

Appendix 4: Stakeholder Workshops

A4.1 Introduction

A key element of the SEA process is stakeholder consultation. In addition to ongoing consultation with the SEA Steering Group, two workshops were held to gain stakeholder input to inform the assessment and production of the Environmental Report. These were held as virtual meetings in morning and afternoon sessions. An invitation was made to a wide variety of potential stakeholders, and participants included UK regulators, government advisors, other industry representatives and non-governmental organisations. The stakeholder workshops aimed to gather industry perspectives and stakeholder input on key issues to be addressed in the assessment for the Offshore Energy SEA. This Appendix compiles the outputs of the workshops.

A4.2 Stakeholder workshops

A4.2.1 Aim and structure

All workshops followed the same aims, structure and agenda. The workshops had two key objectives:

- To provide stakeholders with an overview of the energy policy context and background to the Offshore Energy SEA 4.
- To gather stakeholder input to a range of key issues which have arisen during the drafting of the Environmental Report.
- To gather any other stakeholder input.

A4.2.2 Outputs

Following an overview of the draft plan/programme and the approach to SEA, a number of key issues were raised as points for discussion in the group. These key issues are shown in bold in Tables A4.1 and A4.2 along with outputs from the discussion. The outputs are captured without attribution. Similarly, a series of questions were asked of each group as part of a post workshop questionnaire. These are summarised in Table A4.3. A full list of attendee organisations for the workshops are provided in Table A4.4.

Table A4.1: Morning workshop discussion

Morning session
<p>The evidence base for the conservation status of many conservation sites is often poor or not widely available – this hinders proper assessments (e.g. advice against use of <i>de minimis</i> in assessments for sites where features are judged to be in unfavourable state) – is a programme to address needed?</p> <p>Respondents noted this was an issue for a number of conservation sites, and in particular offshore subtidal sites where monitoring was expensive and challenging. It was indicated that there was a need to look at how improvements can be made and how the site information can be kept up to date. It was noted that a more coordinated and strategic approach is required, including in the identification and application of compensatory measures (links to third topic covered, below).</p>

Morning session

Better data is needed on trends in wider biogeographic populations of species for which conservation sites are established

There was general agreement with the statement, and that it is a high priority issue with new data being very important, but there is a need to be realistic about what can be achieved.

Evidence base for understanding of effects of the various activities covered by the draft plan/programme has improved (and continues to advance), there are large gaps in the understanding of potential compensatory measures - how to address this?

It was agreed by relevant stakeholders that this is a high priority area that presents risks to future consenting. It was noted that the Offshore Wind Evidence and Change (OWEC) steering group are identifying future project priorities in this area. It was also indicated that Natural England are starting to think about this in relation to possible future offshore wind deployment scenarios. Compensatory measures would ideally be identified in a strategic way. It was noted that the issue was also deemed a priority by ORJIP, but was not something that could be taken forward on its own. A cross-government working group chaired by Defra was noted as a possible useful forum for discussions.

What are the red-throated diver population trends and does apparent displacement have a consequence on such population trends?

Noted as a priority for research, and the potential implications of displacement buffers for projects, particularly in English waters. A red-throated diver position statement to be drafted by Natural England was referred to, but this was not available at the time of the workshop.

Connected with the conservation status issue, current thinking suggests any impact no matter how small must be adverse, risking consenting paralysis for all activities near to or in such sites

Responses to this were broadly covered above as part of the discussion on red-throated divers and the evidence base.

How to reduce unnecessary precaution in assessment and consenting (links to evidence bases)

The issue of foraging range use in feature screening for development was raised as an example. For instance, this presently assumes lesser black-backed gulls forage over the sea from colonies, whereas evidence points to a largely terrestrial space use. It was regarded to be an important issue in light of scale of future development. It was suggested that further position statements on species like that being prepared for red-throated diver could be used to provide clarity.

Floating wind – moorings typically extend well outside the safety zone around the installation – is marking on navigation charts considered an adequate protection to the moorings and other users?

A link to Kingfisher charts was provided, which maps activities relating to, amongst other works, offshore energy activities. The future scale of floating wind and ability to reasonably chart moorings was discussed. For example, Hywind Scotland has everything charted and very clear. Larger wind farms (100 turbines) will lead to increasingly confused charts that make them difficult to use. The issue of potential anchor repositioning and therefore cumulative chart updates was also raised.

Is the current approach to balancing conflicting spatial “claims” to an area considered to be working – is a hierarchy of technologies needed or further work on co-location?

