

dti

SEA 6

**Post Public Consultation
Report Rev 1**

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STRATEGIC ENVIRONMENTAL
ASSESSMENT

OIL AND GAS LICENSING

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1 INTRODUCTION

1.1 Background

The *Environmental Assessment of Plans and Programmes Regulations 2004* implement Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive).

In 1999, the UK Department of Trade and Industry (DTI) began a sequence of Strategic Environmental Assessments (SEAs) to consider the implications of further licensing of the UK Continental Shelf for oil and gas exploration and production. Five SEAs have been completed covering the east and north of the UK Continental Shelf (UKCS). The sixth SEA covers the Irish Sea and commentary on public feedback on the SEA 6 Environmental Report is the subject of this report. During 2003, the DTI also conducted an SEA covering three strategic regions off the coasts of England and Wales in preparation for a second round of offshore wind leasing.

The DTI has taken a proactive stance towards the concept of SEA and the European Directive, and since 1999 has used SEA as a planning tool to inform decisions on proposed offshore licensing rounds for hydrocarbon exploration and production on the UKCS.

A key element of SEA is consultation with the public and other stakeholders and an overview of the steps taken to promote this for SEA 6 is given below.

1.2 Overview of the consultation process

Major components of the SEA 6 public and other stakeholder consultation are:

- A dedicated SEA website (www.offshore-sea.org.uk) where the public consultation document and supporting reports can be viewed and downloaded
- Scoping consultation in early 2004 with a range of regulators, academics and conservation organisations, focussed on ascertaining seabed survey and other study needs
- Wider stakeholder scoping consultation during 2004/2005
- Inclusion of a number of key stakeholders in the expert assessment workshop held in April 2005
- Stakeholder dialogue meeting at the draft assessment document stage in August 2005
- A 3 month public consultation period following publication of the SEA 6 Environmental Report and supporting documents on the website at the beginning of November 2005. The start of the consultation period was extensively advertised in local and national newspapers, and a number of websites.
- Preparation of a post consultation report (this report)

In keeping with the Government's "e-government: a strategic framework for public services in the Information Age" of April 2000, where feasible, scoping and subsequent consultation

was conducted electronically using e-mail and the SEA website. In addition, the SEA 6 documentation could be requested in hard copy or on CD and 86 copies were provided during the consultation period. Responses to the formal public consultation period for SEA 5 were received via the website, e-mail and letter.

1.3 Purpose of this document

This report is intended to provide factual and technical clarifications to the comments received and issues raised during the public consultation period on the SEA 6 Environmental Report of the assessment of the implications of the DTI's draft plan to offer UKCS Blocks for oil and gas exploration and production licensing. It also includes responses regarding policy, regulatory and other controls, and future plans where appropriate.

The consultation responses are one of the considerations which will be used by the DTI in making decisions regarding offering for licensing Blocks for oil and gas exploration and production in the SEA 6 area and in the areas previously assessed through the SEA process.

2 CONSULTATION ISSUES

2.1 Consultation input received

Responses were received by e-mail or in hard copy correspondence to the DTI. Feedback relevant to the SEA 6 public consultation was received from:

- Joint Nature Conservation Committee, English Nature, Countryside Council for Wales and Countryside Agency (JNCC/EN/CCW/CA)
- Environment Agency (EA)
- Scottish Environment Protection Agency (SEPA)
- English Heritage (EH)
- Historic Scotland (HS)
- Royal Society for the Protection of Birds (RSPB)
- Whale and Dolphin Conservation Society (WDCS)
- World Wildlife Fund-UK (WWF)
- Council for National Parks (CNP)
- Joint NGO letter from Marine Conservation Society, WWF, National Trust for Scotland, RSPB and WDCS (Joint letter)

Consultee comments have been summarised and grouped in Section 2.2 by SEA 6 Environment Report section, together with clarifications and DTI responses which are given in italicised text following each comment. Where various consultee comments cover the same issue they have been combined to avoid duplication. The full texts of consultee responses to the consultation on SEA 6 have been compiled into a single document and are available on the SEA website.

2.2 Consultation issues with DTI responses and clarifications

2.2.1 Comments on the SEA initiative

Positive comments on the DTI SEA initiative were received from:

- Environment Agency
- Scottish Environment Protection Agency (SEPA)
- English Heritage (EH)
- Historic Scotland (HS)
- Joint Nature Conservation Committee, English Nature, Countryside Council for Wales and Countryside Agency (JNCC/EN/CCW/CA)
- Royal Society for the Protection of Birds (RSPB)
- Whale and Dolphin Conservation Society (WDCCS)

2.2.2 General comments

- a. JNCC/ EN/CCW /CA Page numbers should continue throughout the document rather than restarting at every section.

This will be done for future Environmental Reports.

- b. WWF Section 6 was not included in the paper version of the Environmental Report distributed to some consultees.

This was a printer's document compilation error and an independent check will be made in future. All sections of the Environmental Report were available for download from the SEA website.

2.2.3 Issues raised on Non-Technical Summary

- a. JNCC/ EN/CCW /CA Page 9 of the summary incorrectly states that some of the SACs in the SEA 6 area extend beyond the territorial water limit.

The clarification is accepted.

2.2.4 Issues raised on Section 2 SEA process

- a. JNCC/ EN/CCW /CA The SEA 6 reports do not appear to cross reference or utilise information derived from the R2 Offshore Wind SEA.

The R2 Offshore Wind SEA provided useful information to the current SEA and the experience of many of the SEA Steering Group members who participated in the wind R2 SEA was of great value.

- b. WWF Difficult to find an instance during the SEA process where NGO concerns have actually prompted an area to be deemed 'off-limits' to development. The UK SEA Stakeholder consultation process seems

to lack transparent opportunities to truly influence decision-making.

Throughout the SEA process, stakeholder inputs have played an important role in determining the direction of the SEA and examples are given in Section 2.1 of the Environmental Report. Key stages of the SEA 6 consultation process are described in Sections 2.5 and 2.6. Appendix 2 and 3 of the SEA 6 Environment Report summarises information from the assessment and stakeholder workshops respectively (at both workshops efforts were made to draw out areas that should be considered for exclusion from licensing). Appendix 4 summarises scoping responses and indicates where these comments are dealt with in the Environmental Report and/or relevant technical reports.

Whether to exclude areas from licensing or to place temporal and/or spatial constraints on activities is one of the challenges faced during SEA. The general consensus from the assessment workshop was that the sensitivities in the SEA 6 area Blocks could be protected by placing constraints on activities rather than excluding them from licensing. There are a number of areas identified (with stakeholder input) by previous SEAs as candidates for exclusion from licensing which were not offered for licensing, for example the gas pockmarks in Blocks 15/20c and 15/25d.

