts of installation will be relevant to inshore fleet and evidence of netting that occurs with 6nm, and adjacent to the proposed array area, is provided in Annex 1.

#### Fishing Effort Analysis

Sussex IFCA produce fishing effort grids (See Annex 1 for methodology and most recent available results). Updated grids will be available soon (2019-2023). Data can be made available on request. This data can be used to investigate the impacts of Rampion 2 in relation to fishers within the Sussex IFCA District.

#### Shellfish Permit Database

Sussex IFCA collect data on shellfish catch returns through the Shellfish Permit Byelaw. This data could be used to help understand the changes in catches during the construction and operational phases of Rampion 2. Please see the most recent available report (<https://secure.toolkitfiles.co.uk/clients/34087/sitedata/files/Conservation-Research/2022-Shellfish-Catch-Return-Report.pdf>). Data can be made available on request.

#### **Comments on Volume 4, Appendix 10.1: Commercial fisheries baseline technical report**

2.2.8: Report suggests fishing effort data has low confidence due to patrol effort bias. The methodology takes this bias into account, adjusts for this bias and reports effort data using a 5-year average (see Annex 1). To suggest that there is a patrol bias misrepresents the data, and risks it not being suitably incorporated into the consultation process.

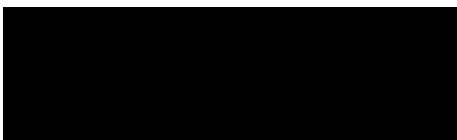
Table 2-2: Patrol “Data is assessed with: high uncertainty and low confidence”. See comments above regarding fishing effort analysis.

#### **Conclusion**

The Authority welcomes the opportunity to submit further comments during the examination of the application and wishes to support RWE in determining the scope of the conditional mitigation, the temporal and spatial restrictions together with monitoring requirements of the marine licence. It is important that developments like Rampion 2 should not compromise the Sussex IFCA’s ability to maintain and promote sustainable fisheries and protection of the marine environment within the region.

On behalf of the Authority,

Yours sincerely,

A solid black rectangular box used to redact the signature of Dr Jen Lewis.

Dr Jen Lewis  
Sussex IFCA

# Annex 1: Sussex IFCA Fishing Effort 2018-2022

## Methodology

When the Fisheries Patrol Vessel (FPV) Watchful is at sea on routine patrols, the fisheries officers record fishing activity, including date, time, vessel name and PLN (port letters and numbers), latitude and longitude location of the fishing vessel, and fishing method (gear type). As the FPV is based in Shoreham, the area around the port is more frequently patrolled, therefore there are likely to be more observations in this area. To remove this bias, fishing effort is calculated by dividing the number of sightings by patrol effort. Patrol effort is calculated by applying a 2km buffer to the FPV track. This is considered the maximum distance at which a fishing vessel and its activity could be identified, under average conditions. The annual average area of sea patrolled per 1km<sup>2</sup> grid cell is calculated. The number of fishing vessel sightings per 1km<sup>2</sup> grid cell is divided by the area of sea patrolled, to equal the number of fishing vessels per km<sup>2</sup>.

