

STATES OF JERSEY



WINDFARM NEAR LES ECREHOUS

**Presented to the States on 1st February 2005
by the Policy and Resources Committee**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to agree that the French Government be requested to consult with the Island Authorities on the proposal to construct an offshore windfarm in French territorial waters off Saint-Rémy-des-Landes, Normandy, before any final decision is taken.

POLICY AND RESOURCES COMMITTEE

REPORT

Background to the windfarm project

In June 2003 the Island Authorities received correspondence from a company advising them of a proposal to build a windfarm in French territorial seas off Saint-Rémy-des-Landes, Normandy. The designated area is close to Les Écrehous reef which is within Jersey's territorial limits.

It is acknowledged that the French nation is committed to the production of sustainable energy. While generally supportive of the principle of sustainable energy, the Island Authorities have received only limited official communication about the windfarm development proposals.

- (i) In October 2003 States Members had the opportunity to attend a presentation on energy production given by Dr. Claude Gatignol, Vice-Président of the Conseil Général de la Manche and also Président of the Groupe d'Études sur les Énergies. The particular focus of the presentation was nuclear power but reference was also made to possible plans to build a windfarm near the Écrehous.
- (ii) In October 2003 the Island Authorities wrote to the Department of Constitutional Affairs (DCA) raising several issues of concern to the Island Authorities in relation to the proposed development.
- (iii) In February 2004, the French Government put out an invitation to tender for proposals for a national windfarm project. The project involves the building of several windfarms for which sites are to be chosen. One possible location is the area off the Écrehous reef.
- (iv) On 27th April 2004 the DCA forwarded a response to the Island Authorities' letter received through official channels from the French Ministry of Foreign Affairs. This outlined the proposed timetable and criteria for accepting tenders, and the statutory duty of the French Government to consult after the opening of a public enquiry.
- (v) On 1st July 2004 the Island Authorities wrote to the DCA noting that confirmation had been received from the French Ministry of Foreign Affairs that both the United Kingdom and French governments have international obligations under the Convention on Environmental Impact Assessment in a Transboundary Context (the "ESPOO" Convention) and the Convention for the Protection of the Marine Environment of the North East Atlantic (the "OSPAR" Convention). The Island Authorities confirmed that they would wish to participate fully in any consultation process.
- (vi) On 5th November 2004, the Conseil Général de la Manche informed the Island Authorities of a decision recorded by the Assemblée Départementale on 6th October 2004. The Assemblée requests that the Écrehous project be withdrawn and regrets that sufficient opportunity to comment has not been granted to interested parties in the area.

Most recently, States Members, the public and officers of the relevant departments have received a presentation by the company that is currently tendering to carry out the proposed development off Saint-Rémy-des-Landes. This has provided the opportunity to seek more detailed information on the proposals and, to some extent, moderated some of the initial public concern. Following the presentations, there was a measure of public support for the concept of environmentally sustainable energy production by windfarms. However, there remain some important issues that have yet to be resolved, as detailed below.

Current concern

The tender period has now closed for potential developers of offshore windfarms in a number of locations around the French coast, and it is now understood that a technical proposal will be made in France on 15th February 2005 as to the most suitable sites for development.

Further approvals will, however, be required from the French authorities, following an environmental impact assessment and a public enquiry in France. These include authorisation to generate electricity for the national

grid, planning consent to develop the site and permission to lease a section of the seabed.

Although the proposed site off the Écrehous Reef is outside Jersey's territorial waters, its proximity to the Island's territorial limits means that there is likely to be a transboundary impact should the development go ahead. It is the contention of the Island Authorities that they should be afforded the opportunity to contribute to the environmental impact assessment and to consult on the proposals with local interested parties and thereafter submit their conclusions to the French Government before a final decision is made with regard to the proposed development.

Issues for consideration

The reasons put forward for concern include the possible damage to the marine environment, the visual intrusion of the wind turbines, noise produced by the turbine blades, interference with aviation radar and consequent risks to air traffic safety, possible economic effects on the fishing industry and hazards for maritime navigation.