2.2.5 Issues raised on Section 3 Regulatory Context

Relationship with other relevant plans and programmes

- a. EA RSPB Listed a number of other relevant plans and programmes (including The State of the Sea Report, Safeguarding our Seas, the Marine Bill, the Wales Spatial Plan and Marine Spatial Planning pilot) for potential consideration.

There is a plethora of plans and programmes which may potentially be affected and the consultee clarifications are welcomed. Whilst not listed in Section 3.4, the plans and programmes suggested were utilised for information and taken account of during the assessment (for example, details of the marine spatial planning pilot were presented in Sections 7.5 and 9.6.1). The Marine Bill is still in draft and the potential implications were not conjectured in the Environmental Report.

- b. RSPB SEA 7 and 8 should evaluate how the 25th and 26th licensing rounds take account of the objectives of the UK Sustainable Development Strategy and judge whether the draft plans will ensure progress towards sustainable development.

Section 3.4 highlighted the draft plan's relationship with other plans

and programmes. Sustainable development strategies at both an international and national level were described in this section. The implications of these strategies for the draft plan included “Avoid significant impacts on habitats and species through assessment of especially vulnerable areas and potentially damaging activities. Consider potential socioeconomic effects of licensing”. RSPB clarification relating to inclusion of the most recent UK sustainable development strategy is welcomed. The overarching objective for SEA 6 is fully consistent with sustainable development of UK offshore oil and gas resources. It is proposed to further explore the issue of tangible sustainable development at the SEA 7 assessment workshop during 2006.

2.2.6 Issues raised on Section 4 The Draft Plan and Alternatives

- a. WWF Combined SEA for renewable and non-renewable licensing would have allowed proper assessment of viable alternatives and scenarios, something severely lacking from the current narrow approach. This would have also minimised the duplication of effort involved in assessing the same area several times, and allow a better assessment of impacts on receptors.
- The basis of the DTI offshore SEA programme was broadened to include renewable energy in 2003. Since then there have been no plans or programmes advanced which would allow a renewables SEA to be conducted. Section 1.2 states that “Although the DTI SEA programme covers offshore energy (oil & gas and renewables) there is currently only a draft plan for an oil and gas licensing round proposed for the SEA 6 area”. The offshore energy SEA process has collected and documented information which would facilitate subsequent SEAs of renewable energy plans or programmes.*
- b. WWF EA RSPB The alternatives provided in the Environmental Report do not provide an adequate representation of alternatives available, have not been fully specified and an assessment is absent.
- The representation and assessment of realistic alternatives within the SEA process is complex. The alternatives provided in the Environmental Report were discussed within the SEA Steering Group and formed part of the initial scoping consultation for SEA 6. They were considered, “...reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme...” (Article 5.1 of the SEA Directive). The assessment itself was based on Alternative 2 (to offer the area for licensing) as this was “judged to represent the greatest scale of potential interactions and effects” (Section 9.1). Mechanisms by which enhanced comparison of*

alternatives might be achieved will be explored for future SEAs.

- c. WWF Anticipated prospectivity should be graphically represented to better enable a comparison of anticipated prospectivity with sensitivity and species preference.

The SEA 6 area was divided into seven Scenario areas based on geological characteristics and potential for finding hydrocarbon reserves. To facilitate correlation with proposed draft plan licensing these areas were divided in a GIS on Block boundaries since these are the constituent units. These scenario areas were used to order much of the environmental information presented in Section 5, 6, 7 and 8 and underpinned the assessment process.

2.2.7 Issues raised on Section 6 Ecology

Benthos

- a. JNCC/
EN/CCW
/CA In section 6.3.3 there is inconsistency in coverage of the inter-tidal region and this may be because the reports that have been relied upon to produce the SEA 6 report are out of date and may give misleading information.

The consultee comment and information sources provided are noted. The environmental information presented in the section was based on the underpinning reports commissioned for SEA and described in Section 6.3.1. The underpinning reports were summarised by the authors at the assessment workshop when updated and new information sources were requested at that time from consultees and other stakeholders.

Fish

- b. EA Exploration and production programmes adjacent to important rivers and bays must take into account the requirements of migrating fish (salmon, sea trout and eels).

Agreed. The description and assessment of migratory fish populations form an important part of the SEA process. Sections 6.5.2 and 6.5.3 provide information on their status and distribution within the SEA 6 area, relevant fisheries are described in Section 8.5, and they form an important component of the consideration of effects (Section 9). Consideration of migratory fish would form an important part of project-specific EIAs and it is expected that this issue would be raised during the EIA scoping consultation.

- c. JNCC/
EN/CCW
/CA More information sources should have been used to give a broader and more accurate picture of the current status of fish in the SEA 6 area, especially the gaps in understanding on the distribution and status of non-commercial fish species of conservation importance. This information gap should also be considered under section 11.2.
- The consultee comment is noted. The fish resources of SEA 6 have been well studied in relation to other SEA areas, although much of this work has been biased towards commercial species. The SEA includes details of diadromous, threatened and protected fish species (Table 6.3 in Section 6.5.3 covered threatened or declining species both commercial and non-commercial). While there may be a lack of information on the basic biology of non-commercial fish species, it is difficult to envisage activities that could follow implementation of the draft plan posing an extraordinary threat to such fish.*

Seabirds and coastal waterbirds

- d. JNCC/
EN/CCW
/CA Section lacks enough information on bird migration and slight alterations should be made to the graphic to better reflect bird migration through the SEA 6 area.
- The comments and clarifications in the JNCC/EN/CCW/CA response are welcomed and will be taken account of in future SEAs. However, the weighting given to bird migration in the Environmental Report is considered adequate for consideration of potential impacts of the oil and gas activities that might follow further licensing in the SEA 6 area. The consultee comments on potential impacts relate to windfarm developments rather than oil and gas activities. The understanding of whether bird migration occurs in tightly defined flyways or across broader fronts is important and the DTI is monitoring progress in software development to allow more detailed interpretation of Met Office radar data. The DTI has proposed to the Government's marine renewables Research Advisory Group that a project should be funded if this software shows potential for improved understanding of bird migration patterns.*

Marine mammals

- e. JNCC/
EN/CCW
/CA DTI to ensure that further analysis and reporting of data from the satellite telemetry study of grey seals takes place. Further studies to further identify grey seal foraging areas and monitor medium-term population trends are encouraged.
- The DTI is committed to ensuring that data produced as a result of SEA funded research is publicly available and widely reported. Further telemetry studies of pinniped have been commissioned (outer Hebrides and Thames Estuary) as part of the DTI's SEA programme*

and others are under consideration. The potential for further studies of grey seals in the SEA 6 area including synergies with other current work in the area will be explored with the consultees and others.