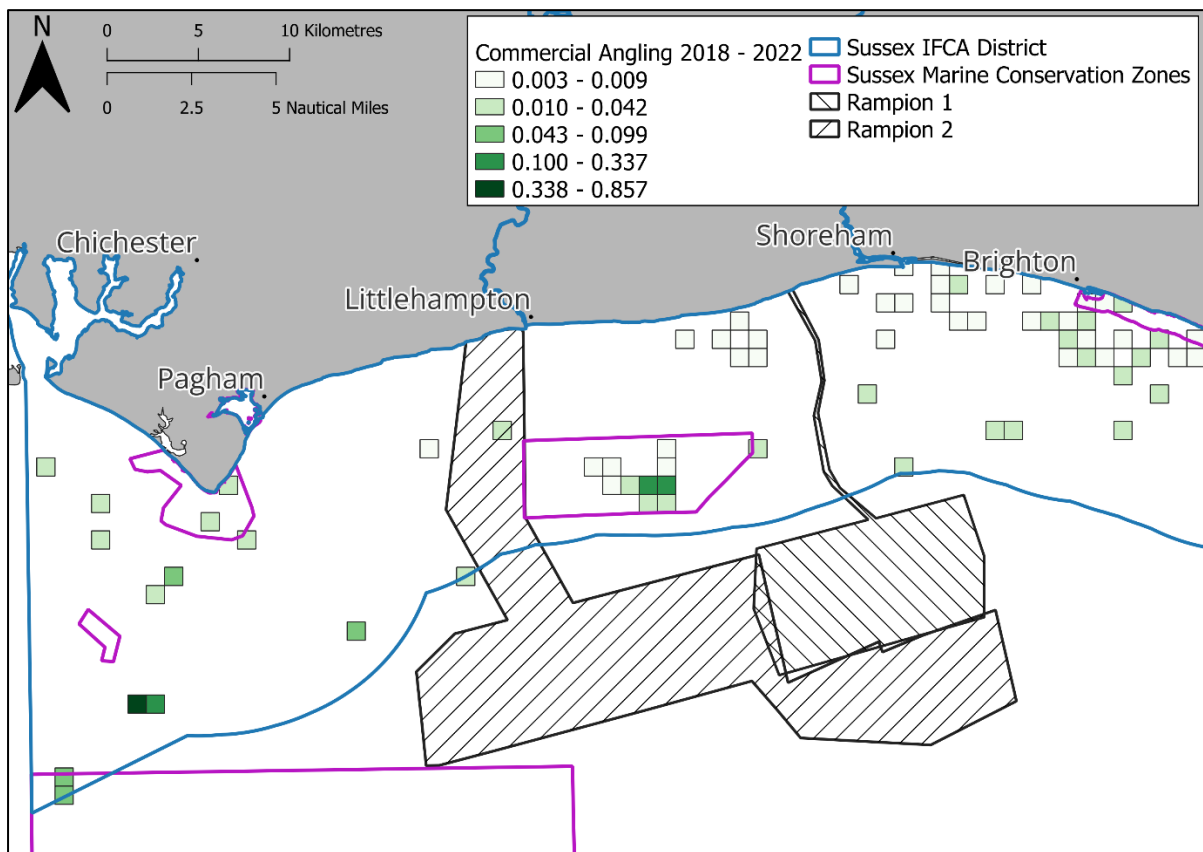
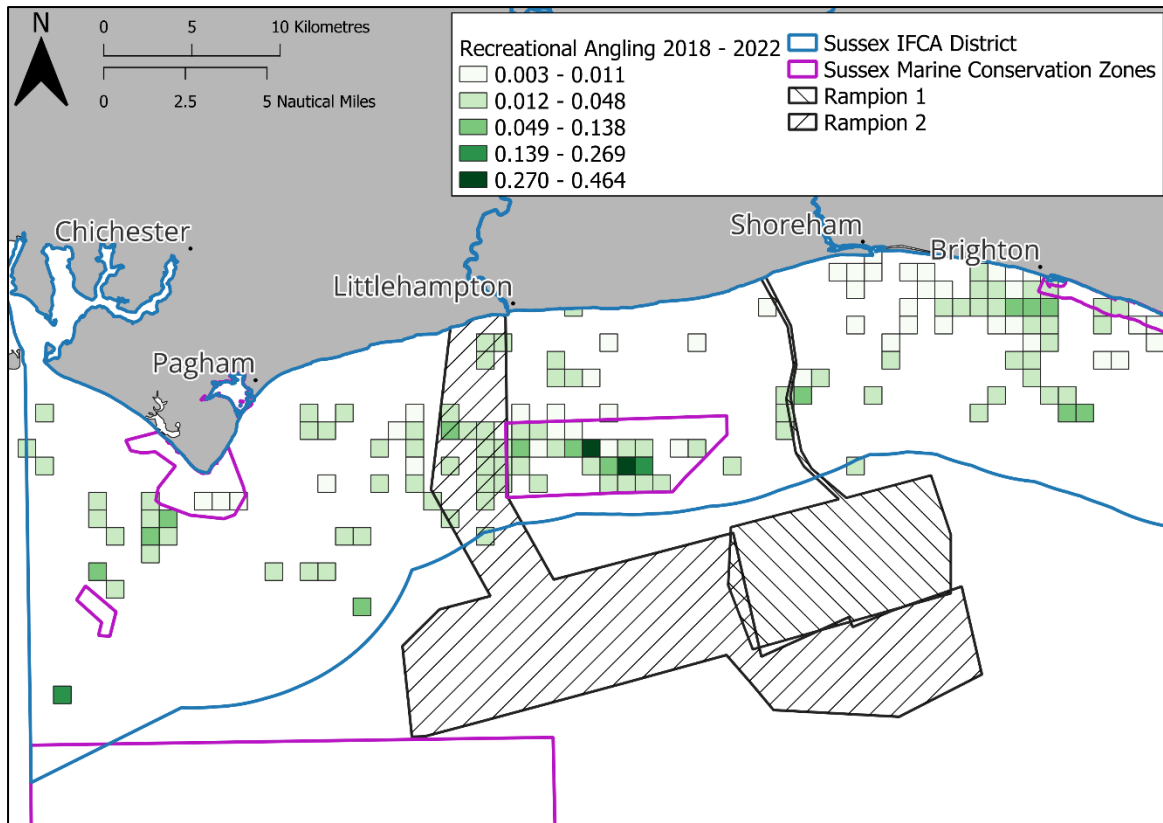
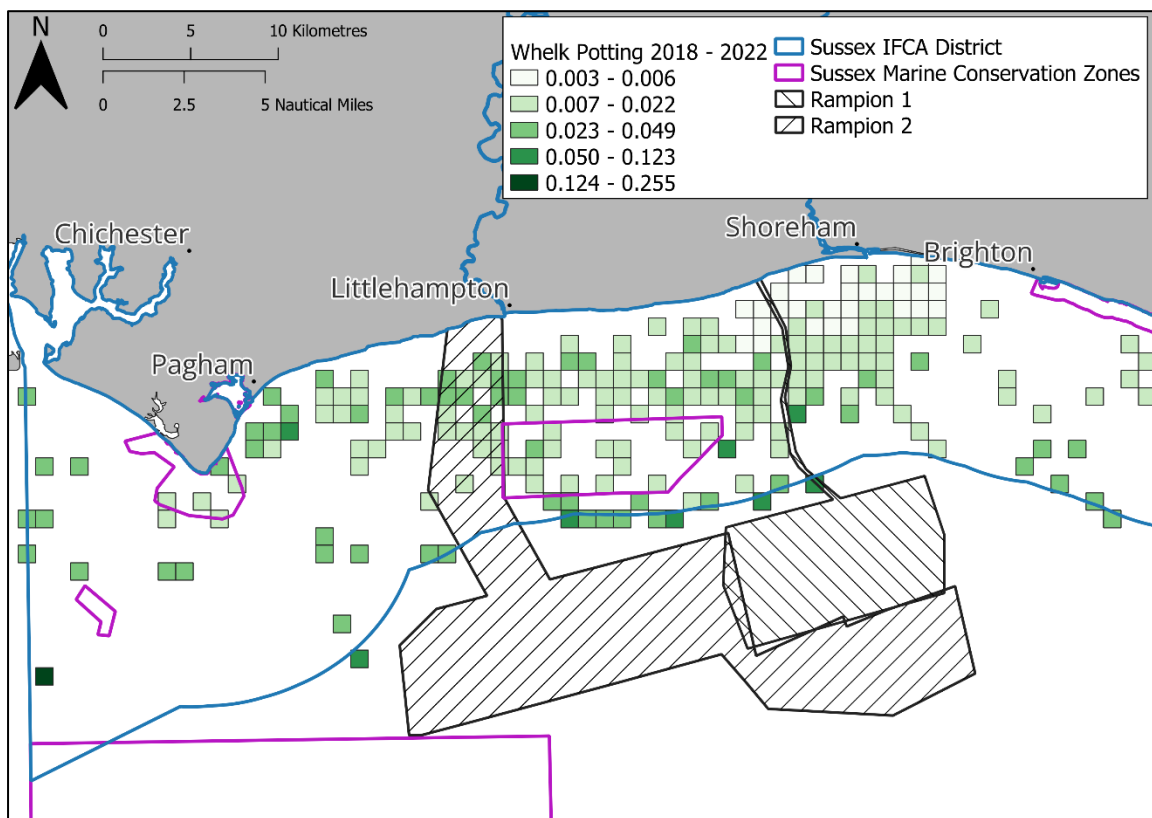


