

Rampion 2 Wind Farm

8.82 Applicant's Comments on Report on the Implications for European Sites

Date: July 2024

Revision A

Application Reference: 8.82

Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)

Ecodoc Reference: 005227003-01



Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	09/07/2024	Issue for Deadline 5	WSP	RED	RED

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Executive Summary

The Examining Authority submitted the Report on the Implications for European Sites **[PD-014]** on 18 June 2024 as part of the Rampion 2 Development Consent Order (DCO) Examination.

Rampion Extension Development Limited (the 'Applicant') has taken the opportunity to respond to the questions posed by the Examining Authority within the Report on Implications for European Sites **[PD-014]** at Deadline 5.

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.
- 1.1.3 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 DCO Application.

1.2 Purpose of this document

- 1.2.1 The Applicant submitted a **Report to Inform Appropriate Assessment (RIAA) [APP-038]** (updated at Deadline 5) and **Habitat Regulations Assessment (Without Prejudice) Derogation Case [REP4-014]** (updated at Deadline 4) within the submission Development Consent Order (DCO) application in August 2023.
- 1.2.2 The Examining Authority, with the support of the Planning Inspectorate Environmental Services Team, provided the Report on the Implications for European Sites (RIES) **[PD-014]** on the 18 June 2024.
- 1.2.3 This document has been prepared to provide the Applicant's response to the questions posed from the Examining Authority within the Report on the Implications for European Sites prepared by the Examining Authority **[PD-014]**.

2. Applicant's Comments on Report on the Implications of European Sites (RIES)

Table 2-1 Applicant's Comments on Report on the Implications of European Sites (RIES)

Ref	Comment addressed to	Report Comments	Applicant's Response	Author	Reviewer
2 Likely significant effects					
RIES Q1	Natural England	Can NE confirm that it agrees with the outcomes of the screening assessment undertaken by the Applicant as presented in [APP-038]?	No response required from the Applicant.		
3 Adverse effects on integrity					
RIES Q2	Applicant	The Applicant is requested to identify any European sites affected by the project which are in unfavourable condition (including unfavourable recovering).	<p>Using 'Natural England's Designated Sites View (for English sites) and Natural Resource Wales' 'Find protected areas of land and sea' (for Welsh sites), the sites below are identified as being in unfavourable condition.</p> <p>The following sites are in an unfavourable declining condition (where the conservation status of a feature was not available for a European site, the conservation status of the feature was taken from overlapping Sites of special Scientific Interest (SSSI's)):</p> <ul style="list-style-type: none"> • Arun Valley Ramsar (northern pintail (Pulborough Brooks SSSI)); • Arun Valley SPA (Bewick's swan (Amberley Wild Brooks SSSI; Waltham Brooks SSSI; and Pulborough Brooks SSSI)); • Arun Valley SAC (ramshorn snail (Amberley Wild Brooks SSSI)); • Pagham Harbour SPA (common tern; and ruff); • Portsmouth Harbour SPA (dunlin; and red-breasted merganser); • Chichester and Langstone Harbours SPA (dunlin; sanderling; and shelduck (Chichester Harbour SSSI)); • Chichester & Langstone Harbours Ramsar (shelduck; and dunlin (Chichester Harbour SSSI)); • North Norfolk Coast SPA (common tern (North Norfolk Coast SSSI)); • North Norfolk Coast Ramsar (common tern (North Norfolk Coast SSSI)); • Flamborough and Filey Coast SPA (kittiwake (Flamborough Head SSSI)). <p>The following sites have been identified to be affected by the project and are in an unfavourable no change condition (where the conservation status of a feature was not available for a European site, the conservation status of the feature was taken from overlapping SSSI's):</p> <ul style="list-style-type: none"> • Portsmouth Harbour SPA (dark-bellied brent goose); • Portsmouth Harbour Ramsar (dark-bellied brent goose); 	MB	MM

