

## SCHEDULE 13

### Deemed licence under Marine and Coastal Access Act 2009 – array

## PART 2

### Conditions

#### **Pre-construction monitoring and surveys**

**15.**—(1) The undertaker shall, in discharging condition 11(1)(b), submit details for written approval by the MMO in consultation with Natural England and JNCC of proposed pre-construction surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report; and—

- (a) the survey proposals shall specify each survey’s objectives and explain how it will assist in either informing a useful and valid comparison with the post-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement; and
- (b) the baseline report proposals shall ensure that the outcome of the agreed surveys together with existing data and reports are drawn together to present a valid statement of the pre-construction position, with any limitations, and shall make clear what post-construction comparison is intended and the justification for this being required.

(2) The pre-construction surveys referred to in paragraph (1) shall unless otherwise agreed with the MMO have due regard to, but not be limited to, the need to undertake—

- (a) a survey(s), in combination with data derived from sub-paragraph (c) to determine the location and extent of any benthic Annex 1 Habitat in whole or in part inside the area(s) within the Order limits in which it is proposed to carry out construction works;
- (b) a survey(s) to determine the location, extent and composition of any benthic habitats of the area(s) within the Order limits in which it is proposed to carry out construction works of conservation, ecological and or economic importance;
- (c) a high resolution swath-bathymetric survey(s) to include a 100% coverage and side scan sonar survey of the area(s) within the Order limits in which it is proposed to carry out construction works, including a 500m buffer around the site of each works and inclusive of seabed anomalies or sites of historical or archaeological interest that lie within that 500m buffer;
- (d) a survey(s) to determine the location and extent of the mussel beds in whole or in part inside the area(s) within the Order limits in which it is proposed to carry out construction works; and
- (e) a survey(s) to determine the extent of fish and shellfish populations and spawning activity within the Order limits in which it is proposed to carry out construction works, and any wider areas where appropriate.

(3) The undertaker shall carry out the surveys agreed under paragraph (1) and provide the baseline report to the MMO in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing by the MMO in consultation with Natural England and JNCC.

(4) The pre-construction survey programme and pre-construction survey methodologies shall be submitted to the MMO for its written approval in consultation with Natural England and the JNCC at least four months prior to the commencement of any survey works.