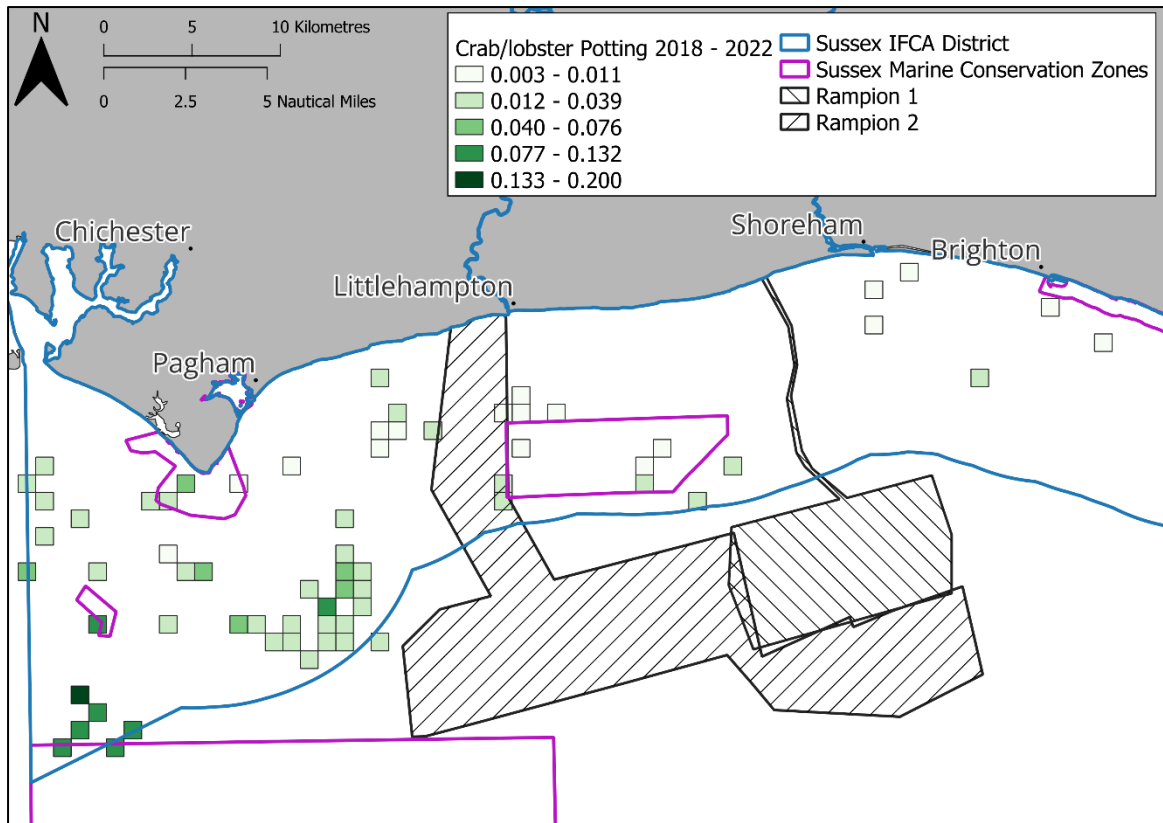
Figure 1. Commercial Angling Fishing Effort 2018-2022



