
From:
Sent: 19 April 2013 16:52
To: SEA Appropriate Assessment Consultation
Cc:
Subject: RE: 27th Round Draft Appropriate Assessments - Public Consultation
Attachments: 20130419 27 Round Oil and Gas draft AA MMO response.pdf

<<20130419 27 Round Oil and Gas draft AA MMO response.pdf>>

Dear Sir/Madam,

Please find attached the Marine Management Organisation's (MMO) comments on the 27th Round Draft Appropriate Assessments - Public Consultation.

If you have any queries on the response please contact myself of

Kind regards,

Offshore Marine Licensing Team

Marine Management Organisation

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Enabling sustainable development in our seas.

The Marine Management Organisation (MMO)

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Your reference:
Our reference: SEA AA

19 April 2013

Dear

27th Round Oil and Gas Draft Appropriate Assessments – Public Consultation

I refer to the above consultation request dated 18 March 2013. The Marine Management Organisation (MMO) has reviewed the draft Appropriate Assessments (AA) provided for each of the seven areas;

- o Southern North Sea;
- o Outer Moray Firth;
- o Central North Sea;
- o West of Shetland;
- o Northern Ireland;
- o Eastern Irish Sea; and
- o Central English Channel

We have the following comments to make on those areas in English territorial waters (Southern North Sea, Eastern Irish Sea and Central English Channel), but would observe that many of the AAs are in Scottish territorial waters and advice should be sought from Marine Scotland. There is also the potential for transboundary effects on other EEA states, advice should therefore also be sought from Natural Resources Wales and the relevant authorities in Ireland, the Isle of Man, France, Germany and the Netherlands.

General Comments

1. The AAs mention the Marine Policy Statement but do not make any reference to the marine planning approach being developed by the MMO in consultation with Defra and other stakeholders. All applications will need to have regard to the plans once the plans are adopted. The Eastern Inshore and Offshore Marine Plans are expected to go out to consultation in May 2013.
2. Liaison is encouraged with the MMO Coastal Offices and local fisherman if the projects are likely to interact with fishing activity, particularly inshore static fishing grounds.



INVESTORS
IN PEOPLE

General Comment – In-combination effects

3. While potential in-combination effects with offshore wind farms (OWF) are referenced in the AAs, other known marine activities in the areas in question, for example aggregate extraction and fishing, have not been sufficiently described and considered. Any mention of these other activities is made only in passing, and there are no references to support any conclusion for scoping these activities in or out of the AAs.
4. Southern North Sea, Eastern Irish Sea and Central English Channel AA - Section 8.1 – states “....any acoustic disturbance to marine mammals causing displacement from foraging areas will be short-term and infrequent” there is no evidence or narrative to support this statement. There is a possibility that impacts could occur over a number of years which cause prolonged/sequential impacts. This should be considered in the AAs.
5. Southern North and Central English Channel AA - Section 8.1 – states “There is potential for cumulative noise impacts where concurrent and sequential activities result in long-term exposure to elevated noise impacts within the wider area. However, the likelihood of this is low.....” there is no evidence or narrative to support the statement that this is likely to be low, this should be provided.
6. Southern North Sea, Eastern Irish Sea and Central English Channel AA - Section 8.1 – states “Pile driving of mono-pile foundations is the principal source of construction, which will be qualitatively similar to pile driving noise resulting from harbour works, bridge construction and oil and gas platform installation”. There is no evidence provided to show whether decibel levels are comparable, whether the duration will be similar or whether the propagation of noise is the same in open water compared to within harbours or estuaries, this should be addressed.
7. Southern North Sea, Eastern Irish Sea and Central English Channel AA - Section 8.1 – the use of protocols to minimise acoustic disturbance are referenced. The protocols referenced (i.e. Marine Mammal Observers (MMOs), Passive Acoustic Monitoring (PAM) and Soft Start) are used predominantly to reduce the risk of mortality and injury not to negate disturbance.
8. Southern North Sea, Eastern Irish Sea and Central English Channel AA – Section 8.2.1 - Aggregate Extraction will cumulatively cause physical damage and changes to seabed features through the direct removal of the seabed, this should be noted.
9. Modelling and actual noise monitoring data collected for constructed projects does not appear to have been used to support the determinations made.

Southern North Sea AA – In-combination effects

10. Para 4, Page 73, Section 8.1 – It is stated that there are a limited number of OWFs currently under construction and plans to begin work on several more in the near future. It is however not stated which OWFs are being discussed, this should be addressed.

11. Para 3, Page 75, Section 8.1 – Creyke Beck is expected to be submitted in Q3 2013, this should be amended.
12. Para 4 and 5, Page 75, Section 8.1 – Submission dates of Hornsea Project One and Two, should be stated.
13. Para 6, Page 75, Section 8.1 – East Anglia ONE is currently in the application stage with PINS, this should be stated.
14. Para 6, Page 75, Section 8.1 – It should be stated that East Anglian THREE and FOUR are currently in the pre-application stage and are currently expected to be submitted by Q2 2014.
15. Para 5, Page 76, Section 8.1 - The full names of Marine Mammal Observers (MMOs) and Passive Acoustic Monitoring (PAM) should be detailed.
16. Para 6, Page 76, Section 8.1 – It is unclear how OWFs that are likely to commence construction in the next 1-2 years will not have an in-combination effect. The reasoning behind this must be clearly evidenced.
17. There has been little consideration of the following projects which are likely to commence construction in the next 1-2 years:
 - Race Bank (OWF);
 - Dudgeon (OWF);
 - Westernmost Rough (OWF); and
 - Humber Gateway (OWF).

Eastern Irish Sea AA – In-combination effects

18. Para 4, Page 66, Section 8.1 – This scheme has been revised to 5 x 2MW turbines; this should be amended in the report.
19. Para 4, Page 66, Section 8.1 – The applicant is Sea Generation (Wales) Ltd, this should be amended in the report.
20. There has been very little consideration of the following projects which have been consented or are to be consented in the next 1-2 years:
 - West of Duddon Sands (OWF) will begin construction this year, with pile drive continuing into and possibly beyond 2014.
 - No consideration of the Burbo Bank extension (OWF) (application submitted to PINS in March 2013) and Walney extension (OWF) (application expected in summer 2013)

This should be addressed in the report.

Central English Channel AA – In-combination effects

21. Para 4, Page 63, Section 8.1 – It should be stated that the agreement for the lease was secured with The Crown Estate.

22. There has been little consideration of the Rampion OWF which was submitted to PINS for application on 1 March 2013, this should be addressed in the report.

Conclusion

In conclusion, there is little evidence used to support the some of the statements made therefore it is difficult to assess if potential in-combination effects with other marine activities have been sufficiently assessed and accurately concluded.

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