It was noted that the Welsh Government are looking at strategic resource areas as part of marine plan work. A separate piece of work by Defra was referred to on spatial planning prioritization, which is looking to provide guidance on priorities with respect to activities and areas within the marine plans.

OSPAR (and other focus) is to reduce use of plastics in the marine environment – preferential selection of biodegradable materials (e.g. hessian over polypropylene) and avoidance of plastics in coatings where these may fragment during use or be left *in situ* on decommissioning

It was indicated that this was an important issue and that OSPAR are starting to look at renewables with respect to plastics use. It is the right time to look at potential contamination with plastics. Separately, one respondent noted that the issue of plastics in navigation aids was being looked at with a view to using alternative materials and there may be some learning to be shared. Alternative materials were also noted for

Morning session

deposits such as grout bags using hessian rather than plastics, but there is a balance in the benefit of using other materials, and whether these can be removed during decommissioning. A respondent noted it was not considered as an issue for conservation sites at the moment but could be in the future.

There is a value judgement for example over a seabed reef created by an installation or protective materials – is this “better” than what was there before?

It was noted that Natural England are working on a net gain marine indicator, but it is too early to say what this will be.

Table A4.2: Afternoon workshop discussion

Afternoon session

The evidence base for the conservation status of many conservation sites is often poor or not widely available – this hinders proper assessments (e.g. advice against use of *de minimis* in assessments for sites where features are judged to be in unfavourable state) – is a programme to address needed?

It was agreed that a programme of measures is needed to better understand the evidence base against which assessments can be made. It would also be positive and beneficial to know the reasons behind the conservation objectives. It was noted that marine sites are dynamic so there is a need to understand best monitoring frequency, some sites are better understood than others, and given logistics of such monitoring, there would need to be priorities.

Better data is needed on trends in wider biogeographic populations of species for which conservation sites are established

It was noted that there is a need to take a step back and take a more holistic approach and possibly prioritise processes instead of being spatially focused. There are challenges in this area relating to the legislative framework. Some gaps have been identified in the Offshore Wind Environmental Evidence Register (OWEER), but these cannot all be filled by the SNCBs.

Evidence base for understanding of effects of the various activities covered by the draft plan/programme has improved (and continues to advance), there are large gaps in the understanding of potential compensatory measures - how to address this?

It was noted that this needs to be thought about at an early stage, and further wind leasing may result in further compensatory measures being required. A holistic approach is needed, e.g. how does the sea space work and how do we reduce the impact from some industries to try and compensate against others; there is also a need for innovation but this needs to be de-risked for application to developments, including the relationship any development may have with strategically identified compensation. Cross-sector discussion will be required. Making the evidence base more widely available, for example from monitoring, would also help. It was also noted in relation to this topic that the mitigation hierarchy should always be looked at first. From a fisheries perspective, it was noted that there was a need to ensure compensatory measures did not have unintended consequences. The conservation or development approach looks piecemeal instead of holistic, and there is a need to make consequences of compensation measures clear.

What are the red-throated diver population trends and does apparent displacement have a consequence on such population trends?

There were no clear responses on this topic. The issue of conservation objectives definitions and their relationship with site integrity was briefly touched upon.

Connected with the conservation status issue, current thinking suggests any impact no matter how small must be adverse, risking consenting paralysis for all activities near to or in such sites

Linked to the above question on red-throated divers. There were no strong responses on this topic.

Afternoon session

How to reduce unnecessary precaution in assessment and consenting (links to evidence bases)

It was noted that precaution was difficult to remove without more site-specific data, even if there is data informing the distribution of habitat use of a species from other sites.

Floating wind – moorings typically extend well outside the safety zone around the installation – is marking on navigation charts considered an adequate protection to the moorings and other users?

This was noted as a marine space issue for fisheries facing spatial squeeze in view of the proposed scale of further wind farm development (further projects in Scotland, and programmes such as the Sectoral Marine Plan for Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (INTOG) were referred to. It was questioned how sectors can co-exist. It was noted that for safety zones around most (O&G) structures are 500m (other than floating installations), whereas moorings for floating offshore wind may be long, extending through the water column and some distance from the structure. It was noted that there needs to be spatial awareness of moorings, particularly in the water column, and also that the scale of floating wind farms needs to be understood.

Is the current approach to balancing conflicting spatial “claims” to an area considered to be working – is a hierarchy of technologies needed or further work on co-location?

It was questioned whether a change in technology to allow carbon dioxide site monitoring might allow for easier co-location between the wind industry and carbon storage sites, but it was not clear that any advances were expected in the near future, but as developments move forwards so will technology. The Offshore Wind and CCUS Co-location Forum was referred to as an ongoing programme or work to understand the potential for these industries to co-locate. The ongoing Defra programme on spatial prioritization was referred to. Co-location needs to consider users besides other marine energy uses and consider fisheries and other legitimate users.

