

# **STATES OF JERSEY**



## **WINDFARM NEAR LES ECREHOUS**

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**Lodged au Greffe on 18th January 2005  
by the Policy and Resources Committee**

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**STATES GREFFE**

## **PROPOSITION**

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

- (a) to express their concerns to the French Government about plans currently being considered by them to construct an offshore windfarm in French territorial waters off Saint-Rémy-des-Landes, Normandy, a location near the Écrehous reef, and thereby to indicate their support for the position of the Assemblée Départementale de la Manche of 6th October 2004 in opposition to the development; and
- (b) to agree that the French Government be requested to consult with the Island Authorities on the proposals 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 French 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, VicePrésident 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. A series of supporting arguments is included in the text of the decision and reference is made to the fact that both the local French authorities and the States of Jersey recognise the ecological sensitivity of the area.

### Current concern

It is believed that the likely timescale of events concerning this project could result in a limited period in which the Island's views can be put forward for consideration before a final decision is taken by the French Government.

The tender period for the windfarm project has now closed. A public consultation of the sort that would be held in the United Kingdom is not planned, although it is understood that there will be an administrative procedure to submit views to an enquiry. However exact details of this procedure and the timescale involved are unclear.

It is now understood that a decision will be made in France on 15th February 2005 as to the winning sites for development.

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 highly 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 an 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 regards to the proposed development.

### **Issues for consideration**

The reasons for the Island Authorities' concerns include the likelihood of damage to this sensitive marine environment, the visual intrusion of the wind turbines, interference with aviation radar and consequent risks to air traffic safety, possible economic effects on the fishing industry and hazards for maritime navigation. The most significant of these concerns are described below –

- (a) The actual scale of the proposed windfarm is considerable. It is understood to consist of 16 to 20 wind turbines with a hub height at 100 metres above mean sea level, and rotor blades a further 60 metres in length.
- (b) The construction of a windfarm and the electromagnetic radiation subsequently generated is likely to adversely affect the diverse species for which the shallow sandbanks are an important habitat. These include sand-eels, a wide range of fish-eating seabirds and migratory populations of spider-crabs and various fish species. The potential effects on seabirds, such as gannets, terns and cormorants, include alteration of their food supply, disturbance by construction and operation, and risk of collision with the rotor blades. It is also possible that seismic surveys, construction and operating noise would affect marine mammals, including whales, seals, and a significant local population of bottlenose dolphins (up to one-third of the total "U.K." population reside in local waters).
- (c) Further environmental concerns include arrangements for disposal of construction waste and the effects on local hydrography.
- (d) Both the United Kingdom and France have international obligations regarding the conservation of such habitats, for example the Bonn convention on migratory species of wild animals, the African-Eurasian waterbird agreement, the Bern convention on the conservation of European wildlife and natural habitats, and the E.C. Habitats Directive.
- (e) It is believed that the development would have a significant visual impact. The possible development zones lie approximately 10 km. from Jersey's north-east coast in an area of outstanding seascape. A Guide to Best Practice in Seascape Assessment, published by the Marine Institute in 2001, suggests that a distance of 15 km. may be the limit of visual significance along the coast. The wind turbines would be highly visible during the day and at night due to illumination in an area that is largely free of light pollution.
- (f) 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.
- (g) 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.
- (h) 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. 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 ameliorisation proposals. There is no single simple software solution to remove these deleterious effects.

- (i) The area around the Écrehous reef is a popular resort area used by boaters and fishermen. In addition there are several ferry routes that pass through the area including some of those linking Jersey and Normandy and, at times, a St. Malo-U.K. ferry.

### **Conclusion**

The States are asked to consider this Proposition and to express their concerns to the French Government about plans currently being considered by them to construct an offshore windfarm at a location near the Écrehous reef. Further they are asked to request the French Government that they consult with the Island Authorities on the proposals before any final decision is taken, and to indicate their support to the Assemblée Départementale which opposes the development of a windfarm in this ecologically sensitive area.