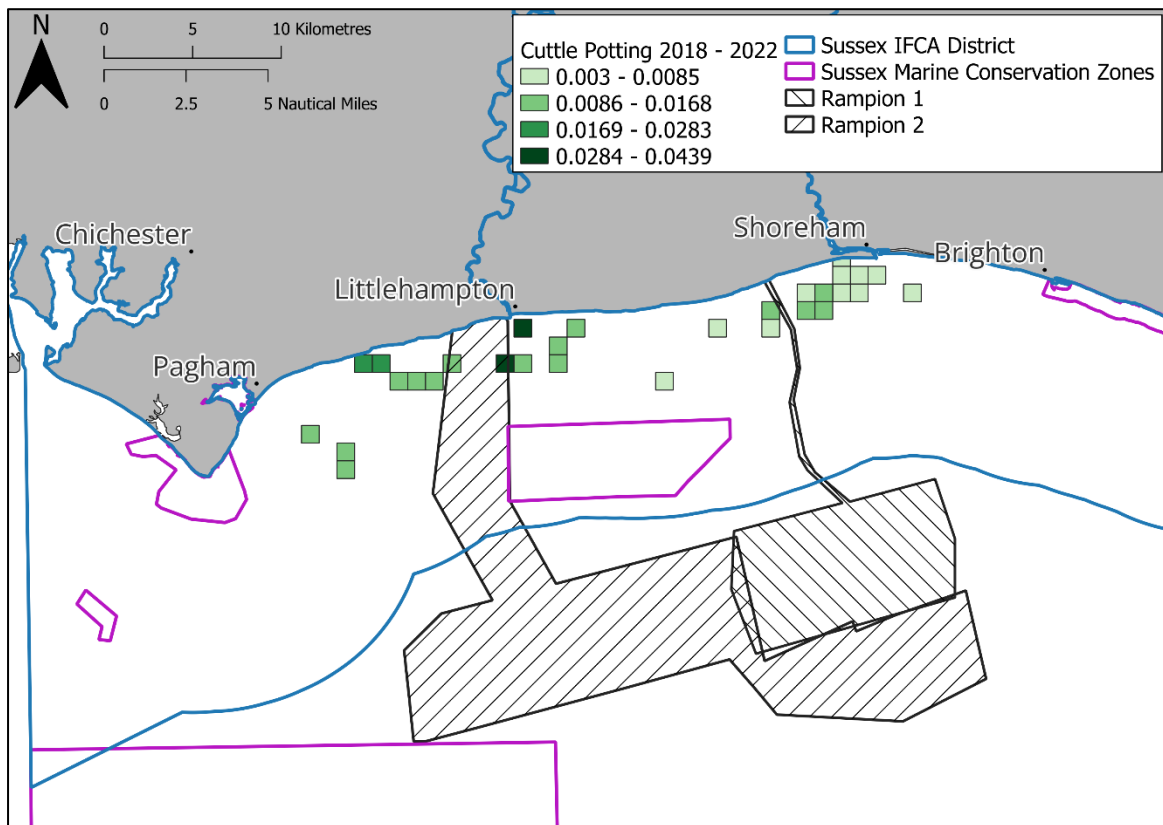
**Figure 2.** Recreational Angling Fishing Effort 2018-2022