Ref	Comment addressed to	Report Comments	Applicant's Response	Author	Reviewer
			<ul style="list-style-type: none"> • River Itchen SAC (Atlantic salmon); • Solent Maritime SAC (Sandbanks which are slightly covered by sea water all the time; Mudflats and sandflats not covered by seawater at low tide; and Estuaries); and • Foulness (Mid-Essex Coast Phase 5) SPA (sandwich tern; and common tern) <p>The following sites have been identified to be affected by the project and are in an unfavourable recovering condition (where the conservation status of a feature was not available for a European site, the conservation status of the feature was taken from overlapping SSSI's):</p> <ul style="list-style-type: none"> • Portsmouth Harbour SPA (black-tailed godwit); • Chichester and Langstone Harbours SPA (common tern; and sandwich tern (Chichester Harbour SSSI)); • Solent and Southampton Water SPA (black-tailed godwit; ringed plover; teal; and dark-bellied brent goose (Hythe to Calshot Marshes SSSI)); • Solent and Southampton Water Ramsar (black-tailed godwit; teal; and dark-bellied brent goose (Hythe to Calshot Marshes SSSI)); and • Farne Islands SPA (Arctic tern; common tern; sandwich tern; kittiwake; guillemot (Farne Islands SSSI)). <p>The conservation status of a feature at the following European sites is currently not available:</p> <ul style="list-style-type: none"> • Solent and Dorset Coast SPA (sandwich tern; and common tern); • Chichester & Langstone Harbours Ramsar (ringed plover); • Solent and Southampton Water Ramsar (ringed plover); • Medway Estuary & Marshes SPA (common tern); • Breydon Water SPA (common tern); • Greater Wash SPA (common tern; and sandwich tern); • Flamborough and Filey Coast SPA (herring gull); • Northumbria Coast SPA (Arctic tern); • Northumbria Coast Ramsar (Arctic tern); • Coquet Island SPA (herring gull; lesser black-backed gull; and kittiwake); • Littoral seino-marin (FR) SPA (lesser black-backed gull); • Falaise du Bessin Occidental SPA (kittiwake); • Côte de Granit Rose-Sept Iles SPA (gannet); and • Alderney West Coast & Burhou Islands Ramsar (gannet). 		
RIES Q3	Natural England	Can Natural England confirm they agree with the conclusions of the Applicant regarding herring gull feature of FFC SPA?	No response required from the Applicant.		

Ref	Comment addressed to	Report Comments	Applicant's Response	Author	Reviewer
Table 3.1: Issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's assessment of effects on integrity (alone and in-combination)				MB	MM
RIES Q4	Applicant	Please provide an update with regards to the requests from Natural England that Table 7-1 and Figure 7-1 are updated with the information set out in the Risk and Issues Log submitted by NE [REP4- 096].	<p>Table 7-1 and Figure 7-1 have been updated in the Report to Inform Appropriate Assessment [APP-038] at Deadline 5. To ensure consistency with examination deliverables as relevant to fish and shellfish, and Chapter 8: Fish and shellfish ecology, Volume 2 of the ES [APP-049] (updated at Deadline 5), the Applicant has presented the impact ranges of a fleeing receptor for the simultaneous piling scenario for monopile and multileg foundations. These are presented in Figures 7-1a and 7-1b of the Report to Inform Appropriate Assessment [APP-038] (updated at Deadline 5). The impact areas from the modelled simultaneous piling scenarios have also been presented in Tables 7-1 and 7-2 of the Report to Inform Appropriate Assessment [APP-038] (updated at Deadline 5).</p> <p>A fleeing receptor approach is appropriate where mobile species are not spatially restricted by, for example, demersal breeding behaviours. Migratory Atlantic salmon spawn in rivers or streams and so would not be spatially restricted to piling areas. Additionally, Atlantic salmon undertake extensive ocean migrations and, therefore, are unlikely to remain stationary. In a study investigating migration pathways of Atlantic salmon post-smolts using acoustic telemetry, individuals travelled up to 53.8 km per day through coastal waters (Rodger <i>et al.</i>, 2024). Therefore, they are considered to be transient across the study area. When considered as a fleeing receptor, a precautionary swim speed of 1.5 m/s is assumed, whereas Atlantic salmon have been shown to reach maximum speeds of around 4 m/s and mean speeds of around 3 m/s in flume experiments (Colavecchia <i>et al.</i>, 1998). Most fish species are likely to move away from a sound source that is loud enough to cause harm (Dahl <i>et al.</i>, Popper <i>et al.</i>, 2014). Noise exposure trials on Pacific salmon found that when exposed to boat noise at 41.4 dB, the fish responded with behaviours consistent with predator avoidance, including increasing swimming speeds (van der Knaap <i>et al.</i>, 2022). Furthermore, in studies carried out on juvenile salmon exposed to particle accelerations generated by a sound projected in front of construction in lakes and rivers, strong escape reactions were observed (Knudsen <i>et al.</i>, 1994). Given this, using Atlantic salmon as a stationary receptor would be over precautionary and could overestimate the potential for LSE.</p> <p>Notwithstanding the above, to provide reassurance to Natural England, the Applicant has also presented the impact range contours for a stationary receptor in Appendix J of the Report to Inform Appropriate Assessment [APP-038] (updated at Deadline 5). The Applicant however maintains their position, that a stationary receptor model is not appropriate to inform an impact assessment on a highly mobile receptor such as Atlantic Salmon.</p>		