Following meetings with the potential developers, the concerns about possible damage to the natural environment have been to some extent addressed. Evidence from other similar offshore developments has not demonstrated significant harm arising for the marine flora and fauna, or birds in the vicinity of the turbines. If anything, there is evidence that marine life may be enhanced by the submarine structures and 50-metre exclusion areas around each turbine. The potential developers have, in consultation with local ornithological groups, taken care to observe the existing migratory bird routes and have revised the proposed windfarm location accordingly. Decommissioning arrangements for the windfarm are also a statutory obligation for which appropriate funding and environment remediation plans are required.

Proximity of a windfarm to Les Écrehous was also a concern, particularly with regard to the sensitivity of the unique environment of this proposed Ramsar site. As a result, the developers have proposed re-locating the development further south, to a position some 10 kilometres (km) from Les Écrehous and 20 km from Jersey's south-east coast.

The proposed relocation of the windfarm site would also remove it from the usual routes for maritime navigation, both for private boats and small passenger vessels, between Jersey and Carteret or Portbail.

Whilst there were concerns about fishing, following discussion with Jersey fishermen it is considered unlikely that the proposed location would have any significant impact on the types of fishing activities currently carried out in the area.

The level of noise produced by the windfarm, estimated to be about 50 decibels at the base of a turbine when operating, is not considered to be a significant issue. At a distance of a few km, the noise would be dissipated substantially and, when the turbines are operating, their noise is masked by the ambient sea and wind noise.

The most significant of the remaining concerns are described below –

- (a) The actual scale of the proposed windfarm is considerable. It is understood to consist of a plan to generate 80MW of power, from 20 to 23 wind turbines with a hub height at 90 metres above mean sea level, and rotor blades a further 60 metres in length.

It is considered that a development of this scale would have a significant visual impact, even at a distance of 20 km from Jersey. The wind turbines would be visible during the day and especially at night due to illumination in an area that is largely free of light pollution.

- (b) The possible effects on aviation are of particular concern, due to the height of the turbines which would clearly be a hazard to aircraft flying at low level, and would require a restriction area to prevent collision. The turbines would need to be conspicuously lit with flashing strobe lights for safety reasons.

There could be serious effects on 2 important aeronautical radars, located on the northern cliffs of Jersey and in direct 'line of sight' of the proposed windfarm installation. These radars serve Jersey and Guernsey

airports and also the Channel Island Control Zone, the French national radar network, Réseau de Télécommunication de la Navigation Aérienne, and the London Terminal and Area Control Centres at West Drayton and Swanwick.

Radar reflections from the windfarm towers and rotating turbine blades are certain to interfere to some extent with the primary radar, which has a range of 80 nautical miles, and may produce reflected or distorted radar images together with masking some low-flying aircraft in the secondary radar system, range 256 nautical miles. The secondary radar antenna is tilted down specifically to enhance the detection of targets at low altitude and, in the absence of any ground terrain to absorb incident radar energy and the probability of specular reflections from the water, this is likely to compound the problems. The Airport authorities would need to take considerable measures, although it is uncertain what these could be, to ensure aviation safety is not jeopardized.

If the windfarm development was to proceed, extensive, and probably costly, research and modelling would be required by the airport authorities, radar systems suppliers and the windfarm installers to identify the magnitude of these air traffic problems and to quantify the effectiveness of any amelioration proposals. There is no single simple software solution to remove these deleterious effects.

Conclusion

The States are asked to note that both the United Kingdom and French Governments have international obligations under the Convention on Environmental Impact Assessment in a Transboundary Context (the “Espoo Convention”). The proposal to construct an offshore windfarm at a location near Saint-Rémy-des-Landes is considered to be a development that may have a significant adverse transboundary impact on Jersey, and is within the scope of that Convention.

The States are asked to agree that the French Government should be requested to consult with the Island Authorities on the proposals before any final decision is taken on the development of a windfarm in this area.