- f. WDCS Joint letter Limited knowledge of the abundance and distribution of coastal and offshore cetacean species. Section fails to appraise the importance of the area for certain species within a UK and European context. *Section 6.8 described marine mammal survey coverage of the Irish Sea and the distribution and abundance of different species in the region. Whilst recognising that “No quantitative information on absolute cetacean abundance is available for the region”, the section highlighted important areas for species and gave abundance estimates where possible. It is hoped that the recently completed SCANS II survey will provide valuable information on the abundance and distribution of cetacean species in UK waters which will inform future SEAs as well as project-specific EIAs. The DTI recognises that SEA 6 contains important areas for some marine mammal species and their conservation value is described in Section 7. Through the SEA process the DTI seeks to identify important information gaps which, subject to Steering Group agreement, can be addressed as part of SEA. The DTI would welcome WDCS (or other) suggestions for strategic regional studies of cetacean distribution, abundance and ecology.*
- g. WDCS Do not consider there is enough information to state, as the SEA does, that the “SEA 6 area does not represent an important area for this species [minke whale]”. *The statement was based on the SMRU underpinning report (Hammond et al. 2005) which indicated that “Minke whales are not common in the Irish Sea, occurring mainly in summer in and around the Celtic Deep, and are rarely recorded north of the Isle of Man.”*
- h. WDCS While previous studies have shown there is little threat from bycatch in coastal fisheries WDCS is still concerned that offshore fisheries may have an effect and are not currently monitored. The impact of fisheries on prey species could also have been addressed. Boat collision is another problem that needs further attention. *Section 6.8.3 recognised that “...there is a lack of detailed information on the activities of these [fishing] vessels that hinders any assessment of the overall scale of bycatches in this area.” However, as Sections 6.8.3 of the Environmental Report and 4.1 of the marine mammal technical report (Hammond et al. 2005) highlight that gillnet fisheries play a relatively small role in overall fishing activity in the SEA 6 area means that bycatches are likely lower than in many other areas around Britain. Ship collision mortality on marine mammal population dynamics was identified as a data gap in Section 6.8.5.*

2.2.8 Issues raised on Section 7 Conservation

- a. EA The DTI as the Competent Authority under the Habitats Regulations for oil & gas must ensure that an Appropriate Assessment is undertaken for all oil & gas activities that may have a significant effect on sites protected by the Habitats and Birds Directives.
- The DTI fully recognises its responsibilities under the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 which regulate UKCS offshore oil and gas activities with respect to the Habitats and Birds Directives. The designation of SAC and SPA does not preclude activities in an area – rather it requires that the effects of such activities be thoroughly considered through an Appropriate Assessment before consent(s) can be granted. Section 9 of the SEA 6 Environmental Report considered the potential effects of activities that could follow licensing, including effects on statutory conservation sites. The assessment concluded that project specific assessment (including Appropriate Assessment) and permitting procedures available to the DTI under existing legislation provided adequate control over exploration and production activities (including management of oil spill risks).*
- Further, one of the SEA objectives listed under biodiversity and geodiversity in Section 9.15 was the “Favourable conservation status at designated or relevant sites.” The proposed indicator for this objective was “No damage by oil and gas activities to features of interest in designated or relevant sites.”*
- b. EA Marine Landscapes identified by the Irish Sea Pilot do not appear to have been included within the supporting documentation.
- Section 5.2.8.2 describes nationally important marine areas and includes details of the marine landscapes identified by the Irish Sea Pilot. Further details are also provided in Section 7.5. The marine landscapes concept was developed for areas with very limited ground truth information such as northern Canada. Consideration of marine landscapes in SEA 6 was limited in the Environmental Report since it is clear that where detailed information exists for an area (e.g. in the St. George’s Channel) the landscapes identified are not robust and do not provide a useful summary for assessment purposes.*
- c. EA Table 7.5 fails to include the River Derwent & Bassenthwaite Lake SAC and the River Eden & Tributaries SAC. Both include salmon, sea lamprey and river lamprey as qualifying features. Species conservation within the SEA 6 area fails to mention salmon, sea or river lamprey.
- Whilst the river sites were not included in Table 7.5 they were listed in*

Section 6.5.3 which described the status of threatened and protected fish species (including salmon, sea and river lamprey) within the SEA 6 area. Where to draw the line regarding the inclusion of primarily terrestrial conservation sites in the SEA is an ongoing source of debate and the EA comment will inform future SEAs.

- d. EA The SEA 6 does not refer to the shift in emphasis in marine nature conservation outlined in the DEFRA review of Marine Nature Conservation, namely from focusing on the protection of specific species and habitats to one focusing instead on an ecosystem approach.
- Disagree. The DTI have been actively involved in the DEFRA Review of Marine Nature Conservation (RMNC) from its inception and the progress of the review has been summarised in both current and previous SEAs. Section 9.3 of the SEA 6 conservation technical report (Moore 2005) provided a detailed summary of the Review's recommendations which were summarised in Section 7.5 of the Environmental Report.*
- e. RSPB JNCC's recommendations for marine extensions to SPA inadequate since the proposed extensions exclude the foraging areas essential for maintaining colonies of these species. JNCC should propose a more suitable approach to determining foraging areas for colonies.
- Current and previous SEAs have charted progress in identifying marine extensions to SPA. Section 7.4.1 presented details of a consultation on the use of generic guidance for extending existing SPA for breeding seabirds (JNCC 2004). At the time of writing of the Environmental Report, the outcomes of this consultation process had yet to be published. Marine Natura 2000 Committee paper (JNCC 05 P14B, December 2005) indicates that the RSPB responded to this consultation and the action is currently with the JNCC.*
- f. WDCC Whilst no SACs have currently been proposed for harbour porpoise, 4 sites within the SEA area have been identified as possibly qualifying for SAC status (Evans & Wang 2005) and these should be identified as part of this assessment.
- The WDCC view is noted. Section 6.8.2.1 noted that harbour porpoise are "widely distributed in the SEA 6 areas, with particular concentrations in the southern sector". Whether specific areas within SEA 6 represent important calving/nursery grounds for harbour porpoises was identified as an information gap in Sections 6.8.5 and 11.2 although this was "not considered to represent significant constraints on the SEA 6 process." The identification of potential SAC for harbour porpoise (and other cetacean species) is an ongoing process which the DTI monitors closely and is advised upon by the JNCC and the country conservation agencies.*

2.2.9 Issues raised on Section 8 Users of the SEA 6 Marine and Coastal Environment

- a. JNCC/ EN/CCW /CA Section 8.3, Tourism and Leisure. The importance of tourism and leisure to the regional economy and the high level of recreational boating are stated in this section but not really considered later in the report. These issues warrant further discussion.

