



**AQUIND Limited**

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**AQUIND INTERCONNECTOR**

**Environmental Statement – Volume 3 –  
Appendix 12.2 Commercial Fisheries  
Consultation Responses**

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations  
2009 – Regulation 5(2)(a)

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

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Appendix 12.2 Commercial Fisheries  
Consultation Responses**

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## DOCUMENT

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## CONTENTS

<b>TABLE 1: SCOPING RESPONSES</b>	<b>1</b>
<b>TABLE 2: CONSULTATION PRIOR TO PUBLICATION OF THE PEIR</b>	<b>5</b>
<b>TABLE 3: PEIR CONSULTATION RESPONSES</b>	<b>9</b>

**TABLE 1: SCOPING RESPONSES**

Consultee	Scoping Opinion ID/Page	Summary of Comment Received	How this has been addressed by the Applicant
<b>PINS</b>	4.7.2	The Inspectorate notes that no study area has been defined in this Chapter of the Scoping Report. The study area should be clearly defined and justified in the ES and aided by clear figures.	The study area is defined and justified in this chapter of the Environmental Statement ('ES') (Section 12.1.2) and illustrated in Figure 12.1 of the ES Volume 2 (document reference 6.2.12.1).
<b>PINS</b>	4.7.3	The Scoping Report identifies a variety of fishing vessels and techniques but does not indicate how sensitive receptors will be determined. Justification as to how sensitive receptors are determined should be clearly explained in the ES.	The identification of sensitive receptors and the basis on which they are identified is presented in Section 12.5.
<b>PINS</b>	4.7.4	<p>The Inspectorate acknowledges the Applicant's intention to consider effects on commercially harvested fish and shellfish in the Fish and Shellfish aspect chapter of the ES and discuss any significant effects in the commercial Fish aspect chapter.</p> <p>The ES should clearly identify the relationship between the assessments and include appropriate cross-referencing.</p>	Noted, and appropriate cross-referencing is included within this ES chapter.

Consultee	Scoping Opinion ID/Page	Summary of Comment Received	How this has been addressed by the Applicant
<b>PINS</b>	4.7.5	It is acknowledged that cable protection could be used along stretches of the cable as a mitigation measure, but the current volume/tonnage, type and locations are unknown at present. Table 12.1 states that “the most appropriate cable protection will be used to minimise impacts to fisheries”. The ES should clearly identify whether any loss will be permanent or temporary and also quantify the loss, where significant effects are likely to occur. This comment is also applicable to the Fish Shellfish aspect chapter. The ES should apply consistency between the assessment of impacts considered in the Commercial Fisheries aspect chapter and those presented within the Fish and Shellfish aspect chapter.	Both permanent and temporary loss is assessed in both this chapter and Chapter 9 (Fish and Shellfish) of the ES Volume 1 (document reference 6.1.9).  Where appropriate, the amount of loss is quantified, and a consistent approach has been taken to assessing the worst case in terms of volume/tonnage and area of potential habitat by cable protection for both this chapter and Chapter 9 (Fish and Shellfish) .
<b>PINS</b>	4.7.6	The Applicant should make effort to engage with the recreational fishing community to obtain relevant baseline information to inform the impact assessment.	Potential impacts to recreational angling are covered in Chapter 13 (Shipping, Navigation and Other Marine Users) of the ES Volume 1 (document reference 6.1.13).  Further consultation with the recreational angling community has been undertaken and is also reported in the Consultation

Consultee	Scoping Opinion ID/Page	Summary of Comment Received	How this has been addressed by the Applicant
			Report (document reference 5.1) that accompanies the Application.
<b>PINS</b>	4.7.7	The ES should ensure that the baseline data sources, including references to published papers are included in full.	Data sources and references are included within this chapter in Section 12.5.2.
<b>MMO</b>	Section 3.1	The Scoping Report acknowledges the comments regarding fisheries made in the MMO EIA Scoping Opinion dated 22 June 2018 and has agreed to use the recommended sources of data and published literature sources to inform the EIA, and this is welcomed.	Noted and sources have been used within this chapter in Section 12.5.2.
<b>MMO</b>	Section 3.2	As set out in our EIA Scoping Opinion of 22 June 2018, the MMO recommends seeking consultation with the Fisheries industry at the earliest opportunity as the greater the level of consultation the greater the opportunity to mitigate against any impact to the fishing industry. The MMO also recommends working with members of the recreational fishing community. The Solent represents an important area for both private anglers and for charter vessels providing a platform for recreational fishers.	This chapter and Chapter 9 (Fish and Shellfish) provide the details of the additional consultation undertaken to date with fisheries stakeholders. Engagement is also reported in the Consultation Report (document reference 5.1) that accompanies the Application. The information collected during these consultations has been used to inform this chapter as well as Chapter 9 (Fish and Shellfish).

