

From: Karin Anette Pedersen [<mailto:kaape@mst.dk>]
Sent: 28 August 2017 14:01
To: DONG Energy Hornsea Project Three
Cc: Katherine King
Subject: VS: Consultations answers from Denmark concerning the Hornsea Three project

Dear Stuart Livesey,

I write as the Danish Point of Contact for notifications regarding to the Espoo convention.

In Denmark, we are a bit confused about how we understand your Espoo-process and thus the letter from Dong Energy dated July 27th.

In Denmark, it is always the Espoo authority that sends hearings to parties, but as I read your letter, a builder in England also sends out consultations?

However, I understand your letter as being the same hearing, as the one we received from the English authority by Kathrine King. As a result of this understanding, Denmark initiated a hearing based on the notification from Katherine King. This consultation has now been completed in Denmark, and with this mail I will forward the responses I have sent today to Katherine King to you - the attached files contain the Danish consultation response.

This also means that no public consultation has been initiated based on your letter of 27 July.

If I have completely misunderstood your process, I would like to hear from you more closely.

Best regards

Karin Anette Pedersen,
Point of Contact for Notifications and Focal Points for Administrative Matters (Espoo)
Naturforvaltning
+45 72 54 47 42 | +45 93 58 80 94 | kaape@mst.dk
Environmental Protection Agency
Ministry of the Environment and Food of Denmark | Haraldsgade 53 | 2100 København Ø | Tlf. +45 72 54 40 00 | mst@mst.dk | www.mst.dk

Fra: Karin Anette Pedersen
Sendt: 28. august 2017 11:13
Til: katherine.king@pins.gsi.gov.uk; 'Hornsea Project Three'
Emne: Consultations answers from Denmark concerning the Hornsea Three project

Dear Katherine,

I hereby send you the 2 consultation answers that I have received in the Danish publicity period in the case of Hornsea Three.

Best regards

Karin Anette Pedersen,

Point of Contact for Notifications and Focal Points for Administrative Matters (Espoo)

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Udenrigsministeriet (Ministry of Foreign Affairs Denmark)

To Miljøstyrelsen
mst@mst.dk

Vedrørende jeres jour.: SVANA-137-00039

Asiatisk Plads 2
DK-1448 København K
Telefon +45 33 92 00 00
Telefax +45 32 54 05 33
E-mail: um@um.dk
<http://www.um.dk>



Bilag	Sag/ID Nr.	Enhed	Dato
	17 – 4476-000001	EU og Fiskeriregulering	21-08-2017

Comments Regarding the Hornsea III Project

The Ministry of Foreign Affairs Denmark, Unit "EU and Fisheries Policy", hereby give our comments to notification letter from 27 June 2017 from "The Planning Inspectorate" concerning the Hornsea Three windmill project. The letter was also forwarded to the relevant Danish fisheries organizations "Danish Pelagic Producers Organisation" and "The Danish Fishermen's Association", whose replies are separately included in our reply.

Comments concerning fisheries data

The ministry's Unit for EU & Fisheries Policy (hereafter UEF) takes note that the Scoping Report¹ only includes fisheries data regarding foreign vessels if the catches have been landed in the UK. UEF would like to draw attention to the considerable Danish fishery interests in the concerned areas and which are not reflected in the report since the catches are landed in Denmark. During the years 2011-2015 the landed catches from ICES-squares 36F0, 36F1, 36F2, 37F0 and 37F1 amount to an estimated value of DKK 37.034.997, 4.943.710, 39.007.374, 16.092.090, 33.314.065 and 11.761.130 respectively. See **Annex II** for landing figures specified on species, weight, year and value (EUR) and also **Annex I** VMS-data from and surrounding the Hornsea Three Array Area.

In order to give a fair representation in the material of the fisheries activities in the area UEF recommends that Danish and also other countries' fishery data get included in the scoping report/background material.

Comments concerning environmental issues

As the Scoping Report illustrates on page 123 there is an overlap between the Hornsea Three Array Area and "Markhams Triangle" which is recommended for a future Marine Conservation Zone (MCZ). Markhams Triangle constitutes a part of UK's possible "Blue Reef" proposal and Denmark has been in dialogue with the UK in relation to the proposed fishery

¹ The Applicant's Scoping Report for the Hornsea 3 offshore wind farm. Submitted to the Secretary of State on 26 October 2016

regulation pursuant to EU's common fisheries policy. UEF – formerly known as The Danish Agrifish Agency – has delivered fishery data concerning the area (for the period 2011-2014).

UEF would like to see a clarification on the future conservation status of Markhams Triangle before the Hornsea Three project gets clearance with regards to the overlapping areas. This viewpoint is also expressed in the light of the fact that Denmark might be a part of the decision making process concerning possible fishery protection measures concerning Markhams Triangle.