Section 9.14 recognised that “the aesthetic and recreational value of coastlines and coastal waters are fundamental to the economic prosperity of the SEA 6 area (through their importance to tourism)”. In discussion of the potential socio-economic effects of oil spills, Section 9.10.5 indicated that tourism and recreation were “of considerable economic importance to local economies and are vulnerable to the effects of major oil spills.” It is not considered that the nature and scale of existing or potential future oil and gas exploration and production activities in the SEA 6 area would significantly affect tourism or recreational boating.

2.2.10 Issues raised on Section 9 Consideration of the Effects of Licensing the SEA 6 Area

General

- a. EA The issues of most concern from a migratory fish standpoint relate to undersea noise and disturbance and discharges and spillages. Concerns about potential risks to migratory fish homing mechanisms arising from major engineering works at sea would need to be explored on a development specific basis.
The EA perspective is noted and is in agreement with the potential sources of significant effect for fish identified in Section 9.3.
- b. WDCCS No discussion of decommissioning activities and the potential impacts on marine mammals. Draft guidelines to mitigate the impacts of decommissioning should be complied with and once finalised made a licence condition.
The views of the consultee are noted. The potential effect of licensing of the SEA 6 area on “forecast decommissioning activities” formed part of the consideration of cumulative effects (Section 9.12). Recommendation 3 (Section 11.3) indicated that “Removal of old wellheads should be subject to an environmental assessment process and consent to address potential impacts e.g. noise and chemicals used. There should be a presumption against explosive cutting unless effective mitigation measures to prevent fish kills and potential injury to marine mammals are demonstrated.” Under the Petroleum Act 1998, operators proposing to decommission an installation must

submit a Decommissioning Programme with supporting Environmental Impact Statement to the DTI for approval prior to any works being commenced. Consultation is a required element of the process.

Noise

- c. RSPB WDCS JNCC/EN/CCW/CA Given the potential magnitude of impacts of acoustic disturbance on wildlife, the lack of certainty about whether the effects of seismic activities really are limited should have indicated the need for improved control measures to be put in place. Activities with such potentially serious impacts should not be permitted unless significant effects are unlikely.

The DTI believe that current control measures are generally effective. For example, application for consent to conduct seismic and other geophysical surveys is made using Petroleum Operations Notice No 14 (PON14) supported by an Environmental Narrative to enable an accurate assessment of the environmental effects of the survey. Consultations with Government Departments and other interested parties are conducted prior to issuing consent, and JNCC may request additional risk assessment, specify timing or other constraints, or advise against consent. Within the SEA 6 area, any proposed activity with a potential acoustic impact within the Cardigan Bay, Lleyn Peninsula or Pembrokeshire marine SACs would also be subject to the requirement for Appropriate Assessment under the Conservation (Natural Habitats, &c.) Regulations 1994, which apply within territorial waters. The major operational control and mitigation over seismic surveys in the UK are through the revised JNCC Guidelines for Minimising Acoustic Disturbance to Marine Mammals from Seismic Surveys published in April 2004. These were originally introduced on a voluntary basis as part of the UK's commitment under ASCOBANS, but have subsequently been required through the PON14 approval process.

The JNCC Guidelines describe a series of mitigation measures to counteract potential impacts of noise on cetaceans and other marine mammals. These include details of start up procedures for seismic surveys and site survey/Vertical Seismic Profiling, the use of Marine Mammal Observers, and acoustic monitoring. The Guidelines indicate that any seismic operation within Cardigan Bay will require dedicated experienced MMOs. The Guidelines also state "that passive acoustic monitoring (PAM) should be used as a mitigation tool if sensitive species are likely to inhabit the proposed survey location."

Further, Recommendation 1 (Section 11.3) describing operational controls recommended that “As some areas offered for licence are within territorial limits, restrictions may be necessary on some licences if there are particular marine mammal sensitivities (in relation to seismic).”

A major series of studies of the potential and actual effects of noise on marine mammals has just been initiated through the international Oil and Gas Producers forum. A multimillion pound budget has been allocated for these studies and progress will be tracked and results factored in future SEA assessments.

- d. WDCS
Joint
letter
- All currently known important areas for cetaceans should be excluded from licensing on a precautionary basis, with a significant buffer zone, especially where noise is an issue. The evidence included in this document and previous SEAs does not demonstrate an acceptably low risk of potential effects. The conclusion that recent seismic survey effort has not resulted in significant changes in sightings frequency or behavioural responses is not illustrated by Stone (2003). *Given the control and mitigation mechanisms outlined in response 2.2.10c the DTI disagree that all currently known important areas for cetaceans should be excluded from licensing. Section 9.4.6 suggests that “effects of seismic activities are limited, in species present in significant numbers within the SEA 6 area, to behavioural disturbance which is likely to be of short duration, limited spatial extent and of minor ecological significance. The numbers of individuals likely to be influenced represent a small proportion of biogeographic populations.” Mitigation measures including updated JNCC Guidelines [which incorporate recommendations made by Stone (2003)], the use of passive acoustic monitoring where appropriate, and use of the consent procedure to manage cumulative effects, provide some degree of protection from acute effects. It is recognised that gaps in understanding remain about potential far-field and additive/cumulative disturbance effects that may arise. This problem is recognised internationally and a range of studies and research programmes are underway or initiated to address these data gaps. In the meantime, the DTI will consent and manage these activities in a precautionary way and work towards reducing the environmental footprint of noise.*

Recommendation 1 (Section 11.1) describes licensing constraints and guidance to potential applicants and is also of relevance as it recommends that the DTI considers “providing more explicit guidance regarding the requirement for licence applicants to demonstrate an adequate appreciation of the environmental sensitivities, potential temporal/spatial constraints and information gaps relevant to the

blocks in their application and their proposed approach to environmental management of the issues.”

It is understood that the publication of a new JNCC report on marine mammals observations made during UK seismic surveys, updating Stone (2003), is imminent. This new report will be considered in future SEAs.