Consultee	Scoping Opinion ID/Page	Summary of Comment Received	How this has been addressed by the Applicant
			Potential impacts to recreational angling is covered in Chapter 13 (Shipping, Navigation and Other Marine Users) and Appendix 13.1 (Navigation Risk Assessment) of the ES Volume 3 (document reference 6.3.13.1).



**TABLE 2: CONSULTATION PRIOR TO PUBLICATION OF THE PEIR**

<b>Consultee</b>	<b>Date (Method of Consultation)</b>	<b>Discussion</b>	<b>Summary of Outcome of Discussions</b>
<b>Portsmouth Fisheries Stakeholders UK</b>	18 October 2017, Portsmouth	First introduction to the Proposed Development and discussion of geophysical survey.	General information on fishing activities and key concerns.
<b>Selsey Fisheries Stakeholders UK</b>	19 October 2017, Selsey	First introduction to the Proposed Development and discussion of geophysical survey.	General information on fishing activities and key concerns.
<b>Southern IFCA UK</b>	18 September 2018, Poole	The Proposed Development was introduced. The types and ranges of the fisheries in the study area were discussed, as well as concerns about the Proposed Development.	Detailed information on fisheries operating in the Southern IFCA District out to 6 nmi and the byelaws that regulate fishing activities.
<b>Sussex IFCA UK</b>	19 September 2018, Shoreham	The Proposed Development was introduced. The types and ranges of the fisheries in the study area were discussed, as well as concerns about the Proposed Development.	Detailed information on fisheries operating in the Sussex IFCA District out to 6 nmi and the byelaws that regulate fishing activities.
<b>MMO UK</b>	20 September 2018, Portsmouth	The Proposed Development was introduced. The types and ranges of the fisheries in the study area were discussed, as well as concerns about the Proposed Development.	Detailed information on fisheries in The Solent and vessel operating practices.

<b>Consultee</b>	<b>Date (Method of Consultation)</b>	<b>Discussion</b>	<b>Summary of Outcome of Discussions</b>
<b>Portsmouth Fisheries Stakeholders UK</b>	18 September 2018, Portsmouth	The Proposed Development was introduced. The types and ranges of the fisheries in the study area were discussed, as well as concerns about the Proposed Development.	Detailed information on fisheries operating in the vicinity of the Proposed Development and in The Solent, vessel operating practices and gear specifications.
<b>Isle of Wight Fisheries Stakeholders UK</b>	19 September 2018, Ryde, Isle of Wight	The Proposed Development was introduced. The types and ranges of the fisheries in the study area were discussed, as well as concerns about the Proposed Development.	Detailed information on fisheries operating in the vicinity of the Proposed Development and in The Solent, vessel operating practices and gear specifications.
<b>Selsey Fisheries Stakeholders UK</b>	19 September 2018, Selsey	The Proposed Development was introduced. The types and ranges of the fisheries in the study area were discussed, as well as concerns about the Proposed Development.	Detailed information on fisheries operating in the vicinity of the Proposed Development and off Selsey Bill, vessel operating practices and gear specifications.
<b>CRPMEM of Normandy France</b>	31 August 2017 Caen	The Proposed Development was introduced. French fishing activities in the study area were discussed, as well as questions about the Proposed Development.	Principle of sharing VALPENA data was agreed.
<b>CRPMEM of Normandy</b>	Video conferences, phone calls and e-mails. From 8	Project update Co-ordination of Aquind marine surveys	VALPENA reports specifications

<b>Consultee</b>	<b>Date (Method of Consultation)</b>	<b>Discussion</b>	<b>Summary of Outcome of Discussions</b>
<b>CRPMEM of Hauts-de-France</b>	September 2017 to 15 December 2017		
<b>CRPMEM of Normandy CRPMEM of Hauts-de-France</b>	20 December 2017	Signature of co-operation agreements between Aquind Ltd. and both Committees	VALPENA reports specifications Co-ordination of Aquind marine surveys
<b>CRPMEM of Hauts-de-France</b>	18 January 2018 Lille	The Proposed Development was detailed. French fishing activities in the study area were discussed, as well as questions about the Proposed Development.	
<b>CRPMEM of Normandy CRPMEM of Hauts-de-France</b>	Video conferences, phone calls and e-mails. From 26 January 2018 to 23 March 2018	Project update Co-ordination of Aquind marine surveys Discussion on preliminary VALPENA report	Co-ordination of Aquind marine surveys Preliminary VALPENA report
<b>CRPMEM of Normandy CRPMEM of Hauts-de-France</b>	Video conferences, phone calls and e-mails. From 16 May 2018 to 21 August 2018	Project update Co-ordination of Aquind marine surveys	Discussion on VALPENA final report specifications
<b>CRPMEM of Normandy</b>	11 September 2018 Dieppe	A project update was given to the CRPMEMs.	Specific workshop to be set up for cable protection

