



Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)

Project name:	Proposed Morgan Offshore Wind Project
Address/Location:	Development of an offshore wind farm with an approximate capacity of 1500MW in the Irish Sea approximately 22.3km from the Isle of Man and 36.3km from the northwest coast of England, awarded as part of the Round 4 Offshore Wind Licensing Arrangements
Planning Inspectorate Ref:	EN010136
Date(s) screening undertaken:	First screening – 10 October 2022 following the Applicant’s request for a scoping opinion. Second screening - 3 July 2024 following acceptance of a Development Consent Order (DCO) application.

FIRST TRANSBOUNDARY SCREENING

Document(s) used for transboundary Screening:	Morgan Offshore Wind Project Environmental Impact Assessment Scoping Report (‘the Scoping Report’) June 2022
Screening Criteria:	The Inspectorate’s Comments:
Characteristics of the Development	<p>The Proposed Development is for a 1.5GW offshore wind farm and associated transmission infrastructure extending over 322.2km². The key components would be the following:</p> <ul style="list-style-type: none"> • up to 107 wind turbines; • up to four offshore substation platforms; • up to 500km of inter-array cables; • up to 60km of interconnector cables (between offshore substation platforms); <p>The types of foundations for the offshore structures are yet to be determined but potential options include monopile, pin-pile jacket or suction bucket jacket foundations. Scour protection would be required at the foundations, the form of which is yet to be determined but potential options include rock, concrete mattresses or artificial fronds.</p> <p>The offshore export cables would be installed by methods such as ploughing, trenching or jetting. They would be buried wherever possible and protected with cable protection where burial is not achievable.</p>

	<p>The onshore components are anticipated to be submitted and assessed in a separate application.</p>
<p>Location of Development (including existing use) and Geographical area</p>	<p>The Proposed Development is located in the east Irish Sea, approximately 22.3km from the Isle of Man and 36.3km from the northwest coast of England. There are a number of offshore wind farms proposed and existing in the local vicinity of the site as depicted in Scoping Report Figure 5.9. Table 1.1 of Annex A of the Scoping Report states that the nearest EEA state is Ireland, located 77km from the site.</p> <p>Existing uses within the area include:</p> <ul style="list-style-type: none"> • commercial fisheries; • shipping and navigation; and • recreational and other sea uses.
<p>Environmental Importance</p>	<p>The biological environment within and near the Proposed Development site includes:</p> <p><i>Benthic subtidal and intertidal ecology (Scoping Report Table 4.4)</i></p> <ul style="list-style-type: none"> • West of Copland Marine Conservation Zone (MCZ) – 7.3km east of the red line boundary; • West of Walney MCZ – 7.6km east of the red line boundary; • Annex I rocky reefs, cobble reefs, <i>Sabellaria spinulosa</i> reefs, subtidal sands and gravels and <i>Modiolus</i> reef; • Sea pen and burrowing megafauna communities; and • Detail on the benthic subtidal and intertidal ecology is detailed in Section 4.1.4 of the Scoping Report. <p><i>Fish and Shellfish</i></p> <ul style="list-style-type: none"> • Scoping Report Table 4.9 provides a summary of designated sites with relevant fish and shellfish receptors and their distance from the red line boundary; • Scoping Report Table 4.10 includes a list of relevant protected fish and shellfish species within the ecological study area; • The fish assemblage within the Morgan ecology study area includes European plaice, dab, solenette, Dover sole, whiting, lesser spotted dogfish and cod; • The two elasmobranch species which have been recorded in the ecology study area are thornback ray and blonde ray; • European seabass have been recorded in Liverpool Bay to the east of the site; • Shellfish present include king and queen scallop, lobster and common whelk; • Basking shark are known to migrate through the Irish Sea; • Table 4.8 lists the species that spawn and have nurseries within the ecological study area for the Morgan site; • Migratory and spawning fish which may be present in the study area include sea trout, European eel, river lamprey, Atlantic salmon, Twaite shad and allis shad. <p><i>Marine Mammals</i></p>

- Scoping Report Table 4.14 lists the designated sites with relevant marine mammals receptors within the Morgan regional marine mammal study area including the following European sites: Lambay Island SAC, North Anglesey marine SAC, North Channel SAC, Strangford Lough SAC, Murlough SAC, Pen Llyn a'r Sarnau /Llyn Peninsula and the Sarnau SAC, West Wales Marine SAC, Rockabill to Dalkey Island SAC, Slaney River Valley SAC and Pembrokeshire Marine SAC; and
- Scoping Report Table 4.15 lists the marine mammal species with potential to occur within the marine mammal study area including bottlenose dolphin, harbour porpoise, grey seal, harbour seal, minke whale, short beaked common dolphin and Risso's dolphin.