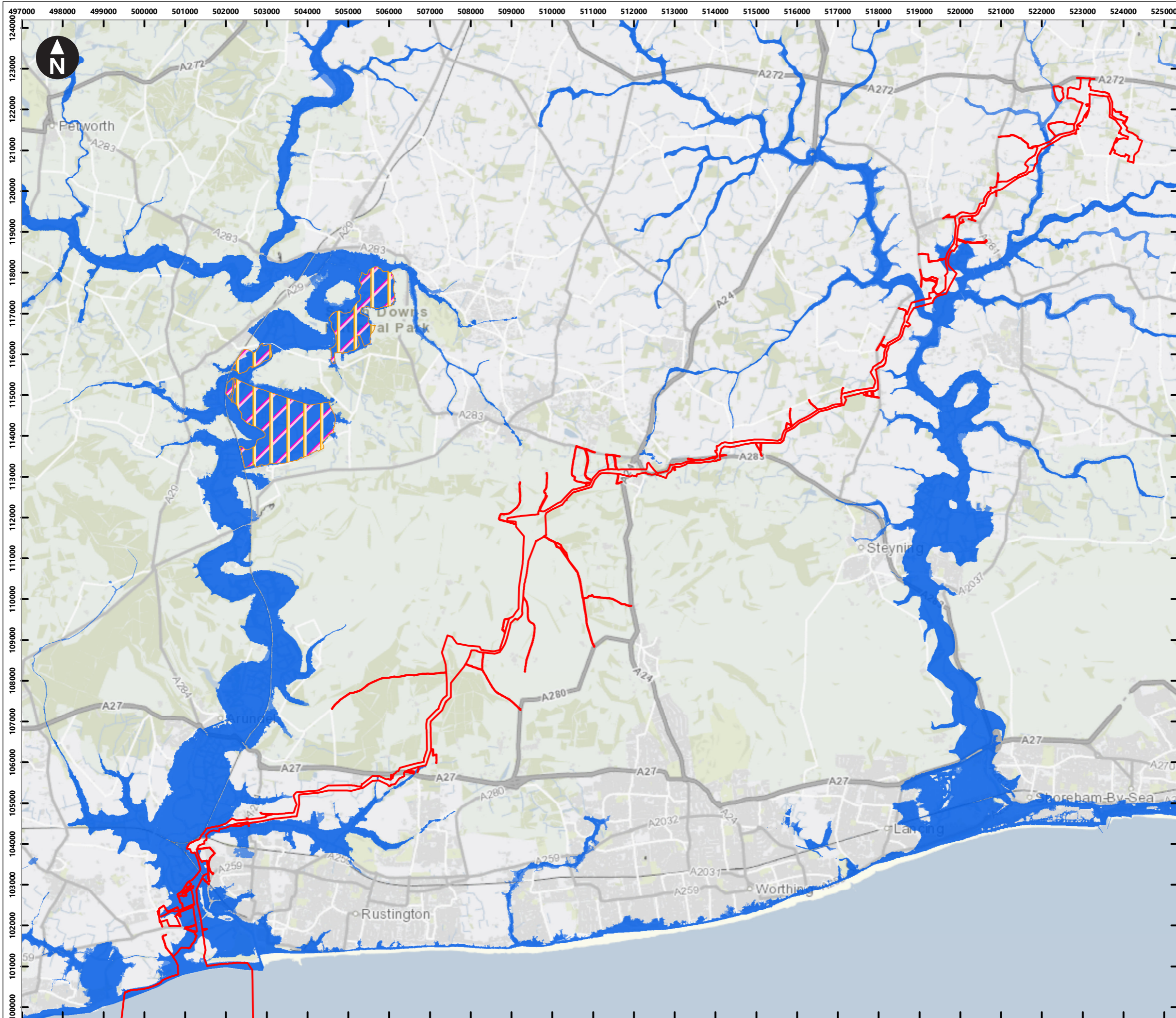
Ref	Comment addressed to	Report Comments	Applicant's Response	Author	Reviewer
RIES Q5	Natural England	Can Natural England please confirm if it considers that the Applicant should update the RIAA to reflect their comments regarding prey items used by common tern, sandwich tern and little tern?	No response required from the Applicant.		
RIES Q6	Natural England	Does Natural England consider that its concerns about water neutrality in relation to the Arun Valley European sites are likely to be resolved before the end of the Examination?	<p>The Applicant notes that Natural England and Horsham District Council have agreed a joint position. This position has been adopted by the Applicant and therefore, the Proposed Development can be determined to be water neutral.</p> <p>The Applicant has provided further information regarding the agreed position on water neutrality between the Applicant, Horsham District Council, and Natural England in Statement of Common Ground Horsham District Council (Document Reference: 8.2), Statement of Common Ground Natural England (Document Reference: 8.8), and Applicant's Responses to Examining Authority's Second Written Questions (ExQ2) (Document Reference: 8.81) see reference WE 2.2, submitted at Deadline 5.</p>	AK	FK
RIES Q7	Applicant	Please provide the mapping information presented to NE on 22 May 2024 regarding FLL of the Arun Valley Ramsar site to the Examination.	This figure is provided in Appendix A .	AK	FK
RIES Q8	Applicant	Please provide an update regarding the issue of FLL and explain if an agreement has been reached on this point.	The Applicant and Natural England agreed that there were no outstanding concerns regarding FLL in a meeting held on 27 June 2024 for northern pintail or any other feature of the Arun Valley SPA or Ramsar site. This agreement is reflected in Appendix A of the Applicant's Comments on Deadline 4 Submissions (Document Reference 8.84) .	AK	FK
RIES Q9	Natural England	Please clarify the status of the Northern pintail in the Ramsar site, noting that it is listed as a feature for possible future inclusion in the Ramsar citation rather than being a confirmed feature. Please also confirm if Northern pintail is part of the waterbird assemblage that is one of the features of the Arun Valley SPA.	No response required from the Applicant.		
4 DEROGATIONS FROM THE REGULATIONS					
RIES Q10	Applicant	Please confirm if the Applicant is relying upon the same 'without prejudice' 'no alternative solutions' case for FFC SPA and the Farne Islands SPA.	The Applicant can confirm that the same derogation case (including 'no alternative solutions', and 'IROPI') applies to the FFC SPA and the Farne Islands SPA. An updated derogation case Habitats Regulations Assessment (Without Prejudice) Derogation Case [REP4-014] was provided to the examination at Deadline 4.	MB	MM
RIES Q11	Applicant	Please confirm if the Applicant is relying upon the same 'without prejudice' 'IROPI' case for FFC SPA and the Farne Islands SPA.	The Applicant can confirm that the same derogation case (including 'no alternative solutions', and 'IROPI') applies to the FFC SPA and the Farne Islands SPA. An updated derogation case Habitats Regulations Assessment (Without Prejudice) Derogation Case [REP4-014] was provided to the examination at Deadline 4.	MB	MM

