



Offshore Petroleum Regulator
for Environment & Decommissioning

D/4271/2021

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**Department for Energy Security &
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21 June 2024

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**THE OFFSHORE OIL AND GAS EXPLORATION, PRODUCTION, UNLOADING
AND STORAGE (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2020**

NOTICE UNDER REGULATION 12(1)

Northern Endurance Partnership Development

The Offshore Petroleum Regulator for Environment and Decommissioning (“OPRED”) acting on behalf of the Secretary of State for Energy Security and Net Zero (“the Secretary of State”) is currently considering the Environmental Statement (“ES”) and the representations received from the public consultation process in relation to the above project. BP Exploration Operating Company Limited is hereby required to provide further information in relation to the following:

1. In bp’s response to the previous notice under Regulation 12(1) the use of a SCAR plough for boulder removal is described as a ‘discrete and localised process’. Please provide more information on how this process will be undertaken.

The corridor for impact was previously given as 30 metres. Please clarify whether this is the worst-case width of corridor, and the expectation is that for much of the length of the pipeline to be cleared it would be within this corridor. For example, Please clarify what percentage of an area such as the following description would be disturbed by the SCAR plough – ‘Even in the densest regions of boulder coverage, the resulting boulder distribution will be similar to the present situation (see Appendix G; Figure 2-7 and Figure 2-8), where no more than three boulders are found within any 100 m stretch of the 40 m cleared corridor (Appendix G; Figure 2-8).’

Please also clarify what sediment depth the plough will go down to and if any berms would be produced as part of this work.



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2. Section 9.6.4 – please provide an updated in-combination assessment for the physical presence of the vessels during construction and the existing baseline vessel use along with permanent infrastructure, including offshore wind turbines, within the SPAs.
3. In the response to the previous notice under Regulation 12(1) the area of clay ridge features within the MCZs which will be impacted has been provided. Please put this into context with the relative proportion of this habitat that may be impacted through the construction activities.
4. Common tern is a protected feature of the Greater Wash SPA. The species has not been identified as such in the ES. Please clarify why this is and provide further clarity on the assessment of the effect on the protected feature.

The ES also states that the Humber pipeline passes through areas of importance to common tern, that the closest breeding colonies are at the Humber Estuary and that the foraging range is 18 km. Despite this, no connectivity is concluded for common tern of the Humber Estuary SPA. Please clarify why this is.

5. Section 9.4.6.5 – ‘Piling may be required for installing trestles associated with HDD landfall methodology, with this likely to take place at high tide. At high tide all three species will be located away from the landfall location and therefore the source of disturbance in the nearshore and it is therefore considered unlikely that disturbance will occur. As a result the likelihood of a significant effect occurring on these species is considered to be highly unlikely.’ Please expand upon this point, clarifying why piling would take place at hightide and why it was concluded that the bird species would not be present at this time. Please clarify whether there is any overlap in time when piling will be occurring, and the species may be present.
6. Section 6.4.2.1.4 – please revisit the assessment of seabed disturbance on little tern. The proportion of the foraging area for the Easington Lagoons colony is given as 2.3%.

The following paragraph seems confused and further clarity on how the conclusion that the effects are of minor significance should be provided, ‘Little tern is considered to have a high sensitivity to impacts associated with seabed disturbance (Wade et al., 2016). Little tern is considered to have a low vulnerability to impacts associated with seabed disturbance as it is considered highly unlikely that any impact will affect the long-term status of relevant populations or result in noticeable long-term effects. Little tern is considered to be of high conservation value due to the species being a qualifying feature at the Humber Estuary SPA. The effect of impacts associated with seabed



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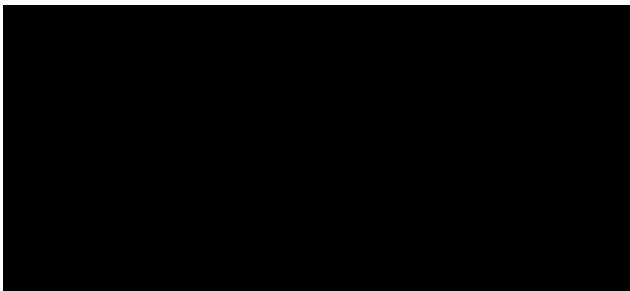
disturbance on little tern is therefore considered to be of minor significance.'

A mortality rate has been applied for red-throated divers, could a similar methodology be applied to assess the impact to little tern?

7. 9.8.2.2.4 – please expand upon the conclusion that in combination impacts effects can be considered as negligible on guillemot and razorbill within the Flamborough and Filey Coast SPA. What proportion of the area available for foraging will be lost because of the construction activities? How will the vessel activity compare to that required for construction of an offshore wind farm or baseline levels?

Your response will be reviewed, and consideration given as to whether the information provided ought to be made public because the information is directly relevant to reaching a conclusion on whether the project is likely to have a significant effect on the environment. If so, OPRED will notify BP Exploration Operating Company Limited under Regulation 12(3), and BP Exploration Operating Company Limited will have to take further steps to publish information and make provision for further public consultation under Regulations 12(5) to 12(9).

OPRED looks forward to receiving your response so that we can progress our consideration of the ES.



Environmental Manager

The Offshore Petroleum Regulator for Environment and Decommissioning
For and on behalf of the Secretary of State for Energy Security and Net Zero