<b>Consultee</b>	<b>Date (Method of Consultation)</b>	<b>Discussion</b>	<b>Summary of Outcome of Discussions</b>
<b>CRPMEM of Hauts-de-France</b>	Formal fisheries workshop, as part of the follow-up of the preliminary stakeholder consultation.	Lessons learnt following Aquind marine surveys were discussed. Preliminary discussions on cable burial, protection an installation strategy	Specific workshop to be set up with fishermen using static gears inshore Preliminary version of VALPENA final report
<b>Sander Meyns (Redercentrale) Belgium</b>	28 September 2018. Phone call with Brown & May ('BMM') Fisheries Liaison Consultants for the Project.	The Proposed Development was introduced. Belgian fishing activities in the study area were discussed.	Belgian fishing activity in the vicinity of the Proposed Development is primarily demersal trawling with plaice and sole as target species.
<b>David Ras (VisNed) The Netherlands</b>	2 October 2018. Phone call and email correspondence with BMM.	The Proposed Development was introduced. Dutch fishing activities in the vicinity of the Proposed Development were discussed.	Dutch fishing activity in the vicinity of the Proposed Development is primarily seine netting and pelagic trawling with red gurnard and red mullet as target species.
<b>Deutcher Fisherei Verband Germany</b>	Contacted by both email and phone by BMM. No response received.	N/A	N/A

**TABLE 3: PEIR CONSULTATION RESPONSES**

<b>Consultee</b>	<b>Summary of Comment Received</b>	<b>How this has been addressed by the Applicant</b>
<b>MMO</b>	The area is subject to regular fishing activity from vessels with multiple gear types operating from several locations within the area (Southampton, Portsmouth, Gosport, Langstone Harbour, Emsworth etc.). The vessels/activities most likely to be heavily affected are potters, scallopers and whelkers. This is supported in Sections 12.5.3.7 through to 12.5.3.18 of the commercial fisheries section of the PEIR. Other vessels utilising alternate gear types will potentially also be affected and have been considered.	Acknowledged
<b>MMO</b>	In general, as in most areas, the inshore fleet in the area is heavily affected by adverse weather conditions, therefore winter tends to see a reduction in <10m vessels regularly operating. Nomadic scallop vessels tend to be most active in the area between October and February/March regularly landing into Portsmouth throughout this time window, and this has been considered.	Acknowledged
<b>MMO</b>	The appointment of a Fisheries Liaison Officer (FLO) and the use of the Kingfisher bulletin, included in	Acknowledged and confirmation on the use of a FLO is welcomed.

Consultee	Summary of Comment Received	How this has been addressed by the Applicant
	Chapter 13 to mitigate against issues with the fishing fleet, is in line with best practice.	
<b>MMO</b>	Confirmation should be provided that the most recently available commercial fisheries landings data will be presented in the ES. The PEIR currently presents 2012-2016 UK landings and foreign landings to UK ports but it should be considered whether this is the most up to date data available. Where more contemporary data is available this should be added for the final assessment and made clear this is the most up to date data available.	Chapter 12 (Commercial Fisheries) of the ES and Appendix 12.1 (Commercial Fisheries Baseline Report) of the ES Volume 3 (document reference 6.3.12.1) has been updated to include the most recent commercial fisheries landings data for UK vessels in to UK ports. At the time of writing this was 2013 to 2017.
<b>MMO</b>	Commercial fishing activity is likely to be significantly affected and has been considered in the PEIR. As the work corridor is 108km long and 1450m wide and will be closed to fishing for the duration of up to 2 years and 9 months. In addition, there will be up to 62 works vessels operating, 25 of which simultaneously, with 700m exclusion zones in place around each vessel. The works entire represent a significant navigational and safety hazard to shipping. Cables being laid and the preparation of the seabed prior to laying present a potential interference with any future use of trawls, pots, traps, nets, lines or dredges in the area. Worst	Acknowledged, the assessment undertaken in this chapter takes into consideration the worst-case scenario which is presented in Section 12.6.1.