- e. WDCS This section notes that much of the SEA 6 area is subject to existing ‘ambient’ noise. WDCS consider that rather than mitigating the effects of seismic, as appears to be inferred, this may increase disturbance effects.
- Section 9.14 recognised that “ambient noise is increasingly recognised as a significant problem in both coastal and oceanic environments.” As part of the SEA process, the DTI commissioned a report from QinetiQ (Harland et al. 2005) which looked at potential sources of underwater noise that combine to form background noise levels in the SEA 6 area. Harland et al. (2005) made a number of recommendations for further field measurement and modelling. However, the issue of anthropogenic ambient noise involves many industrial sectors and would be best addressed through collaborative initiatives. Current understanding was considered adequate for the purposes of the assessment.*
- f. WDCS Controlled exposure experiments for assessing the acoustic effects of noise on cetaceans should only be conducted with great care and where aims, methods and independent scrutiny have been agreed according to an internationally defined protocol that should now be developed
- The WDCS view is fully supported by the SEA which recognises the “considerable practical and ethical difficulties” in conducting these experiments (Section 9.4.7).*

Physical damage to features and biotopes

- g. EH 9.5.2 Archaeology: “similar guidance for the offshore oil and gas industry has been produced by the unive”. Is this last word a typo?
- The sentence should read “University of Ulster for the Irish Petroleum Infrastructure Project (www.pip.ie).”*

Physical presence

- h. JNCC/ EN/CCW /CA Section 9.6.2, Visual intrusion. Only the physical infrastructure appears to be considered in this paragraph. Nuisance from light should also be considered in this section.
- The consultee comments are noted. Recommendation 6 under operational controls (Section 11.2) indicates that “Some prospective SEA 6 blocks are close to the coast with potential implications for...nuisance from light, airborne noise and odour. These issues should be drawn to operator attention during scoping.” Such issues are believed best addressed through the project specific EIA process.*
- i. JNCC/ EN/CCW /CA Section 9.6.4 The lack of seascape baseline documentation is noted in the report but in the conclusions and elsewhere this is not seen as having an impact on the SEA assessment as most projected SEA 6 developments would be sub-sea tiebacks. Light intrusion and the, albeit temporary, impact of construction and maintenance traffic do need to be considered against a baseline seascape assessment and so conclusions should be qualified.
- Accepted. With reference to operational controls, recommendation 6 (Section 11.3) indicates that “Some prospective SEA 6 blocks are close to the coast with potential implications for...onshore impacts such as nuisance from light, airborne noise and odour. These issues should be drawn to operator attention during scoping.” Operational control recommendation 9 which states that “Nearshore oil and gas developments should take account of visual impact techniques and guidance developed for the offshore windfarm industry.”*
- j. RSPB Section 9.6. The assessment underplays the potential significance of the impacts of oil and gas activity on the Liverpool Bay common scoter population.
- Disagree that the potential effects have been underplayed. The importance of Liverpool Bay (and other parts of the SEA 6 area) for wintering common scoter was described in Section 6.7.3. Section 9.6.3 recognised that “large numbers of seaduck and in particular common scoter occur in the shallow waters of Liverpool Bay and these appear to be susceptible to disturbance e.g. dispersal of feeding or roosting flocks by surface vessel passage in proximity or aircraft low overflight. If substantial, such disturbance could become locally significant and require mitigation for example through tightly defined vessel traffic routes or timings. Parts of inner Liverpool Bay are being considered as a potential offshore SPA and if so designated, Appropriate Assessments would be required for permitting of existing and new hydrocarbon developments and associated activities in the area. For this reason it is concluded that*

existing oil and gas industry control mechanisms are likely to be effective in mitigating potential impacts on these sensitive receptors and that consequently Blocks need not be excluded from potential offer in a 24th Licensing Round.”

Further, recommendation 2 under licensing constraints and guidance to potential applicants (Section 11.1) indicates that “In some SEA 6 and other nearshore areas, temporal controls on activities may be required ... to prevent significant disturbance of divers, scoters and other seaduck or as a spill risk reduction measure for areas in proximity to major seabird breeding colonies. For blocks with multiple constraints (e.g. environmental and military), the DTI should probe the operator’s proposals for balancing these constraints versus operational requirements e.g. rig availability, seasonal metocean conditions etc.”

- k. RSPB With reference to the perceived dichotomy in tolerance of disturbance between common scoter in NW European waters and those off the US and Canada (Section 9.6.4), the birds in these populations are now considered to be separate species.
- The RSPB clarification is welcomed and serves to illustrate that fundamental work is still needed to underpin ecosystem based management approaches. In view of the control mechanisms already in place and recommended licensing constraints described in response 2.2.10j above, the new information does not alter the conclusion of the assessment.*

Potential socio-economic implications

- l. WWF The limited provision of jobs from the incremental increase from the SEA 6 predicted prospectivity, would be far outweighed by the risk benefit gained from tourism to what is still one of the most beautiful areas of our coastline.
- The DTI recognise that the “Irish Sea region has some of the best and most attractive resources in the UK for coastal tourism and leisure” (Section 8.3), and that “the aesthetic and recreational value of coastlines and coastal waters are fundamental to the economic prosperity of the SEA 6 area (through their importance to tourism) (Section 9.14). However, given the limited amount of activity predicted, the limited prospects for new oil and gas developments away from the existing Morecambe Bay and Liverpool Bay complexes and the mitigation controls in place, the DTI feel that the level of risk from the predicted prospectivity is acceptable. It is also worth noting that security of UK energy supply is a prime consideration.*

Cumulative effects

- m. JNCC/ EN/CCW /CA Section 9.12. This section indicates that the report has taken the definition of cumulative as “only if the physical or contamination footprint of a project overlaps with that of adjacent activities”. It is possible that habitats and species will be exposed to isolated and cumulative effects even though the activity causing the effects is a distance from them. This is particularly true for more mobile species such as some fish species, marine mammals and birds.
- The assessment of cumulative effects is fraught with difficulty, for example considerations of equivalence, significance and relative importance, coupled with often limited information on components of the ecosystem, their interactions and effects of human activities. The physical (including noise) or contamination “footprint” of a project may cover a large area (particularly in the case of the dispersal of contaminants) and therefore may affect receptors over a wide area. It is proposed that the definition of cumulative effects is considered further at future SEA assessment workshops.*
- n. JNCC/ EN/CCW /CA RSPB WDCS The cumulative and in combination effects of the wind farms combined with the oil/gas wells have largely been ignored in this report.
- Disagree. Sections 9.6.1 and 11.1 indicated “the potential for overlap in the areas of interest for hydrocarbon and windfarm (and other renewable energy) developments. However, given the limited prospectivity of the area and projected small scale and footprint of exploration or development activity, spatial and other effects combinations between the two industries in the SEA 6 area was judged minor. Also, since the regulator for both industries is the DTI, such potential conflicts as may occur can be expected to be resolved at the strategic level prior to licensing/leasing and also at the various project approvals stages.*
- o. WWF An approach focussing on assessing all impacts (in a compound fashion) on a few receptors could provide a useful process of articulating what overall impacts might be felt, especially on certain vulnerable species such as scoter or bottlenose dolphin.
- The receptor approach to assessment was used in the first DTI SEA and necessitated much repetition of information. The table in Section 9.3 describes potential effects of implementation of the SEA 6 draft plan and potential receptors. It is proposed that the assessment approach is discussed at future SEA assessment workshops.*