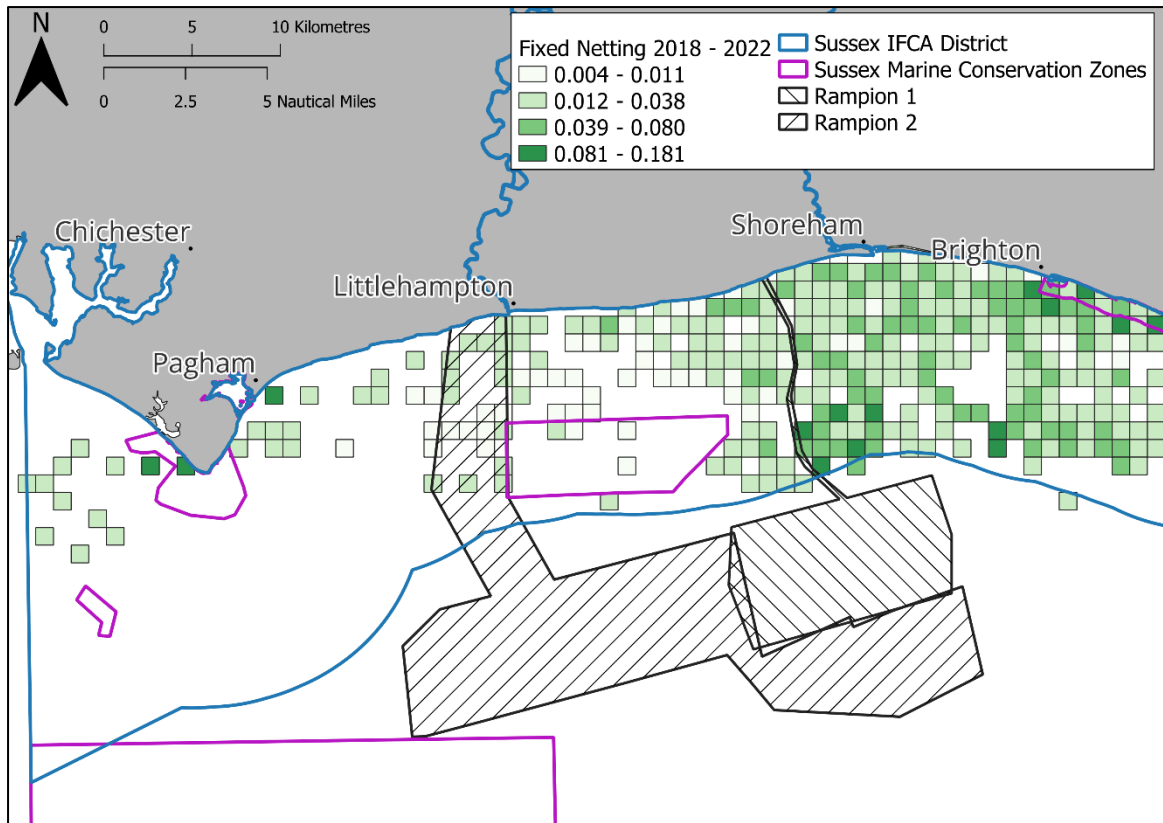
**Figure 3.** Whelk Potting Fishing Effort 2018-2022