Remarks from Danish Pelagic Producers Organisation (DPPO)

"DPPO is concerned about the future development where bit by bit pieces of fishing areas gradually are set aside for purposes that excludes fishing activities from the area and destroys spawning and nursery habitats for species that are highly important to the ecosystem and the fisheries sector. Every little project might not be significant in and of itself in relation to each species and the fishing industry. But when all these projects with oil-rigs, windmill parks, sailing routes, off-shore cables and pipelines are put together they in time might have a great negative impact on the stocks and on the industry's need for a sustainable fishery with enough space and opportunity to have a sensible fishery. Sustainable fishery with healthy stocks requires good recruiting grounds. We therefore recommend that a strategy be developed in order to ensure that fishery interests are not compromised as more and more areas are made exclusive for other purposes.

The pelagic fishing industry is highly dependent on migrating fish stocks that are moving in changing patterns as a consequence of a changing climate. The fishing activity has to adapt and move its activities all over the North Sea. Consequentially an area can be of great importance even if the activity in the area has been low in recent years.

Figure 8.6 of the Scoping Report illustrates that the placement of the project is overlaying a habitat area with great importance to sand eel. Sand eel is considered a fairly non-migratory species and therefore the negative impact the project will have on the sand eel population must be considered to be severe as the sand eel is unable to adapt by relocating to another habitat. The sand eel fishery is volatile with regards to recruitment and with regards to which fishing banks the fishing activity occurs. The banks where the Project is planned have been important to the fishing industry in the period around 2006. We will refer to the reply from Hernik Lund, DFPO (Danmarks Fiskeriforening Producentorganisation). The planned construction on top of a sand eel habitat is of great concern to us and we therefore recommend that another location is laid out for the Project.

Furthermore there is in the Scoping Report, 8.2.8-10, a description of dense populations of herring, mackerel, sprat etc. and also how parts of the project are overlaying spawning and nursery grounds for herring and mackerel, figure 8.6. We therefore would like to draw attention to ICES' advice concerning the North Sea herring in the section called "Stock advice": *"ICES advises that, under precautionary considerations, activities that have an impact on the spawning habitat of herring should not occur, unless the effects of these activities have been assessed and shown not to be detrimental."* In ICES' advice concerning mackerel ICES states that *"ICES further advises that the*

existing measures to protect the North Sea spawning component should remain in place.” It is clear from the scientific advice and counsel the protection of spawning grounds is of great importance for the two species and that the Project might have negative impact on the quotas and therefore also the fishery. We therefore recommend that the Project gets relocated out of the way from the spawning grounds for herring and mackerel”.

Remarks from the Danish Fishermen’s Association (DFPO)

”Especially in 2005 and 2006 there was a great deal of sand eel fished by Danish vessels in the windmill area. During the last 10 years the sand eel fishery has primarily taken place on the Dogger Bank but before this the banks in the southern parts of the North Sea were of great importance. DFPO is in direct contact with Dong Energy concerning the Project.