Transboundary effects

- p. WWF If seismic is to go ahead in the SEA 6 area, discussions with the Irish Government should be held to discuss timing and frequency so as to manage noise impacts across the median line between UK and Irish waters.
- The WWF comments are accepted. Section 9.13 notes that “The scale and consequences of environmental effects in adjacent state territories due to activities resulting from the proposed 24th Round licensing will be less than those in UK waters and are unlikely to be significant.” Consultation with Irish authorities would be a pre-requisite for any seismic activities which may have a transboundary effect. See also response to 2.2.10c for details of relevant seismic control and mitigation measures.*

Environmental problems

- q. JNCC/
EN/CCW
/CA Section 9.14, Tranquillity/industrialisation – More information about what people value and on their perceptions of the area is needed before conclusions on the aesthetic and recreational value of the coastline and potential impacts can be drawn.
- As highlighted in the response to 2.2.10i, the importance of the area for tourism and recreation was recognised by the current SEA. It is noted however, that such perceptions are unlikely to be static over time.*

Monitoring

- r. EA
RSPB
SEPA Unclear whether a standard set of objectives was used to shape and direct the SEA; and whether the proposed development scenarios were compared against these. No evidence that the objectives identified in the monitoring section of the report were used. An objectives-led approach could be explored prior to the production of the SEA 7 report.
- The subject of SEA objectives and indicators was discussed at the Assessment Workshop (Appendix 3) and the overarching objective for the DTI SEA (Section 2.2) was agreed. In addition, a series of subsidiary objectives for the SEA which can be monitored as unambiguous metrics of SEA performance were also proposed (Section 9.15). The subsidiary objectives and indicators proposed in the monitoring section will allow better evaluation of the success of the SEA process. The views of the consultees on the use of an objective-led approach will be taken forward for discussion at the SEA*

7 assessment workshop.

In respect of monitoring, the DTI has established a committee tasked to draw up a future comprehensive, long term monitoring strategy for the UK offshore oil & gas industry and to ensure appropriate interfaces with the UK Marine Environment Monitoring Group (responsible for the National Marine Monitoring Programme), and other relevant groups/initiatives. The Monitoring Committee is chaired by the DTI and comprises representatives of industry, UKOOA, academia, JNCC, CEFAS & FRS.

2.2.11 Issues raised on Section 10 Consideration of Effects of Licensing in Areas Covered by Previous DTI SEAs

- a. RSPB Section 10.3 'Perspectives on prospectivity, scenarios and activity' could be improved by providing definitions and an explanation of the abbreviations used in the tables, for the benefit of the non-specialist.
The consultee comment is accepted and will be taken forward for future SEAs.
- b. WWF Joint letter Do not agree with the DTI's offer of blocks 15/20c and 15/25d in the SEA 2 area, included as part of the larger re-offer of areas previously undergone SEA.
Section 10.4 indicated that "the DTI is now considering offering blocks 15/20c and 15/25d for licence subject to strict spatial and other controls aimed at ensuring protection of the conservation interests they contain." The subject of these Blocks and what additional information was needed to allow conclusions on their inclusion in the 24th licensing round were discussed at the SEA Steering Group on February 7th 2006. It was concluded that the DTI commissioned report on the origins of shallow gas in the Blocks provided sufficient information for the DTI to consider their licensing but that spatial control on drilling activity should be included to mitigate potential effects on the structures and shallow gas resources.

2.2.12 Issues raised on Section 11 Conclusions and Recommendations

Conclusions

- a. EH With regard to the statement "No significant visual intrusion is predicted based on the anticipated nature and scale of activities." We wish to stress that such assessment of visual intrusion must be inclusive of the 'setting' of sites of historic importance.
Accepted.

- b. WWF To avoid detrimental impacts, grey and harbour seal pupping, mating and moulting periods should be strictly avoided by any near-shore development. One area where further knowledge is required which is not included is the impact of explosives during decommissioning on cetaceans and pinnipeds.
- The DTI recognise that the impact of explosives during decommissioning on cetaceans and pinnipeds is an area where more information is required (and future strategic studies in this area may be funded by the DTI). However, recommendation 3 under operational controls recommends that “Removal of old wellheads should be subject to an environmental assessment process and consent to address potential impacts e.g. noise and chemicals used. There should be a presumption against explosive cutting unless effective mitigation measures to prevent fish kills and potential injury to marine mammals are demonstrated.”*
- c. WWF Continual reliance by the DTI on licence conditions and Environmental Impact Assessment (EIA) to achieve satisfactory results is disappointing. If there continues to be a reliance on EIA to address concerns on potential impacts on sensitive locations and species, a process should be developed that would help ascertain the success of this approach.
- The DTI believe that existing environmental regulation (as described in Section 3.3) provides a high degree of protection to sensitive locations and species. See also response to 2.2.8a. In particular, one of the SEA objectives listed under biodiversity and geodiversity in Section 9.15 was the “Favourable conservation status at designated or relevant sites.” The proposed indicator for this objective was “No damage by oil and gas activities to features of interest in designated or relevant sites.” Discussions with the SEA Steering Group and relevant stakeholders will determine the best means of evaluating the status of this indicator and as a result the success of the SEA in meeting the objective.*
- In addition the DTI has recently commissioned an independent review of a representative range of Environmental Statements submitted since 2002, the results of which will contribute to the assessment of the success in protection of sensitive features.*

Wider policy objectives

- d. WDCC Wider policy objectives: The SEA should start with an assessment of why the licensing round is necessary in the context of UK and European Energy Policy, Climate Change objectives etc.
- Section 3.4 highlighted the draft plan’s relationship with other relevant*

plans and programmes. The implications for the draft plan of a wide range of international and national policies and programmes including energy and climate change were assessed. See also response 2.2.12e below.

