

Submission ID: 33860

There were questions posed to the NFFO for response at ExQ1. However we did not receive notice of these questions but were only informed by the applicant. We request notice be given so we can respond accordingly. Please see attached NFFO response to those questions raised at ExQ1.



To the Examiner,

Please see response from the NFFO to the questions raised during the Examining Authority's First Written Questions (ExQ1). Please treat reference to the NFFO as a joint response with the WFA-CPC.

1CF3. The NFFO support the in-principal monitoring plan proposed by the applicant. It is in our interest to evidence the "return to fish" mitigation strategy, this is the key tool used in impact assessments to reduce the level of significance when assessing impacts to commercial fisheries. There is minimal evidence to support the return to fish assumption to date. Therefore, our position is that the data would be more valuable 5 years post construction, as opposed to breaking down between phases. It is our understanding that vessel monitoring will also be undertaken alongside the review of the landings data to accurately assess impacts or changes to behaviour if necessary. Regarding monitoring during decommissioning, it would depend on the level of return to fish in the site which can be proven or not during the post construction monitoring. Evidencing return to fish is the key role we see for the in-principal monitoring plan.

1CF7. It is the opinion of the NFFO that the applicant have described fisheries in the context of the Morecambe array area sufficiently and used appropriate data to do so. However, whilst levels of mobile gear activity are currently low in the Morecambe site, there are extensive spatial and legislative restrictions in the Eastern Irish Sea that are constantly affecting the behaviour and practices of commercial fisheries in the region. The PEIR/ES does not account for this in a sufficient manner. To our knowledge, and we review all English and Welsh offshore wind applications, there is only evidence of a single wind farm, in Scotland that has mobile gear operating within the array, these were tracks from a single vessel only and not reflective of fleet activity. The NFFO does not hold vessel tracking data but communicates extensively with our national

portfolio of members to form advice. Every offshore wind farm is different in the array layout, distance between turbines and the orientation of the lanes to the tidal and prevailing environmental conditions. These are the governing factors as to whether a skipper determines the risk associated with fishing in the wind farm is at an acceptable level. There is no fixed formulae that says if a developer were to have a minimum distance between turbines then fishers could return to fish. For example, static gear deploy their gear in line with the tide whereas mobile gear this is not necessarily the same as they can work perpendicular to the tide if safe to do so. Without knowing the exact turbine array layout, cable routing and cable protection at this stage, we have to make the assumption that there will be more barriers to return to fish than enablers.

1CF8. This question is about semantics of the terminology, not the understanding of the real-world impact. The term not-significant, in our opinion is the same as negligible – there will be no effect of the development of those receptors. We accept that a mistake was made in our response for the static gear sector, however our concern still remains valid for mobile gear.

1CF14. The NFFO aim for developers to commit to a minimum notification period of 14 days for any requirements other than urgent or emergency works. Therefore, the time period committed to in the oFLCP is adequate.

1DCO9. We welcome the development of the oFLCP and have been in discussions with the applicant on the development of the document. The NFFO will be conducting a full review of the oFLCP prior to the next deadline and any concerns will be discussed in development of the SoCG.

1BEM25. The applicant has presented benthic sediment sampling data, using a method that characterises the benthic habitat, as an appropriate method to characterise a baseline environment for fish and shellfish species. This method is only suitable for benthic habitat classification when aiming to quantify sandeel and herring spawning areas. We do not question this method for the specific purpose of sandeel/herring habitat classification. However, when we question the lack of site-specific surveys for other fish and shellfish receptors, it is used as an example of site-

specific surveys conducted. To understand fish and shellfish population dynamics, for baseline characterisation, specific methodologies and gears should be used for different receptors. For example, benthic trawl surveys for demersal species and trap surveys for shellfish species. None of these surveys have been conducted to help characterise the baseline, therefore it is still the position of the NFFO that site specific surveys, specific to fish and shellfish receptors (excluding sandeel and herring spawning), have been conducted.

1BEM26. We acknowledge the applicant's position, however the NFFO still disagree with the response given by the applicant. The applicant refers to the same literature in their response that is cited in the original PEIR and ES, these data are not contemporary (1998 and 2012) but are used continuously as the key literature sources to describe fisheries baselines. Whilst landings data are presented, they do not reflect the distribution or population dynamics of key stocks that may be affected, specifically the whelk stocks. The information presented does not, in our opinion, address our concerns. The NFFO approach to the SoCG is that where we do not agree on a position but do not hold evidence to counter the applicant's position, we will adopt an "Disagree – no material impacts" position in the SoCG.

If you require further discussion on the responses or have further questions, please don't hesitate to contact me.

Kind regards,



Mike Roach

Deputy Chief Executive Officer

National Federation of Fishermen's Organisations