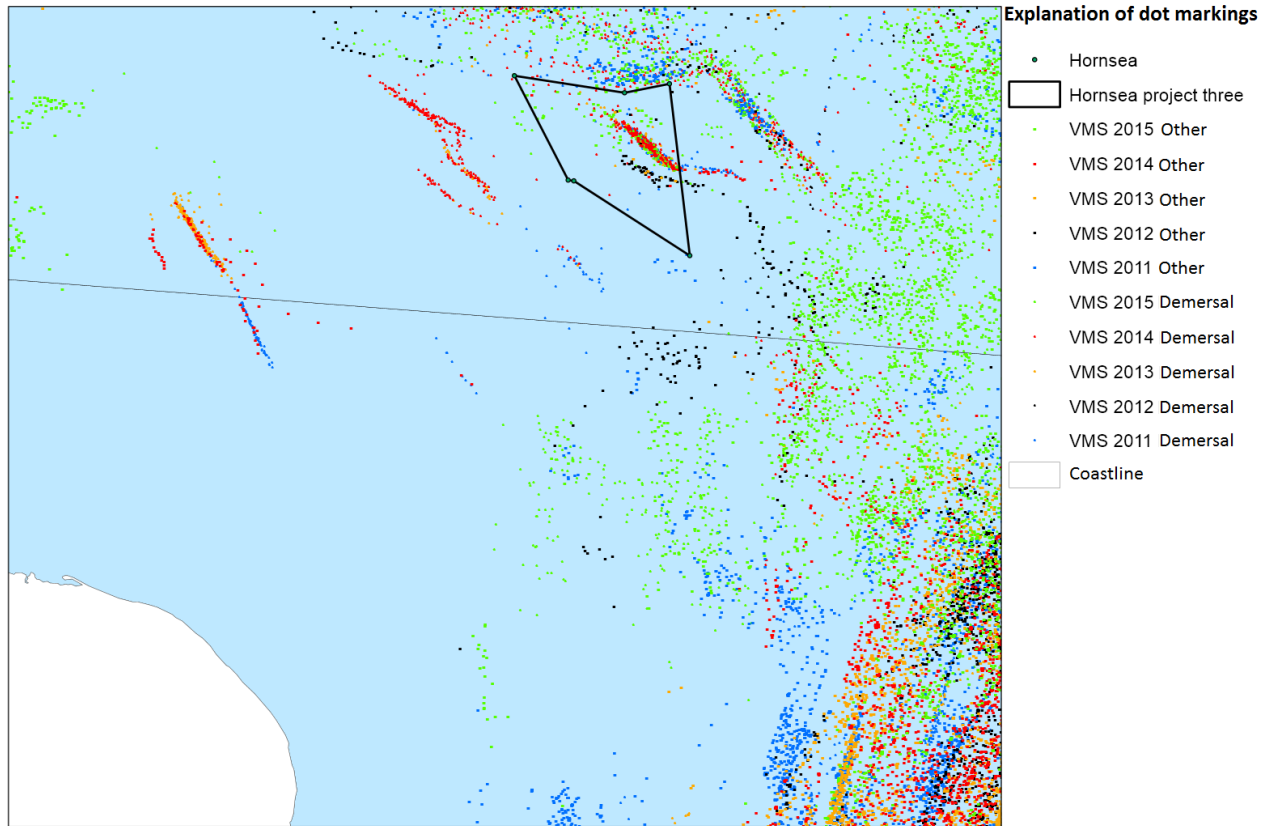
The sand eel banks south of 54° have prior to 2007 been of great importance for the Danish sand eel fishery. In some years the prevailing part of the annual sand eel catches have been fished in this area as the northern areas have not seen viable amounts of sand eel in the same period. The sand eel fishery can be very unstable and Danish fishermen are convinced that the sand eel banks in the southern part of the North Sea again will become an important fishing ground.”

DFPO have in their respons to us attached a VMS-chart illustrating the sand eel fishery in the Hornsea I-III area showing the three planned faces of the project. The chart is attached to this letter as **Annex III**.

As a whole the UEF finds that the Project lacks sufficient data on various point concerning fish stocks and sees a need for more thorough analyses on potential negative impacts on the environment and fishery sector.