- e. WWF Climate change is not properly considered in the SEA 6 assessment. *Disagree. Section 9.14 recognised that “Anthropogenic climate change – and more recently, reduction in ocean pH associated with carbon dioxide emissions – are of global concern.” Potential impacts of climate change were described throughout the Environmental Report (e.g. Sections 5.3.2, 5.4.4 and 9.8.1.4). Section 9.8 described the sources, predicted emissions resulting from the SEA 6 plan and potential effect of those emissions. The contributions to greenhouse gas emissions directly associated with exploration and production activities were considered to be negligible in the context of industry, national and global emissions. The implications of the ultimate use of oil and gas production from UKCS for greenhouse gas emissions and UK commitments under the Kyoto Protocol were not considered by SEA 6 since these are correctly the subjects for a much broader energy policy appraisal forum.*

Information gaps

- f. EH We note the comment about “The lack of seascape baseline documentation for England” and add that the Liverpool Bay pilot study entitled Historic Seascapes, supported by the Aggregate Levy Sustainability Fund, when completed is intended to provide an historic environment overview to inform exercises such as SEA. *The constructive comments of EH are appreciated.*
- g. JNCC/
EN/CCW
/CA The lack of seascape baseline information is not restricted to England as this information is not currently available for Wales either and was one of the areas CCW highlighted as high priority in scoping discussions for SEA 6. *The consultee clarification is welcomed. Mechanisms to fill this information gap will taken forward for discussion with the SEA Steering Group and appropriate stakeholders including CCW. The Offshore Renewables Impacts Research Advisory Group is considering projects designed to provide seascape baseline data for identified priority areas.*
- h. SEPA The identification of relevant data gaps within each section is noted and is a useful way to highlight work for future studies. Useful to summarise them in one place and put in place a process for alerting relevant bodies.

The SEPA contribution will be taken forward for future SEAs.

- i. RSPB WWF Despite an acknowledged lack of data about the vulnerability of coastal waterbirds and serious potential impacts, licensing is recommended to proceed. Careful spatial licensing restrictions should be applied in or near existing/future SPAs. *Section 11.2 indicates that whilst “The vulnerability of coastal waterbird populations (particularly in scenario areas 5 and 7) is recognised but not quantified. The lack of detailed data does not compromise the SEA process, as existing mechanisms allow for a precautionary assessment of proposed activities at a project-specific basis.” The SEA also recommended further operational controls including “In some SEA 6 and other nearshore areas, temporal controls on activities may be required for example to prevent significant disturbance of divers, scoters and other seaduck or as a spill risk reduction measure for areas in proximity to major seabird breeding colonies.” See also response to 2.2.8a. For examples of the Block specific issues and timing restrictions see http://www.og.dti.gov.uk/upstream/licensing/23_rnd/other_reg_issues.doc*
- j. WDCS Data gaps and recommendations for research and mitigative measures have not been detailed in this SEA. Given the likely significance of noise pollution as an issue and the importance of the data gaps that relate to it and cetaceans as a receptor, we feel they should be listed here again, with details of how they are being filled. *An important part of the SEA process is the identification of relevant data gaps and these have been highlighted throughout the Environmental Report (see Section 6.8.5 for relevant marine mammal data gaps). Section 11.2 identifies those information gaps that “could influence the controls and mitigation put in place covering specific activities in specific blocks”, and includes “Marine mammal calving/nursing grounds particularly for harbour porpoise and bottlenose dolphin in the SEA 6 area.” Section 11.3 of the Environmental Report recommended that “Understanding of underwater noise characteristics from seismic survey, development activities and facility operation should be improved through further measurements of source level and frequencies.” Hammond et al. (2005) also made a series of recommendations for research on the effects of noise on marine mammals (Section 3.1.3). While the SEA process can result in the recommendation and promotion of work on marine mammals and underwater noise, the scope and design of such studies is seen as a collaborative exercise involving a range of stakeholders. The DTI would welcome WDCS and other participation in such study definition in the future and will detail progress in future Environmental Reports.*

- k. WDCS Much more information is needed not just on calving areas but also other favoured habitats for all parts of the cetacean life cycle. *The consultee view is noted. See also response to 2.2.12j.*
- l. WWF Where the DTI deems it appropriate to go ahead with licensing in nationally and internationally important areas, expect the latest technology to be the minimum standard allowable and for zero discharge into the marine environment to be mandatory. *Through OSPAR commitments there is a presumption against discharge of oil in produced water from new developments and the discharge of organic phase drilling fluids and contaminated cuttings are effectively prohibited. One of the recommendations under licensing constraints and guidance to potential applicants indicated that the “DTI should consider providing more explicit guidance regarding the requirement for licence applicants to demonstrate an adequate appreciation of the environmental sensitivities, potential temporal/spatial constraints and information gaps relevant to the blocks in their application and their proposed approach to environmental management of the issues.” The exact nature of any constraints to be applied to activities within Blocks would be the subject of discussion and agreement between DTI, its statutory advisers with input as appropriate from public consultation during the EIA process. See also response to 2.2.8a.*

Recommendations

- m. WWF Question how DTI can continue with oil and gas licensing and seismic testing, especially in areas of internationally important species, when they also admit that we don't fully understand the impacts. What kind of sensitive feature or special case *would* warrant an area to be withheld from licensing, if any at all. Deliberate disturbance of species deemed worthy of strict protection under Annex IV of the Habitats Directive is unlawful, whether significant or not.
- WDCS *Exclusion of areas from licensing is not the only means of affording protection to sensitive species or features. As the SEA 6 document makes clear in Section 7.3, all cetacean species are afforded protection at a European level through being listed on Annex IV of the Habitats Directive. With regard to oil and gas activities, “Regulation 10 of The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 states that oil and gas activities shall not deliberately disturb any creature listed on Annex IVa of the Habitats Directive (includes all cetaceans), nor cause deterioration or destruction of breeding sites or resting places of any such creature” (Section 10.3.1.6). Although the DTI do not consider that oil and gas activities constitute deliberate disturbance we have adopted a*

precautionary approach to activities such as seismic surveys that may incidentally disturb cetaceans and work to ensure that they are managed in such a way as to minimise disturbance effects. Work is ongoing in the UK to identify offshore SACs for wide-ranging Annex II species such as bottlenose dolphin and harbour porpoise. In UK waters, all cetacean species are also protected under Schedule 5 of the Wildlife and Countryside Act 1981. Through the SEA process a number of areas have been identified for exclusion from licensing e.g. the gas pockmarks in Blocks 15/20c and 15/25d, with this exclusion maintained in subsequent licensing rounds until there was a basis for considering licensing.