Offshore Ornithology

- No designated sites are located within the Morgan scoping boundary;
- Bird species recorded in the Morgan offshore ornithology study area include (but not limited to): guillemot, razorbill, kittiwake, Manx shearwater and northern gannet. Herring gull, fulmar, 'commic tern' (undetermined common tern or arctic tern) and other gull species were recorded regularly but in lower numbers; and
- The Scoping Report identifies the potential for connectivity between the offshore area and European sites with ornithological qualifying features. It confirms that the relevant sites will be identified in the Habitats Regulations Assessment (HRA) Screening Report (yet to be produced).

Commercial Fisheries

- The area supports a number of commercial fish and shellfish species. The UK, Republic of Ireland and Belgium undertake commercial fishing activity within the Morgan scoping boundary.

Shipping and Navigation

- Liverpool to Douglas, Liverpool to Belfast, Heysham to Douglas, and Heysham to Warrenpoint ferry routes intersect the Morgan shipping and navigation study area with Heysham to Dublin immediately adjacent;
- Oil and gas facilities and their relative distance from the Morgan scoping boundary for shipping and navigation are provided in Scoping Report Table 5.5.

Marine Archaeology

- There are five recorded maritime wreck sites; three of these are post-medieval and there are also two modern wrecks considered 'less significant' attributed to coordinates within the Morgan marine archaeology study area; and

	<ul style="list-style-type: none"> • One large aviation wreck is recorded in the Morgan marine archaeology study area. <p>The Scoping Report also provides information on the receiving environment related to:</p> <ul style="list-style-type: none"> • seascape and landscape visual character; • socio-economic matters beyond those relevant to the aspects above; • aviation and radar; • other sea users (e.g. infrastructure and recreation); and • onshore noise and vibration. <p>The potential transboundary effects arising from these matters have been considered during the scoping process. The Inspectorate has taken into account the potential impacts, their extent, magnitude, probability, duration, frequency, reversibility, and the potential for cumulative effects.</p> <ul style="list-style-type: none"> • Significant transboundary effects are not considered likely for these matters and they are not discussed further in this screening.
<p>Potential impacts and Carrier</p>	<p>The Scoping Report identifies the potential for adverse impacts on designated sites during the construction, operational and decommissioning phases of the Proposed Development.</p> <p><i>Benthic subtidal and intertidal ecology</i></p> <ul style="list-style-type: none"> • Colonisation or removal of hard substrates. • Effects arising from changes to marine physical processes. <p><i>Fish and Shellfish</i></p> <ul style="list-style-type: none"> • Direct impacts due to underwater noise from piling operations. • Loss of fish and shellfish habitat or disturbance to habitat due to increased suspended sediment concentrations (SSCs) and associated sediment deposition from the installation and decommissioning of foundations and cables. • Loss of or disturbance to fish spawning and nursery habitats in the Irish Sea. <p><i>Marine Mammals</i></p> <ul style="list-style-type: none"> • Underwater noise generated from piling, unexploded ordinance (UXO) clearance and vessel activity; • Indirect impacts from changes in prey availability as a result of habitat loss, underwater noise, increased suspended sediment concentrations (SSCs) and associated sediment deposition and other impacts scoped in for fish and shellfish receptors. • The operation and maintenance phase is considered less likely to result in significant effects. <p><i>Offshore Ornithology</i></p> <ul style="list-style-type: none"> • Direct mortality through collision with turbines; • Disturbance and displacement during operation;

	<ul style="list-style-type: none"> • Barrier to movement between foraging and breeding sites and migration routes; and • Disturbance to prey (fish) species or prey availability due to change in physical processes and habitats as a result of the operational infrastructure. <p><i>Commercial Fisheries</i></p> <ul style="list-style-type: none"> • Direct loss of, or restricted access to, fishing grounds and potential displacement of fishing activity into other areas; and • Indirect effects from impacts to commercially important fish and shellfish resources (see above). <p><i>Shipping and Navigation</i></p> <ul style="list-style-type: none"> • Deviation to commercial routes; • Increased vessel to vessel collision risk and increased allision risk; • Increased risk of anchor and gear snagging; • Reduction of under keel clearance; • Reduction of emergency response capability; and • Interference with marine navigation, communications and position fixing equipment. <p><i>Marine Archaeology</i></p> <ul style="list-style-type: none"> • Sediment disturbance and deposition leading to indirect impacts; • Direct damage to archaeological receptors; and • Alteration of sediment transport regimes.
Extent	<p><i>Benthic subtidal and intertidal ecology</i></p> <p>The extent of any predicted impacts upon benthic subtidal and intertidal ecological receptors is likely to be limited to the footprint of the Morgan Offshore Wind Project generation assets for temporary and long-term habitat loss and colonisation or removal of hard substrates. Changes in suspended sediment concentrations and associated deposition and changes in physical processes are anticipated to be limited to within one tidal excursion of the Morgan Offshore Wind Project generation assets. It is concluded that there is no pathway for transboundary impacts on this receptor group and they are not considered further in this document.</p> <p><i>Fish and Shellfish</i></p> <p>Annex II migratory fish species listed as features of European sites in other states and species of commercial fishing importance to EEA states are likely to be affected.</p> <p><i>Marine Mammals</i></p>