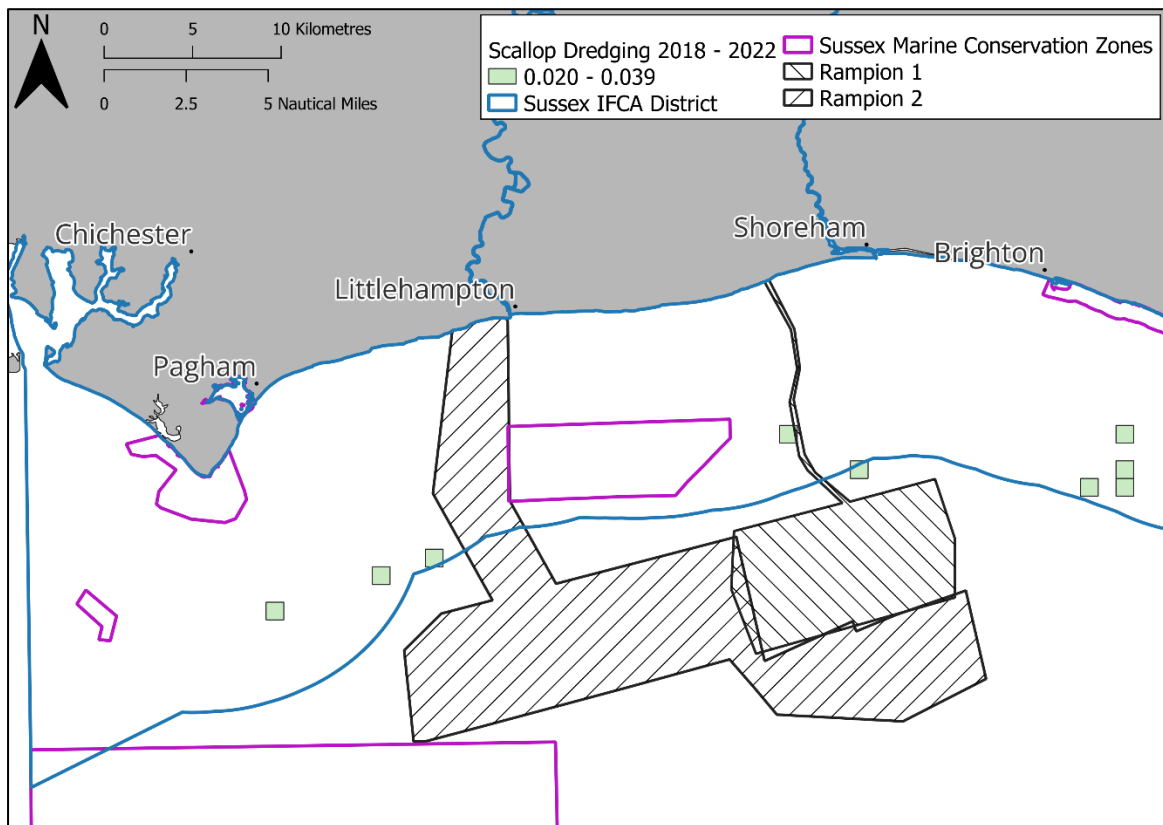
**Figure 4. Crab & Lobster Potting Fishing Effort 2018-2022**



