NORTH FALLS

Offshore Wind Farm

Applicant's Response to the ExA's Report on the Implications for European Sites (RIES)

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1. INTRODUCTION

1.1 This document has been prepared by North Falls Offshore Wind Farm Limited ('the Applicant') to respond to the Examining Authority's ('ExA') Report on the Implications for European Sites (RIES) **[PD-020],** in relation to the North Falls Offshore Wind Farm (herein referred to as 'North Falls' or the 'Project').

1.2 The RIES includes questions directed to the Applicant and/or Interested Parties for response during examination. Two questions require a response from the Applicant at Deadline 7. These questions are responded to within this document.

1.3 The remainder of the ExA's questions for the Applicant contained within the RIES will be responded to at Deadline 8, as requested.

2. APPLICANT'S RESPONSE TO THE EXA'S REPORT ON THE IMPLICATIONS FOR EUROPEAN SITES (RIES)

REIS	Question to	Question	Applicant's Response
RIES Q7	Applicant	By Deadline 7, submit contours showing the predicted pressures from elevated sediment deposition relevant to the MarESA pressure benchmark thresholds as requested by NE.	The hydrodynamic and dispersion modelling report [9.54, Rev 2] submitted at Deadline 7 (and the previous versions submitted at Deadlines 4 and 6) is based on sediment deposition of 5cm which is the MarESA benchmark of light smothering (as reported in Tyler-Walters *et al.* (2018)[1], Section 5.2.12). Therefore, the maps of sediment deposition within the hydrodynamic and dispersion modelling report [9.54, Rev 2] are contours showing the predicted pressures from elevated sediment deposition relevant to the MarESA pressure benchmark thresholds.
RIES Q26	NE and the Applicant	Based on submissions to date, whilst NE advises it should be possible to exclude AEoI, at Deadline 6 it is still not in a position to do so. Noting the limited time remaining in the examination, the ExA is concerned that it may not be possible for the competent authority to exclude AEoI beyond reasonable scientific doubt on MLS SAC. As such, and in line with the relevant NPS EN-1, the ExA requests confirmation from NE and the applicant at Deadline 7 that they have reached agreement that AEoI on MLS SAC can be excluded. If the applicant is unable to reach agreement with NE by Deadline 7, the ExA considers that a derogations case is required and should be provided by the applicant for Deadline 7. This can be provided on a without prejudice basis. This is to enable the ExA to examine information during the examination and make a recommendation to the SoS, and so that the SoS has all information available to them at the point of decision.	The Applicant has undertaken further modelling (hydrodynamic and dispersion modelling report [9.54, Rev 2]) and updated the RIAA Part 2 Benthic ecology [7.2.1, Rev 1] to address Natural England's comments which confirm there will be no discernible effect from cable protection in the SAC. Sediment arising within the offshore cable corridor will be comparable to that of the SAC and the modelling shows the depth of sediment deposition in the SAC would be 5-15cm, with only 0.24km^2 of overlap with the Annex I Sandbank feature of the SAC. This shallow, highly localised deposition of comparable sediment will rapidly be incorporated into the natural processes of the SAC. Therefore, the results of this additional work validate the Applicant's conclusions that there will be no AEOI of the MLS SAC. The Applicant has engaged with NE and understands their primary concern relates to indirect effects of cable protection. Noting the Applicant's commitment to a 150m buffer between cables/ cable protection and the SAC, and the results of the additional modelling submitted at Deadline 7, the Applicant still expects to resolve this matter and agree no AOEI of the MLS SAC by Deadline 8. As the Applicant has not yet been able to confirm an agreed position with NE considering the further Rev 2 modelling, in response to the ExA's request the Applicant provides a without prejudice derogation case for MLS SAC in the Habitats Regulations Derogation Provision of Evidence [7.2, Rev 2] and an Outline Benthic Compensation Implementation and Monitoring Plan [9.109, Rev 0].

[1] Tyler-Walters, H., Tillin, H.M., d'Avack, E.A.S., Perry, F., Stamp, T., 2018. Marine Evidence-based Sensitivity Assessment (MarESA) – A Guide. Marine Life Information Network (MarLIN). Marine Biological Association of the UK, Plymouth, pp. 91. Available at: https://marlin.ac.uk/assets/pdf/MarESA-Sensitivity-Assessment-Guidance-Rpt-Dec2018.pdf

NORTH FALLS

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HARNESSING THE POWER OF NORTH SEA WIND

North Falls Offshore Wind Farm Ltd

A joint venture company owned equally by SSE Renewables and RWE.

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