Ref	Comment addressed to	Report Comments	Applicant's Response	Author	Reviewer
RIES Q12	Applicant	Can the Applicant confirm whether it has produced a document which presents the 2:1 and 3:1 ratios for guillemot and razorbill as requested by NE? If so, the ExA requests that this document is submitted into the Examination.	The applicant has submitted an updated Guillemot and Razorbill Evidence and Roadmap [REP3-060] into the examination at Deadline 5, which includes the requested information. In addition, an Outline Guillemot and Razorbill Implementation and Monitoring Plan (GRIMP) (Document reference 8.89) has been submitted at Deadline 5.	MB	MM
RIES Q13		Please provide a response on the points raised by NE regarding further work and discussions regarding compensatory measures for guillemot and razorbill. Will these actions be completed by the close of the Examination?	<p>Initial site investigations and engagement with local experts have been undertaken at 10 short-listed colonies in the south-west of England during the 2024 breeding season. From this feasible and effective measures have been identified for a subset of surveyed sites. Information on the site investigations has been provided in Appendix A of the Guillemot and Razorbill Evidence and Roadmap [REP3-060] (updated at Deadline 5). The Applicant will arrange a meeting with Natural England following Deadline 5 when they have reviewed the updated documents with the intention of reaching agreement on the proposed compensatory measures by the close of the Examination.</p> <p>Robust productivity data from these shortlisted colonies is not available and therefore accurate predictions of the likely benefits of these measures is not currently possible. A proxy estimate is provided in the GRIMP (Outline Guillemot and Razorbill Implementation and Monitoring Plan (Document reference 8.89)) based on future peak population counts at these colonies. The Applicant proposes a more comprehensive survey campaign is carried out in 2025 to finalise any remaining questions (including productivity counts) before the measures are implemented.</p>	MB	MM
RIES Q14	Natural England	Can Natural England confirm if it is satisfied with the content of Alternative Schedule 17 (on a without prejudice basis) [REP4-016] in relation to kittiwake, guillemot and razorbill?	No response required from the Applicant.		
RIES Q15	Applicant	The Alternative Schedule 17 document refers to the production of a Guillemot and Razorbill Implementation and Monitoring Plan (GRIMP), can the Applicant provide a draft of this to the Examination?	An Outline Guillemot and Razorbill Implementation and Monitoring Plan (GRIMP) (Document reference 8.89) has been submitted at Deadline 5.	MB	MM