- n. JNCC/
EN/CCW
/CA Licences awarded inside territorial waters blocks should have a condition attached that the JNCC Guidelines for Minimising Acoustic Disturbance to Marine Mammal from Seismic Surveys must be followed.
- Accepted. Recommendation 1 under operational controls states that “As some areas offered for licence are within territorial limits, restrictions may be necessary on some licences if there are particular marine mammal sensitivities (in relation to seismic).” The rationale for this recommendation is that the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 introduced the requirement for a consent for geophysical surveys conducted in whole or in part on the UKCS. For such surveys it is a condition of consent that the JNCC guidelines are applied. However, the regulations do not apply to surveys conducted wholly in territorial waters - where the process is just one of notification rather than application for consent. It is proposed to include the requirement to apply JNCC guidelines for territorial water geophysical surveys in 24th licensing round general information and in the block offer letters.*
- o. SEPA Useful to summarise the key potential impacts and ways in which they can be mitigated – perhaps in association with the conclusions set out in 11.
- This suggestion will be taken forward for discussion at the next SEA assessment workshop.*
- p. JNCC/
EN/CCW
/CA Research into the biological consequences of noise should be the highest priority for further research.
- The DTI would welcome their participation in the definition of suitable research to inform future SEAs.*

- q. JNCC/
EN/CCW
/CA There is a need for a closer association between the SEA 6 (and future SEAs) and the research being undertaken by the offshore renewable industry, to identify potential ecological impacts and best practice mitigation.
- Agreed. As a regulator for both the oil and gas and renewable energy industries, the DTI plays an active role in commissioning and funding research for both industries. The present SEA was informed by completed and ongoing research in both industries and mechanisms to better reflect the close association between the SEA process and offshore renewable energy research within the Environmental Report will be discussed within the SEA Steering Group.*
- r. WWF Welcome the DTI's agreement to collate and monitor recommendations from this and previous SEAs to ensure that they are actioned in a timely and appropriate manner.
- The view of the WWF is noted.*

Overall conclusion

- s. EA Disagree that, "subject to regulatory controls outlined, there are no areas within the SEA 6 scope which should be excluded from licensing, and no general timing constraints which can be justified".
- The EA perspective is noted.*
- t. JNCC/
EN/CCW
/CA Overall, agree with conclusion, based on the projections of the likely scale and location of activities that could follow licensing, and after consideration of the nature and potential effects of a 24th licensing round, that DTI should proceed with the licensing under alternative 3: To restrict the area licensed temporarily or spatially.
- The view of the consultees is noted.*
- u. JNCC/
EN/CCW
/CA Agree with the conclusion, again based on the projections of the likely scale and location of activities that could follow licensing, that "Within the SEA 6 area, although the national and international importance of various populations and features is recognised, no blocks have been identified for exclusion since individual project consenting is expected to provide adequate spatial, temporal and operational controls".
- The view of the consultees is noted.*
- v. RSPB
WDCS
WWF
EA DTI should be taking a stronger precautionary approach to the present lack of information about sensitive sites in the SEA 6 area and in the other marine areas re-offered for licence. All blocks which include potential SPA or possible/candidate/designated SACs should

Joint
letter

be excluded from licensing until an appropriate assessment has been carried out of the plan to license these blocks. The same applies for potential OSPAR and nationally important sites. Particular concerns about the intention to license blocks within the Liverpool Bay pSPA, which has significant common scoter interest. In light of the coastal sensitivities around the Irish Sea and good practice from offshore wind licensing Round 2, all coastal strips should be devoid of oil and gas licensing and development. SEA 6 did not take account of the implications of the recent ECJ Judgement on appropriate assessment of sectoral plans where these have considerable influence on development decisions.

The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 regulates UKCS offshore oil and gas activities with respect to the Habitats and Birds Directives. That offshore SAC and SPA had not yet been designated was fully recognised by the SEA Steering Group and assessment team. The designation of SAC and SPA does not preclude activities in an area – rather it requires that the effects of such activities be thoroughly considered through an Appropriate Assessment before consent(s) can be granted. Section 9 of the SEA 6 Environmental Report considered the potential effects of activities that could follow licensing, including effects on potential statutory conservation sites. The assessment concluded that in the event of offshore SAC and SPA being designated in the SEA 6 area, project specific assessment (including Appropriate Assessment) and permitting procedures available to the DTI under existing legislation provided adequate control over exploration and production activities (including management of oil spill risks). The importance of the Liverpool Bay common scoter was recognised by the SEA (see response to 2.2.10j).

The SEA for the 2nd round of offshore wind leasing proposed the exclusion of a coastal strip from all three strategic areas assessed. This strip had a minimum width of 8km but extended to 13km in areas of particular sensitivity. This exclusion was based on the potential impact of windfarms of the scale envisaged in the SEA scenarios on the seascape, birds, inshore fishing and recreational activities. The conclusions of the offshore wind SEA do not apply to SEA 6 since the nature and scale of activity scenarios are different and in particular since coastal blocks can potentially be explored/developed from land (but for this to occur, a block would have to be covered by a licence). By way of example exploration of Block 97/14 in Weymouth Bay and production from the Wytch Farm field extension under Poole Bay were both achieved by directional drilling from land. In addition, the DTI can attach restrictions to marine area licences which can include no marine activities in a Block. The SEA 6 recognised the potential sensitivity of much of the coastal area to oil & gas activities, but did

not find for blanket exclusion of areas since “individual project consenting is regarded as able to deliver adequate mitigation through spatial, temporal and operational controls” (Section 11.4).

We are currently considering whether the ECJ judgement (C-6/04) applies to offshore licence rounds. If we take the view that an Appropriate Assessment is required, one will be conducted before any licence awards are made.

2.2.13 Issues raised on SEA 6 Technical Reports

SEA 6: Conservation

- a. CNP Provided text alterations to Section A2.3.5. Text to be reworded as follows:
- In England and Wales the purposes of National Parks are to conserve and enhance natural beauty, wildlife and cultural heritage and to promote opportunities for the public understanding and enjoyment of their special qualities. In pursuing these purposes National Park Authorities have a duty to seek to foster the economic and social well being of their local communities.*
- The CNP clarification is welcomed.*

The scope of Strategic Environmental Assessment of Irish Sea Area SEA 6 in regard to prehistoric archaeological remains

- b. EH The report provides comprehensive treatment of the relevant archaeological issues for the prehistoric era. However, we must ensure that while seabed data gathering exercises driven by commercial objectives do have the capacity to reveal new archaeological information, operational controls are implemented to conserve and protect such interest *in situ*.
- Accepted.*

SEA 6: Irish Sea Maritime Archaeology

- c. EH Statement excluding archaeological issues associated with wrecks of aircraft unacceptable. Subsequent SEAs should ensure that maritime archaeological technical reports are inclusive of wrecked aircraft information.
- Accepted and will be taken forward for subsequent SEA underpinning maritime archaeology reports.*