**Figure 5. Cuttlefish Potting Fishing Effort 2018-2022**

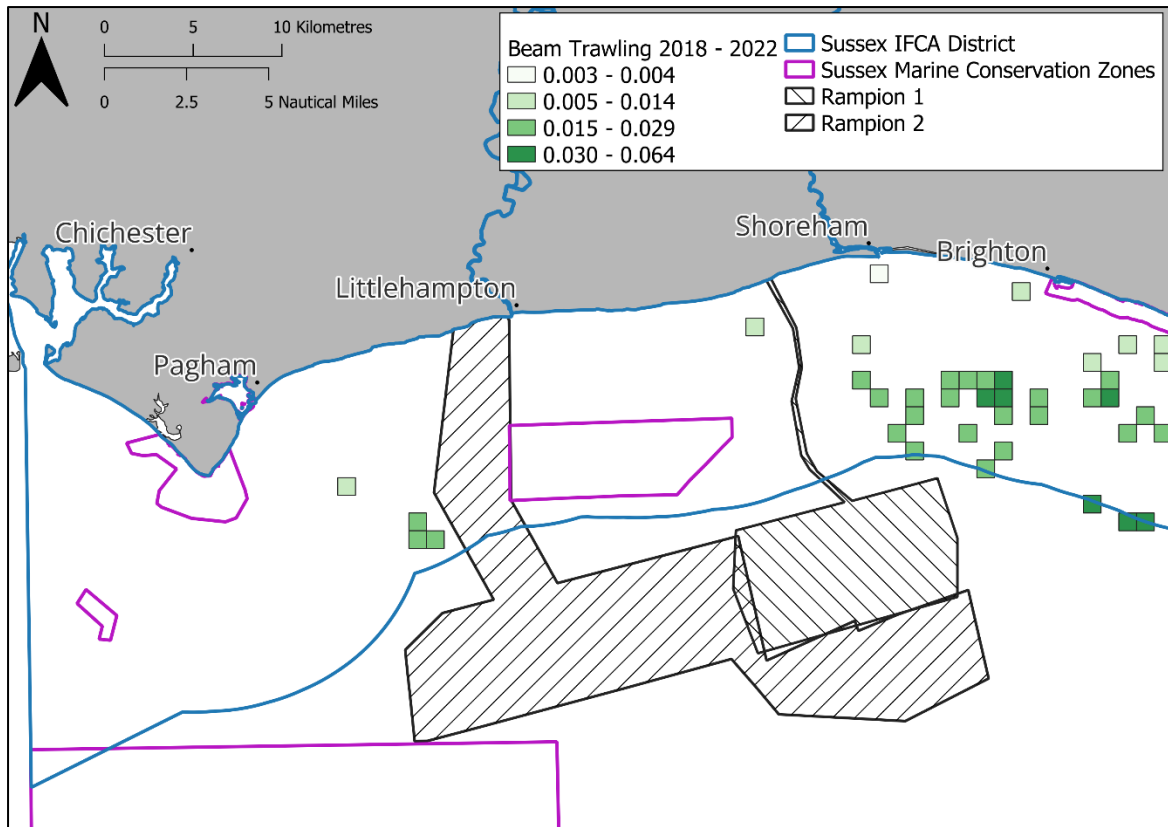


**Figure 6.** Fixed Net Fishing Effort 2018-2022

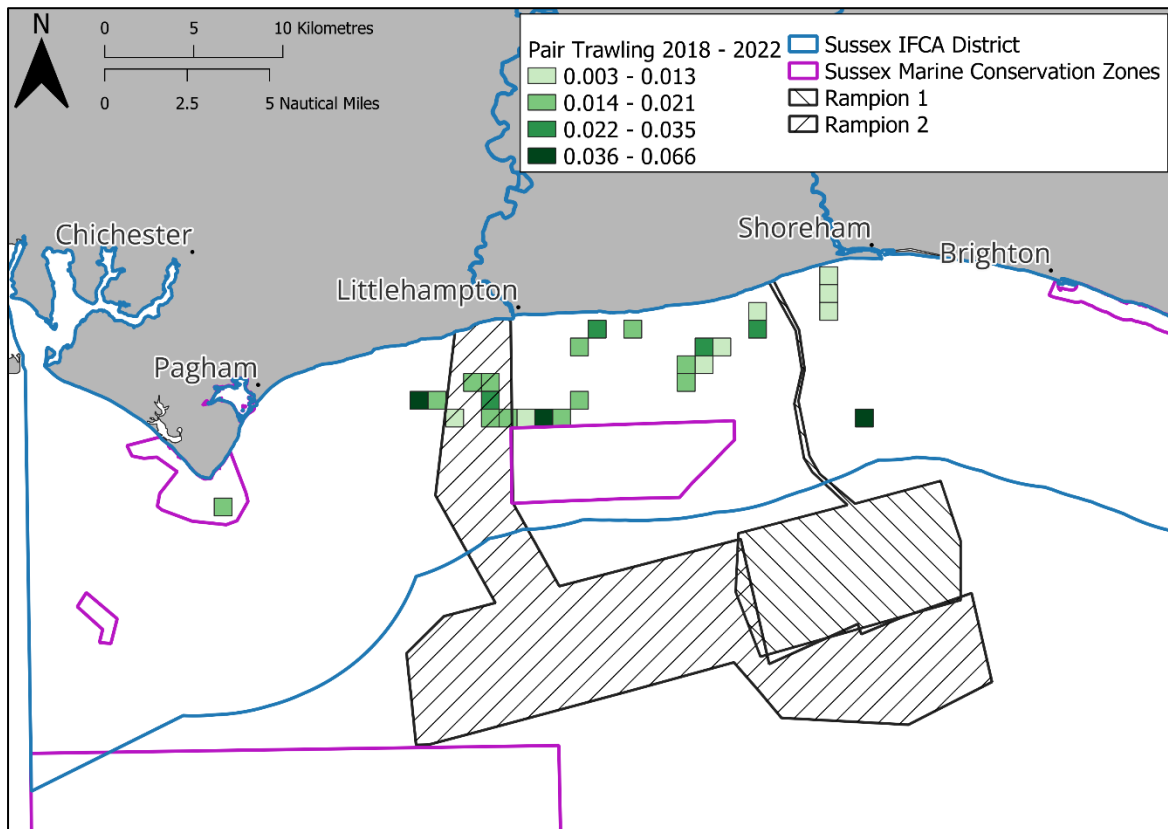