With best regards

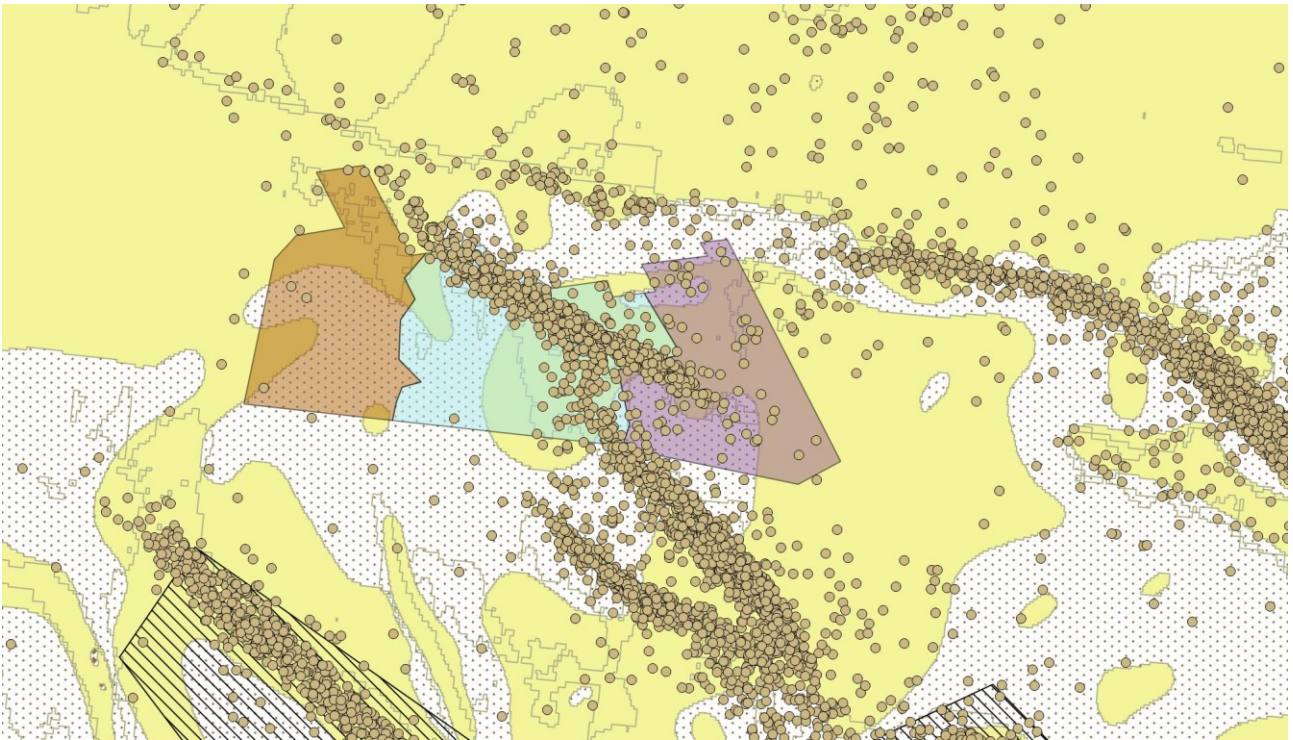
Hannus Petersen
Head of Section

Annex I

Annex II

	Catches in kilograms from logbook data					
	2011	2012	2013	2014	2015	2016
Unspecified species	.	25	.	30	.	.
Anchovies	.	.	.	.	1.369.850	300
Tusk	.	.	.	.	200	.
Sprat	910.000	908.000	184.478	.	790.980	891.000
Octopus	.	90	.	.	.	.
Nephrops	1.000	.	.	7.578	.	.
Weever	.	.	.	.	50	.
Monkfish	.	.	.	60	.	.
Whiting	.	65	.	77	46.880	1.560
Dab	.	.	.	305	200	100
Grunard	.	.	.	61	11.750	200
Crab	.	.	.	20	.	.
Mackerel	.	.	5.000	.	750	1.100
Turbot	.	.	.	155	.	.
Skate	.	.	.	339	80	.
Plaice	100	3.880	.	11.645	400	219
Lemon sole	.	.	.	30	.	.
Herring	950.000	550.000	542.800	210.496	20.495	1.742.600
Brill	.	.	.	70	.	.
Brown crab	.	.	.	120	.	.
Sand eel	18.865.000	10.000	16.854.823	10.486.700	18.026.355	100.000
Sole	.	.	.	56	.	.
Cod	.	43	.	427	.	.
Total	20.726.100	1.472.103	17.587.101	10.718.169	20.267.990	2.737.079

	Estimated catch value of logbook catches in EUR					
	2011	2012	2013	2014	2015	2016
Unspec.		20		58		
Anchovies					327.751	-
Tusk					352	
Sprat	196.966	265.729	47.294		198.721	241.048
Octopus		295				
Nephrops	5.057			37.793		
Weever					240	
Monkfish				136		
Whiting		81		157	9.066	764
Dab				263	197	107
Grunard				24	4.096	99
Crab				69		
Mackerel			2.845		38	301
Turbot				1.315		
Skate				503	122	
Plaice	145	6.535		12.467	510	341
Lemon sole				40		
Herring	746.441	389.978	258.706	95.022	10.811	1.742.600
Brill				399		
Brown crab				407		
Sand eel	4.032.597	2.138	4.937.647	2.014.443	3.928.837	27.573
Sole				498		
Cod		153		793		
Total	4.981.207	664.929	5.246.492	2.164.386	4.480.742	2.737.079





**Miljø- og
Fødevareministeriet**
Miljøstyrelsen

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6PN
United Kingdom

Naturbeskyttelse
J.nr. SVANA-573-00118
Ref. STMOE
Den 6. juli 2017

Hornsea Three Offshore Wind Farm – Habitats Regulations Assessment Screening Report

Thank you for the HRA report and your interest in our view on it.

We have noted that the Hornsea Three project is going to be a very large wind farm – with 400 mills – each with a capacity up to 6 MW. Being situated 160 km east of the Yorkshire coast the shortest distance to the two nearest Danish SAC's namely nr. 40 and 44 in figure 5.1 on page 68 in the HRA is approx. 300 and 380 km respectively.

Nr. 40 is designated to protect sandbanks (HD type 1110), harbour porpoise, harbor seal and grey seal, and as a bird protection area two species of divers and little gull.

Nr. 44 is the southwestern part of mainland Jutland with islands where marshland mixes with several other plant communities on the habitat directives Annex 1 and many species including mammals, birds and fish.

The Danish Environmental Protection Agency find it unlikely that a significant effect on Danish nature sites will be observed due to the construction of Hornsea Three Offshore Wind Farm – especially with reference to the substantial distance.

In the HRA report – section 6 – NIRAS reach the same conclusion.

With kind regards

Sten Moeslund
Biologist
+4525364237

Med venlig hilsen

Sten Moeslund
stmoe@mst.dk