Table A4.3: Summary questionnaire responses

Summary questionnaire questions and responses

Are there emerging issues or new sources of potentially significant environmental effects from the technologies covered in the current draft plan?

The conflict of use of the sea space and what technologies are best to optimise this. It appears wave energy requires vastly more sea space than say fixed wind. Somehow during the planning process the economic benefit to optimise use on the space also has to be considered alongside the environmental concerns. This will be enhanced as most of the wave energy sites being considered are in areas with a lot of biodiversity; will these test sites provide enough data on how this equipment affects the natural habitats?

As the size of individual tidal stream developments increases, the need to understand the effects of disturbance of mobile species will become more important.

The effects of electro-magnetic fields (EMF) from offshore wind developments on marine life, including commercially important fish and shellfish species are poorly understood and there are many data gaps.

There may be cumulative sub-aquatic acoustic effects associated with wave & tidal energy development.

Cumulative and in-combination effects of all activities/uses will become more and more complex to assess and resolve. It is essential that any such assessments take into account all current or planned activities to provide a holistic overview. Narrow assessments that only consider the cause and effect of one sector's development run the risk of compromising other sectors' legitimate ability to operate.

The same weight, importance and significance needs to be applied to the indirect effects arising from new developments as is given to direct effects. An indirect effect is, for example, is displacement of existing activities that results in increased interaction with other sectors, or could be removing the environmental "headroom" that allows other activities to operate viably. Whilst the direct impacts associated with the roll out of new technologies will be well understood, the growing constraint on available sea space will increase the complexity and significance of indirect impacts arising from the displacement of existing activities. These need

Summary questionnaire questions and responses

to be fully considered through the consenting process for the activities that are creating these pressures rather than by expecting existing activities and uses to resolve them.

The impact and consequence of displacement resulting from new technologies is not limited to the commercial fishing sector. The direct and indirect consequences need to be considered for all offshore sectors.

What do you view as key spatial constraints for the siting of major marine energy developments?

Coexistence of current marine users with future developments, and the fact that displacement of shipping may mean ships are navigating nearer to existing dangers and accidents will have adverse effects on the environment. Also you can try and displace fishing vessels but the fish do not move so fishing activity will still be in the areas of the developments.

Potential spatial constraints include the following (NB development may be compatible subject to design, mitigation/controls):

- Important biodiversity (species and habitats) such as those protected within the MPA network (including SACs SPAs, Ramsar Sites, MCZs and SSSI). Noting that mobile species may act as a constraint whilst outside the boundaries of the sites of which they are a designated feature. In relation to the assessment of marine mammals, the NRW position statement on the use of Marine Mammals Management Unit is referred to. Whilst designed for use in HRA it is also relevant as a starting point for any assessment of marine mammals.
- Protected Landscapes
- Flood risk assets (for coastal infrastructure) - Developments and activities already in receipt of a Marine Licence

Spatial conflicts with other legitimate users of the sea. Commercial fishing - also an important part of Scotland and the UK's journey to net zero, producing low-emission healthy protein from renewable resources - will be a major casualty of the huge increase in offshore wind and other marine energy developments unless our sector is fully and meaningfully engaged, and siting decisions are taken that minimise the potential impact on our industry. Displacement to other areas is not a simple solution, as fishing takes place in areas where the target species are to be found, and they are not uniformly distributed in our seas.

Maritime navigation and defence requirements for offshore danger and exercise areas.

Marine aggregate extraction is unusual in terms of marine development in that it can only take place where the right geological deposits can be found. These areas are commonly localised and discrete. Marine aggregate resources should be safeguarded in accordance with the policies set out in the MMO Marine Plans. Concern of unintended sterilisation of commercially viable marine sand and gravel deposits by the expansion of windfarm areas.

Are there sources of potentially significant environmental effects from the technologies covered in the current draft plan/programme which you feel are not fully covered by existing operational controls/permitting requirements?

There is not a lot of thought behind the current move for compensatory structures being placed in the sea. As the ones currently being discussed for windfarms in the planning stages are in other areas of the sea, what happens when the next windfarm wants to knock down these structures to place turbines, or will vast areas of the sea around these bird nesting structures be sanitised and not available for future development? This does not seem to have been thought through.

Are there additional practical mitigation techniques for sources of potentially significant environmental effects from the technologies covered in the current draft plan/programme which you would like to draw to our attention?