3. References

- Colavecchia, M., Katopodia, C., Goosney, R., Scruton, D.A. and McKinley, R.S. (1998). *Measurement of burst swimming performance in wild Atlantic salmon (Salmo salar L.) using digital telemetry*. Regulated rivers: Research & Management 14: 41-51.
- Dahl, P.H., de Jong C.A.F. and Popper, A.N. (2015). *The underwater sound field from impact pile driving and its potential effects on marine life*. Acoustics Today, Spring 2015, Volume 11, Issue 2.
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- van der Knaap, I., Ashe, E., Hannay, D., Bergman, A.G., Nielsen., K.A., Lo, C.F. and Williams, R. (2022). *Behavioural responses of wild Pacific salmon and herring to boat noise*. Marine Pollution Bulletin 174: 113257.

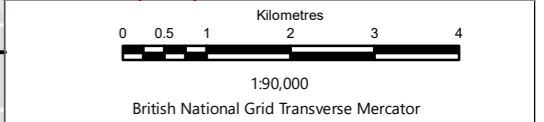
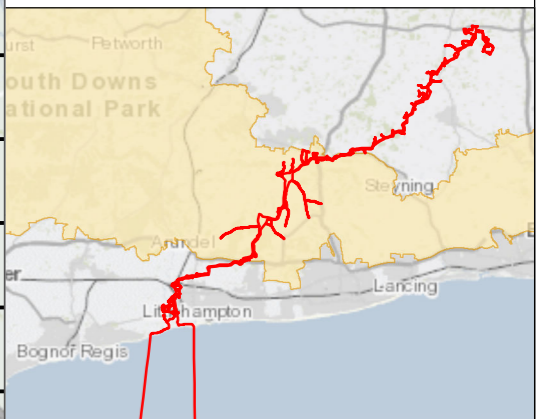
Appendix A Figure - Functionally linked land and the Arun Valley SPA _ Ramsar site



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Ordnance Survey 0100031673

- Key**
- Proposed DCO Order Limits
 - Arun Valley Special Protected Area (SPA)
 - Arun Valley Ramsar
 - Flood Zones 2 and 3 – proxy for functionally linked land



Rampion Extension Development



Rampion 2 Offshore Wind Farm
Figure 1.1 Functionally linked land and the Arun Valley SPA / Ramsar site

Applicant's comments on Report on the Implications for European Sites

Examination

System Identifier: 42285-WSPE-EX-ON-FG-OO-7770	Version: 3.0
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Company: WSP	Drawn By: HADJE	Chk/Aprvd: SUTET	Drawn Date: 02/07/2024	Status: FINAL
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