

EBA Position Statement Marine Renewable Energy Developments

Executive Summary

The European Boating Association¹ (EBA) recognises the need to develop marine renewable technologies, in appropriate locations, to contribute to the global transition to net zero carbon by 2050.

The EBA also supports maintaining the right of safe navigation for Recreational Boating², including through installation zones, with any marine developments being designed to minimise any impacts on boaters, and to mitigate any impacts that do arise.

This Position Statement sets out how the EBA expects developers to approach the siting and design of their projects to avoid unacceptable impacts on recreational boaters.

Background

Ambitious targets for decarbonising national electricity grids, alongside increasing demand from the electrification of heating, transport and industry, are leading to a significant increase in renewable energy projects across Europe. Such developments include wind turbines (fixed or floating), floating solar, wave, tidal range, and tidal stream devices.

This paper sets out the EBA's position in relation to such developments in the marine environment during the construction, operation, and removal phases. It is intended to enable developers and policy makers to take proper account of recreational boating concerns when developing their projects.

Navigational Safety

The EBA believes that the impact that renewable energy developments have on recreational boating can be minimised if developers fully consider the following key points when preparing Navigation Risk Assessments for projects:

- Adequate consideration must be given, at early stages of design, to recreational routes, navigational squeeze (particularly where this risks the bringing together of recreational and commercial craft), general sailing areas, racing areas, and access to safe routes, boating facilities and anchorages. For recreational craft, any assessment must take account of the following:

- The number, size and type of local vessels
 - The number, size and type of national and international vessels
 - Annual boating events that are not covered during short term monitoring period
 - Wave height and sea state conditions including seasonal variations
 - Seasonal variations in vessel number, size and type
 - Proximity to ports of refuge
 - A range of possible incidents including loss of propulsive power and failure of navigational systems
 - Other local navigational hazards such as prevailing wind direction, lee shores, overfalls and rocky coastlines
- Collision and Allision risk. The EBA believes that the collision and allision risks to recreational craft posed by infrastructure can be minimised by specifying requirements for operation and design. This includes minimum air draft requirements for wind turbines of 22m.
 - Emergency Response systems and procedures should be developed and implemented with recreational users in mind.
 - Charting, marking and lighting. The EBA supports the guidance provided by the IALA on the marking and lighting of infrastructure and will support its members in their dealings with their respective national Governments to identify site specific issues that may occur. It should be noted that tidal and wave devices are particularly difficult to observe from smaller craft, and special attention needs to be given to their marking.
 - Any new infrastructure and relevant safety marks must be communicated to providers of small craft charts and navigational guides in a timely and accurate manner. It should be noted that this may require international communication as small craft regularly navigate across international boundaries.
 - Any proposed development should consider any potential interference with navigation and communication equipment carried on small craft.

Operational Safety / Exclusion Zones

- Exclusion zones are not supported by the EBA due to the potential impact on the navigation of small vessels.
- Article 60 of the 1982 United Nations Convention on the Law of the Sea enables coastal States to take “appropriate measures” in relation to operational safety zones but there is no requirement that such zones must apply equally to all vessels irrespective of size.
- Several Governments have recognised the negative implications of imposing exclusion zones on small craft and have exempted small craft (under 24m) from such zones. In fact,

where a wind farm is next to a busy shipping lane an aspect of mitigation might be to exclude large vessels from the wind farm and to permit small craft to pass through in safety.

- In principle the EBA has no objection to the creation of *advisory or precautionary zones* but such zones must be designed and implemented on a case-by-case basis and should not permanently restrict navigation, cause vessels to deviate from their optimum route, or exclude small craft.
- The EBA does, however, foresee occasions when it may be prudent to impose short-term temporary restrictions, for example during engineering, maintenance, construction or decommissioning works. Such temporary restrictions should be communicated through Notices to Mariners and lifted as soon as the work is complete.

Under Keel Clearance of Devices and Cable Landfall

Safe under keel clearances under all sea conditions should be specified for any devices and associated infrastructure, including catenary cables used to anchor floating devices.

Navigational impacts can also occur where export cables make landfall. The EBA expects the burial of export cables at landfall to maintain a minimum depth below chart datum of 4m and to maintain chart datum where the charted depth is less than this.

Cumulative and In Combination Effects

Any development should consider cumulative and in combination effects of existing and other proposed developments in the same area.

The direct impact of a development may be magnified by existing infrastructure, for example by increasing distances to safe harbours or time spent in deeper water. Considering a development in isolation from other current proposals may miss key risk factors.

The EBA Position on Marine Renewable Energy Developments

The EBA recognises the need to develop marine renewable technologies providing they take proper account of the right of safe navigation by recreational boaters.

Adequate consideration must be given during project development to the particular needs of recreational boaters, in line with the detailed guidance set out in our position paper. In summary we would expect the following, as a minimum:

- Adequate consideration of navigational safety taking account of the particular needs of recreational and other small vessels

- Minimisation of impact on routes commonly taken by recreational boaters
- No imposition of operational exclusion zones except when required during installation, maintenance or decommissioning
- Suitable consultation during project development, and wide communication regarding device types, locations and safety marks

The EBA will support its members in their dealings with respective national Governments regarding the development of marine renewables and will object to the imposition of operational safety zones beyond those clearly required to maintain the safety of boaters.

Notes

¹ **European Boating Association**

The European Boating Association, Europäischer Sportschiffahrtsverband, Association Européenne de Navigation de Plaisance, is a civil, not for profit association of recreational boat users' organisations, founded in 1982, and established as an Unincorporated Association whose members agree to be governed by its constitution. The EBA member organisations (see <http://www.eba.eu.com/participantorgs>) collectively represent in excess of 1.5 million recreational boaters and an estimated 20 million active participants.

The purpose of the EBA is to represent the mutually agreed common interests of national recreational boat users' organisations in Europe, and in particular to:

- Coordinate and develop recreational boating activities in Europe by exchange of information, and action on matters of mutually agreed common interest.
- Promote the practice of all activities on the water, promoting and exchanging knowledge and experience between recreational boat users' organisations in Europe.
- Represent EBA members in environmental, regulatory and technical matters affecting their safe enjoyment of recreational boating activities on the water.
- Encourage the safe, unhampered and environmentally sustainable use of recreational boats on all European waters.
- Provide the link between the European institutions and EBA Members for consultation and information on proposed EU directives and regulations.
- Provide the link between other relevant global and regional organisations and EBA Members.

² **Recreational Boating**

The EBA is the European representative organisation for recreational boating.

There is no general consensus as to the terminology used to describe the types of boat used for "recreational boating", with expressions such as "recreational craft" or "private pleasure craft"

being used to describe only subsets of such types of boat for the purposes of specific pieces of EU legislation. “Recreational boating” also includes the use of beach- or slipway-launched water toys such as wind surfers, sailing dinghies, inflatable boats and personal watercraft.

Boats used for “recreational boating” may be small or large, propelled by sail and/or power and used on inland waters and/or at sea. “Recreational boating” at sea can range from close-to-shore to trans-oceanic.

“Recreational boating” also includes the use of such boats privately owned and operated by the owner, hired (on bareboat or skippered charter) or used to provide a service (such as training or race participation).

In the context of this document, therefore, the EBA considers “recreational boating” to mean using boats that are designed or adapted for sport or leisure, whether propelled by sail and/or power, for the purposes for which they are designed or adapted.