Ensuring that windfarm developers consult with neighbouring marine aggregates interests during the EIA for the windfarm, for example to avoid spatial conflicts over turbine siting or cable routes. Wind farm decommissioning: effective decommissioning can mitigate permanent sterilisation of marine aggregate

Summary questionnaire questions and responses

resources. This needs to be made clear up-front rather than deferring this topic until towards the end of a windfarm's viable life.

Are there recent (i.e. post scoping consultation) studies, reports, or other information which should be considered for the OESEA4 Environmental Report?

Evidence Priorities

Our response to the scoping report included a list of evidence needs that NRW considers to be a high priority for Wales – some of which will be relevant to the Offshore Energy Plan. This list has since been updated and is available on the NRW website¹.

Wales National Marine Plan Strategic Resource Areas (SRAs)

Welsh Government are planning to take forward work to map potential SRAs for a range of sectors including emerging marine renewable technologies (tidal, wave and floating wind).

SRAs, where introduced, will identify areas with potential for future sustainable use by these focus sectors and apply statutory marine planning policy to formally safeguard these areas from inappropriate disruption from other marine activities. SRAs will not confer any rights for development or use by any sector but will, by identifying areas of natural resource with potential for future sustainable use, facilitate proactive dialogue between sectors.

Contractors have been appointed to take forward detailed evidence and mapping work, in partnership with stakeholders and in line with the SRA Identification Design Principles, to identify focused areas with potential for future sustainable use and leading to public consultation (provisionally in late 2022 or early 2023) and ultimately consideration by Welsh Ministers (where appropriate and where their introduction would deliver material benefit).

Stakeholder workshops are planned in the next month or so and beyond to introduce this work and to consider individual sectors.

You can find background to and further information on SRA development on the Welsh Government marine planning website².

Wave & Tidal Information Notes

Welsh Government have established a Consenting Strategic Advisory Group (CSAG) to support wave and tidal development in Welsh waters. WG have commissioned a series of technical, topic specific Information Notes which have been co-produced by the Science and Evidence subgroup, which is a subgroup of CSAG, in order to support the consenting of wave and tidal stream energy projects. These will be published in Spring 2022 and made available on the WG website. The Information Notes have been developed to establish the views and opinions of key stakeholders in Wales on the interactions of wave and tidal energy technologies with the environment.

MPA Network Completion Project

WG's MPA Network Completion work has moved on since we provided our response to the Scoping Report in May last year. Welsh Government, with support from NRW and the JNCC, are currently working with a task and finish group of marine stakeholders to identify a small number of possible Marine Conservation Zones (MCZs) within Welsh waters. The work is taking place to fulfil a 2017 ministerial commitment to meet national and international obligations for completing the network of MPAs, informed by the 2016 Welsh MPA network assessment, and Welsh Government have recently identified Areas of Search from within which the smaller possible MCZs will be identified.

Welsh Government will begin a period of informal engagement with interested sectors and stakeholders to gather their views shortly. This includes the launching of a webpage that will hold information on the process, FAQs and other communication tools. Having taken any views on board, Welsh Government and the group, with NRW and Joint Nature Conservation Committee (JNCC) support, will draft boundaries of possible MCZs which will then be subject to a public consultation.

The designation of MCZs intends to minimise socio-economic impacts and there will be many opportunities for interested parties to be involved during the informal engagement and public consultation. The MCZs will be multi-use and their management will be determined by the sensitivity of the designated features to activities.

¹ <https://naturalresources.wales/evidence-and-data/research-and-reports/marine-biodiversity-collaborative-research-priorities/?lang=en>

² <https://gov.wales/development-strategic-resource-areas>

Summary questionnaire questions and responses

We would draw your attention to the website <http://marine-aggregate-rea.info> where various regional studies commissioned by the aggregates sector are held for viewing.
Nothing else other than marine aggregates information held by the Crown Estate and MMO.

In addition to the SEA team and representatives from BEIS, a total of 20 organisations attended the workshops.

Table A4.4: Attendee organisations which attended the workshops

Organisation
British Marine Aggregate Producers Association
Carbon Capture and Storage Association
Crown Estate Scotland
Department of Environment Food and Rural Affairs
Historic England
JNCC
Kingfisher
Marine Scotland Science
Maritime and Coastguard Agency
Ministry of Defence
Natural England
Natural Resources Wales
Northern Lighthouse Board
Oil & Gas UK (OGUK), now Offshore Energy UK (OEUK)
Scottish Fishermen's Federation
The Carbon Trust
The Crown Estate
The Wildlife Trusts
Trinity House
University of Aberdeen