	<p>Due to the mobile nature of marine mammals and the proximity of the development to the Republic of Ireland, transboundary effects are considered likely.</p> <p><i>Offshore Ornithology</i></p> <p>Due to the wide foraging and migratory ranges of bird species in the Irish sea, and the recorded presence of species listed as qualifying features of designated sites belonging to EEA states, transboundary effects from the Proposed Development are considered likely.</p> <p><i>Commercial Fisheries</i></p> <p>There is the potential for transboundary impacts upon commercial fisheries due to the highly mobile nature of both commercial fish species and fishing fleets, with impacts anticipated on fleets from Belgium and the Republic of Ireland.</p> <p><i>Shipping and Navigation</i></p> <p>While the full extent has yet to be determined and will be subject to further assessment, it is considered that ferry routes to/from Ireland could be impacted by the Proposed Development leading to transboundary effects.</p> <p><i>Marine Archaeology</i></p> <p>The extent of the impacts is anticipated to be restricted to the red line boundary of the Proposed Development. The Scoping Report concludes that there is no pathway for transboundary effects on this receptor group. The Inspectorate has considered the potential impacts and their likely extent and has concluded that significant effects are unlikely. Marine archaeology is therefore not considered further in this document.</p>
<p>Magnitude</p>	<p>The magnitude of impacts have not been evaluated in detail at this stage and will be subject to further assessment.</p> <p>However, the Scoping Report has identified the potential for transboundary impacts on:</p> <ul style="list-style-type: none"> • Fish and shellfish ecology; • Marine mammals; • Ornithology; • Commercial fisheries; • Shipping and navigation; and • Other marine users. <p>These will be assessed further throughout the EIA and mitigation strategies will be considered which may reduce the magnitude of impact or demonstrate that there are no relevant impact pathways for significant effects on the relevant aspects of the environment in EEA states.</p>

<p>Probability</p>	<p>The probability of potential transboundary effects occurring has not been fully evaluated at this stage. However, the Transboundary Screening Report, HRA Screening Report and the Scoping Report note the high probability of:</p> <ul style="list-style-type: none"> • underwater noise affecting fish and marine mammals during construction; • disturbance, displacement, and collision risk affecting seabirds during operation; and • impacts on commercial fisheries and shipping and navigation during operation due to the presence of infrastructure. <p>The Inspectorate considers that, given the information provided in the Scoping Report, HRA Screening Report and Transboundary Screening Report impacts on fish and shellfish, marine mammals, offshore ornithology, commercial fisheries and shipping and navigation are most likely to result in significant transboundary effects.</p>
<p>Duration</p>	<p>The Proposed Development is likely to result in transboundary effects which will be temporary, both short- and long-term. The Applicant states that the EIA will consider the duration and frequency of transboundary effects in more detail during the EIA process.</p>
<p>Frequency</p>	<p>The frequency of potential transboundary effects has not been fully evaluated at this stage. However, impacts on offshore ornithology during operation and maintenance phase are considered likely to be continuous with variation in relation to seasonal patterns such as migration.</p>
<p>Reversibility</p>	<p>The reversibility of potential transboundary effects has not been fully evaluated at this stage, however, the Scoping Report, Annex A, states that all potential transboundary impacts are reversible since the infrastructure of the Proposed Development will be removed on decommissioning.</p>
<p>Cumulative impacts</p>	<p>Section 4.8 of the Scoping Report explains how cumulative effects will be assessed in the ES; stating the assessment will be in line with the Planning Inspectorate’s Advice Note Seventeen and will include other major developments in the area including those which are:</p> <ul style="list-style-type: none"> • under construction; • permitted application(s), but not yet implemented; • submitted application(s) not yet determined; • projects on the National Infrastructure Planning Portal’s Programme of Projects; • projects identified in relevant development plans; and • projects identified in other plans and programmes as may be relevant. <p>These will be identified through consultation with local authorities and other consenting bodies.</p> <p>The cumulative impact assessment has not yet been undertaken so the Applicant has not identified any likely significant transboundary cumulative effects at this stage. On a precautionary basis, the Inspectorate considers that the effects identified in this screening</p>

could contribute to cumulative effects, subject to the outcomes of further assessment.