Consultee	Summary of Comment Received	How this has been addressed by the Applicant
	<p>case scenario is the permanent loss of up to 8.64km<sup>2</sup> of fishing grounds due to the need to protect non-buried cables on the seabed. In addition, maintenance will be carried out by vessels requiring a 700m exclusion zone every 6 to 12 months in the first 2 to 5 years of the cables being laid (1 to 5 years thereafter for the expected 40 year lifespan of the cables).</p>	
<p><b>MMO</b></p>	<p>No specific mitigation measures are detailed for shellfish ecology, and establishment of an Inshore Fisheries Working Group is proposed to mitigate impacts to the local UK inshore fleet which is welcomed. In addition, the proposal to undertake an over-trawlability assessment to mitigate against seabed obstacles, including exposed cables is also welcomed.</p>	<p>Acknowledged and confirmation on the use of the overtrawlability assessment is welcomed.</p>
<p><b>MMO</b></p>	<p>As set out in our MMO Scoping Opinion, the MMO recommends seeking consultation with the Fisheries industry at the earliest opportunity as the greater the level of consultation the greater the opportunity to mitigate against any impact to the fishing industry. The MMO also recommends working with members of the recreational fishing community as the Solent represents an important area for both private anglers</p>	<p>Consultation with both the commercial fishing industry and the recreational fishing community (charter vessels and recreational anglers) has been undertaken. Details of specific meetings can be found in Section 12.3 of this chapter) and also in Chapter 13 (Shipping, Navigation and Other Marine Users) for recreational fishing. Engagement is also reported in the Consultation</p>

<b>Consultee</b>	<b>Summary of Comment Received</b>	<b>How this has been addressed by the Applicant</b>
	and for charter vessels providing a platform for recreational fishers. The MMO's coastal offices have advised that the project is still not widely known within this industry, therefore further engagement may be required.	Report that accompanies the Application (document reference 5.1).
<b>MMO</b>	No transboundary impacts are described for shellfish ecology given the similarities between the stock composition within the UK and French EEZ in this area. It is noted that cumulative transboundary effects to commercial shellfisheries will be evaluated within the ES. As part of this evaluation consideration should be made in the ES for the temporary or permanent displacement of fishing effort (e.g. scallop dredging) which is currently a contentious issue within the Channel region in terms of access to alternative grounds.	Displacement of fishing vessels (including French scallop dredgers) has been assessed in this chapter.
<b>MMO</b>	Comments made regarding fisheries in the MMO EIA Scoping Opinion have been acknowledged and recommended sources of data and published literature sources to inform the EIA have been used which is welcomed.	Acknowledged and confirmation of the suitability of our response to these comments is appreciated.



Consultee	Summary of Comment Received	How this has been addressed by the Applicant
<b>Southern IFCA</b>	<p>Considering the project against the details included in the South Coast Marine Plan, S-Fish-2 states that:  <i>“Proposals that may have significant adverse impacts on access to, or within, sustainable fishing or aquaculture sites must demonstrate that they will, in order of preference:</i>  <i>a) avoid</i>  <i>b) minimise</i>  <i>c) mitigate significant adverse impacts</i>  <i>d) If it is not possible to mitigate the significant adverse impacts, proposals should state the case for proceeding.”</i></p>	<p>Acknowledged. The project has been assessed against the relevant South Marine Plan policies in the Planning Statement (document reference 5.4).</p>
<b>Southern IFCA</b>	<p>The application highlights stakeholder consultation with the fishing industry has been undertaken in October 2017 and again in September 2018. Meetings have also been undertaken in September of 2018 with officers at Southern IFCA regarding the potential impacts to the fishing industry. This is appreciated and the importance of early stakeholder engagement was highlighted in our response to the scoping response.</p>	<p>Acknowledged.</p>
<b>Southern IFCA</b>	<p>The assessment of fishing activities in the inshore region is difficult given the sources of information available, particularly the MMO landings, VMS data</p>	<p>The baseline (Section 12.5) has been updated to make reference to these restrictions that the inshore fleet is subjected to.</p>