**Figure 7.** Scallop Dredging Fishing Effort 2018-2022

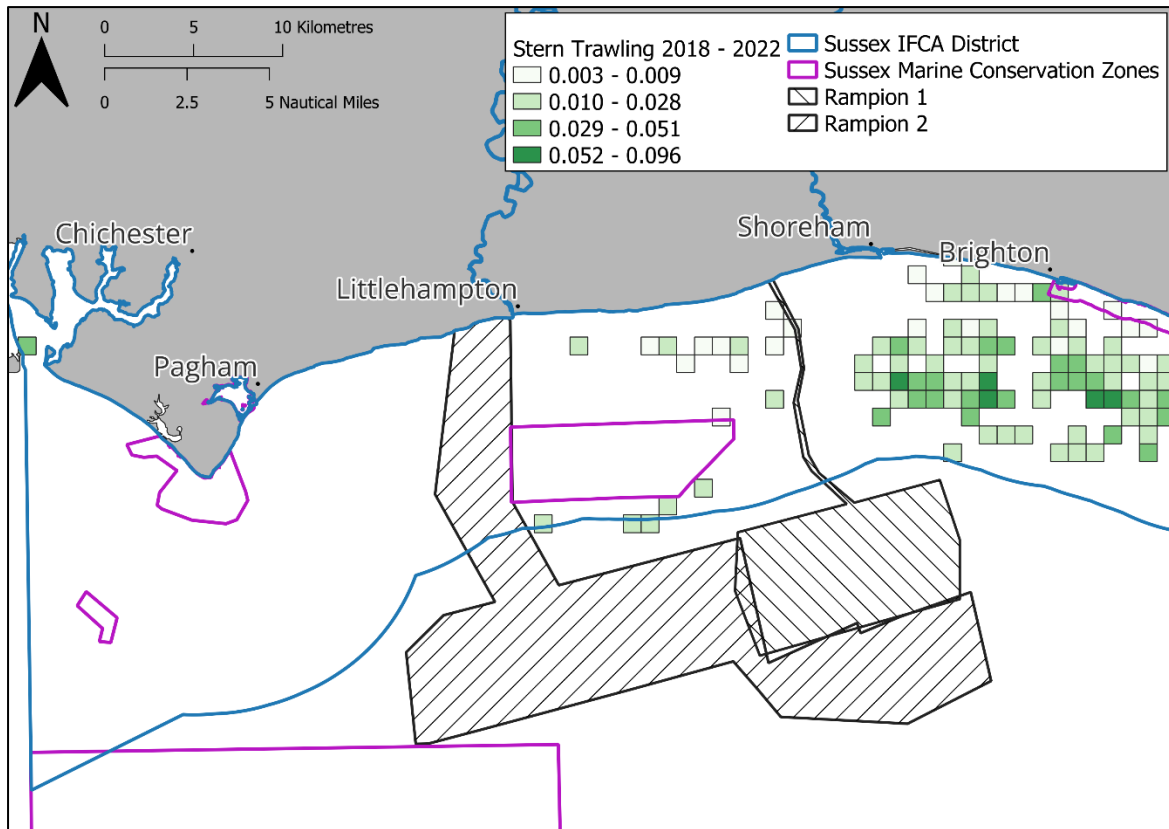




**Figure 8.** Beam Trawl Fishing Effort 2018-2022



**Figure 9.** Pair Trawl Fishing Effort 2018-2022



**Figure 10.** Stern Trawl Fishing Effort 2018-2022