Transboundary screening undertaken by the Inspectorate on behalf of the SoS

Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development **is likely** to have a significant effect on the environment in an EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts), and taken into account the information currently supplied by the Applicant.

Action:

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified:

- Republic of Ireland (marine mammals; shipping and navigation; and commercial fishing);
- Belgium (commercial fishing)

Date: 10 October 2022

Note: The SoS’ duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

SECOND TRANSBOUNDARY SCREENING

Document(s) used for transboundary Screening:

Environmental Statement (ES) (April 2024) (Volume 1 - Docs F1.1 to F1.5; Volume 2 – Docs F2.1 to F2.15; Volume 3 – Docs F3.3.1 to F3.5.2; and Volume 4 – Docs F4.1.1 to F4.14.1); and Habitats Regulations Assessment (HRA) Report (April 2024) (Docs E1.1; E1.2; E1.3; E1.4 and E1.5).

Date screening undertaken:

Re-screened on 3 July 2024 following acceptance of a DCO application.

Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS

Following submission of the DCO application, the Inspectorate has reconsidered the transboundary screening decision made on 10 October 2022.

The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision:

- changes in the description of the Proposed Development;
- provision of HRA information; and
- provision of the Transboundary Impacts Screening and transboundary assessments within relevant chapters of the ES.

Changes in the description of the Proposed Development

ES Volume 1, Chapters 3 and 4 describe the following key changes:

- the array area has reduced from 322km² to 280km²;
- the maximum number of wind turbines has reduced from 107 to 96;
- the maximum rotor diameter for the larger wind turbine option has increased from 280m to 320m, whilst maximum tip height has increased from 324m to 364m over Lowest Astronomical Tide; and
- The maximum amount of inter-array cables has reduced from 500km, to 390km.

Provision of HRA information

The HRA Screening Report (Doc E1.4) concludes that likely significant effects (LSE) could not be excluded for harbour porpoise and grey seal features of 17 Sites of Community Importance (SCIs) in France and four Special Areas of Conservation (SACs) in the Republic of Ireland. This is as a result of potential noise disturbance (from piling, clearance of unexploded ordnance, pre-construction site investigation surveys, vessels and other vessel activities, and in-combination effects). The HRA Information to Support an Appropriate Assessment (ISAA) (E1.2) concludes that that there would be no adverse effect on the integrity of the qualifying features of these European sites, alone or in-combination.

The HRA Screening Report (Doc E1.4) also concludes that LSE could not be excluded for offshore ornithological features of six Special Protection Areas (SPAs) located in the Republic of Ireland. This is as a result of potential disturbance, displacement, collision effects and in-combination effects. The HRA ISAA (E1.3) concludes that that there would be no adverse effect on the integrity of the qualifying features of these European sites, alone or in-combination.

Provision of the Transboundary Impacts Screening and transboundary assessments within relevant chapters of the ES

The Transboundary Impacts Screening confirms that transboundary impacts in respect of the following matters were screened into the EIA process:

- fish and shellfish ecology;
- marine mammals;
- offshore ornithology;
- commercial fisheries;
- shipping and navigation; and
- climate change.

No significant transboundary effects were explicitly identified within the ES. This includes in respect of the potential significant transboundary effects on commercial fishing fleets from Belgium and the Republic of Ireland, which were identified in the first transboundary screening.

In respect of shipping and navigation, ES Volume 2, Chapter 7 concludes that there would be significant effects from the project alone and cumulatively with other projects and plans. This includes significant cumulative effects on commercial operations including strategic routes and lifeline ferries. The ES identifies ferries transiting between the Republic of Ireland and England. It concludes that "*no additional*" potential transboundary impacts have been identified.

Secretary of State's Comments

Under Regulation 32 of the 2017 EIA Regulations and on the basis of the current information available from the Applicant, the Inspectorate is now of the view that the Proposed Development **is not likely** to have a significant effect on the environment in Belgium. It considers that the Proposed Development **is likely** to have a significant effect on the environment in the Republic of Ireland due to potential impacts on shipping and navigation.

No new EEA States have been identified as being likely to have significant effects on their environment.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts); and taken into account the information currently supplied by the Applicant.

Action:

The Republic of Ireland requested to be involved in the transboundary consultation procedure when previously notified. Belgium did not respond.

Transboundary issues consultation under Regulation 32 of the 2017 EIA Regulations is required. State to be consulted:

- Republic of Ireland (shipping and navigation).

No further action is required in respect of Belgium.

Date: 3 July 2024

Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

Note:

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>