Consultee	Summary of Comment Received	How this has been addressed by the Applicant
	<p>and surveillance data. The description of fisheries within the area seems apt particularly when applied to the Solent fisheries, identifying a number of the key target species and the nature of the inshore fleet as predominantly under 10 metre and multi-faceted in the species they target or gear they use. It is appreciated that the impacted area may be considered small, however the assessment that the inshore fleet can move, or switch gears, may not accurately reflect the adaptability of inshore fishing vessels. The limited availability of quota, restrictions on bass fishing, Marine Protected Area regulations and other marine works, particularly in areas such as the Solent, limit the adaptability of the fleet. The options to diversify when ground is lost is limited by the above factors, and those fisheries which could be considered alternatives are typically subject to their own seasonal trend and catch fluctuations. It is noted that a cumulative assessment will be made considering other marine works, it may be appropriate to consider other non-construction impacts the fisheries may be subject to, such as those mentioned above when considering the impact to the fishery.</p>	<p>These pressures have also been considered in the assessment of cumulative effects on the inshore fishery. The cumulative assessment for this chapter can be found in Appendix 12.3 (Commercial Fisheries Cumulative Assessment Matrix) of the ES Volume 3 (document reference 6.3.12.3) and Section 12.7.</p>

Consultee	Summary of Comment Received	How this has been addressed by the Applicant
<p><b>Southern IFCA</b></p>	<p>The methods detailed to minimise impacts seem appropriate including the establishment of an inshore fisheries working group and the appointment of an FLO. However, it is not detailed what proposals are being considered where avoidance and mitigation is not possible and the works impact the inshore fishing fleet. Under Marine South Plan policy S-Fish-2 this should be stated.</p>	<p>The Fishing and Aquaculture Policy S-FISH-2 states that '<i>If the proposal cannot avoid significant adverse impacts on access to, or within, sustainable fishing or aquaculture sites it must show how it will minimise or mitigate impacts and include how this will be achieved</i>'. No significant adverse effects have been identified for the Proposed Development alone or cumulatively. However, both embedded and additional mitigation measures have been identified and incorporated. Specific to the inshore fishing fleet, an overtrawlability assessment has been included to reduce any residual impact post construction.</p>
<p><b>Southern IFCA</b></p>	<p>Although not considered a requirement for the application, the developer may look to consider the relevant projects/organisations which look to support the fishing industry. Within the Solent in particular there is the Blue Marine Foundation, which is currently working as part of the Solent Oyster Project and may be worth including in consultation and may be able to provide avenues/opportunities to support a sustainable inshore fishing industry indirectly.</p>	<p>Further engagement has been undertaken to better understand the locations and current state of native oyster stocks within the Solent. This information has informed the assessment examining any potential effects on this receptor. Although the Blue Marine Foundation has not been consulted to date this comment has been acknowledged.</p>

Consultee	Summary of Comment Received	How this has been addressed by the Applicant
<p><b>Southern IFCA</b></p>	<p>Southern IFCA are responsible for the management of fisheries within a number of MPAs near the vicinity of the cable and have taken steps in recent years to ensure that the fishing activities, alone and in combination with other activities or plans/projects, are compatible with the conservation objectives of the site. When considering the application against Marine South Policy S-MPA-1 which states:</p> <p><i>“Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas and the ecological coherence of the marine protected area network must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network.”</i></p>	<p>The design of the cable route avoids direct impacts on marine protected areas where possible. Where trenching to bury the cables would have caused potential direct effects on a protected site, this has been avoided through the use of Horizontal Directional Drilling (‘HDD’) techniques at Landfall at Eastney and where the cable crosses Langstone Harbour. As a result, the landfall location and works being undertaken crossing Langstone Harbour are not expected to result in any significant effects on the marine protected areas. Direct and indirect effects on protected sites are assessed in information to inform a Habitat Regulations Assessment (HRA Report, (document reference 6.8.1)) which will be submitted with the Application. This HRA Report examines the potential of the Proposed Development (alone and in combination with other developments) to produce significant adverse effects on the integrity of protected sites and provides evidence that no significant adverse effects are expected to occur as a result of the Proposed Development. In addition</p>

Consultee	Summary of Comment Received	How this has been addressed by the Applicant
		to the HRA, an MCZ assessment (Appendix 8.5 (Marine Conservation Zone Assessment) of the ES Volume 3 (document reference 6.3.8.5)) has also been undertaken to assess impacts to these marine protected areas.
EA	Table 9.7. Species of commercial importance should also include Brown Trout (rod and line) and Eel (commercial eel fishery).	Both the brown trout (rod and Line) and eel fishery (commercial eel fishery) are conducted in a riverine environment with no overlap with the Proposed Development. Therefore, no connectivity exists with these fisheries. They are not considered in this chapter or Chapter 9 (Fish and Shellfish) as species of commercial importance. The potential impacts on eels and brown trout have been assessed in Chapter 9 (Fish and Shellfish).