

## **EBA Position Statement Offshore Wind Farms**

### **Executive Summary**

The European Boating Association<sup>1</sup> (EBA) opposes the imposition of operational safety zones around offshore wind energy installations (“wind farms”) for small craft (i.e. craft of less than 24m in length).

The EBA opposes those features of individual wind farms that it believes present an intolerable hazard to navigation but it believes that the existence of a wind farm in itself does not present an intolerable hazard to navigation to small craft.

### **Background**

The EBA recognises the EU Commission’s objective to reduce dependence on oil and hydrocarbon products and that the Commission has set out a number of strategic priorities to facilitate and drive the development of renewable energy sources as part of the targets set in its Europe 2020 Strategy.

The EBA further recognises that it is incumbent upon Member States to make significant improvements in energy efficiency in all its sectors and to increase the proportion of its electricity generated from renewable energy sources. Regrettably, there is a lack of integrated strategic planning for renewable energy developments where offshore wind developments are being considered by Member States.

Many Member States expect the development of offshore renewable wind energy to make a significant contribution to their renewable energy goals insofar as it represents a source of clean, indigenous and renewable energy. However the marine environment is not empty – the coast and the sea contribute to national economies through fishing, tourism, ports and harbours and commercial and Recreational Boating<sup>2</sup> activities. The development of the offshore renewables sector must be done in a sustainable manner taking account of the potential impacts which such developments may have on other users of the sea.

Responsibility for the management of navigational safety in the marine environment falls to the International Maritime Organisation (IMO) and national Governments. The EBA believes that the European Commission should support the work of IMO and the Governments of EU Member States in this regard but should not seek to introduce its own regulatory framework.

## Navigational Safety

Prior to departure, mariners are required to make a passage plan based on assessments of weather, tides, limitations of the vessel and crew, and navigational dangers. Offshore renewable energy developments are an additional navigational hazard to the mariner. However, if sited sensitively, designed well and managed effectively these developments do not of themselves present an intolerable hazard to navigation for small craft.

### Safety zones

The EBA believes that the creation of safety zones around wind turbines or other installations that exclude all small craft without exception are likely to be unnecessary, impracticable and disproportionate. In our view, such a restriction on the small craft's right of navigation is not justifiable in terms of safety alone (either for the small craft or the installation) and it must be recognised that there is little possibility of enforcing such zones. In some locations, a safety zone may increase the risk of collision if small craft are consequently forced to use commercial craft shipping lanes.

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 and 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 safety 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 with due respect to the right of navigation. The EBA believes that the purpose of any *advisory or precautionary zones* should be to warn vessels to navigate with particular caution but they 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 or construction works. Such temporary restrictions should be promulgated through Notices to Mariners and lifted as soon as the work is complete. Many recreational boats visit the territorial waters of other countries and this should be taken account of in any communication.

### Squeeze into commercial routes

Small craft routes differ from commercial routes as small craft essentially aim to keep out of the major commercial navigation routes by travelling in the shallower adjacent waters or taking entirely different routes. As a result, the examination of commercial routes through AIS plotting alone will not ensure the safe positioning of wind farms; small craft navigation must also be taken into account when assessing the impact on navigational risk. This may require routes through large developments to be identified or inshore routes for smaller craft to be safeguarded. The cumulative impact of all marine developments is becoming increasingly important when assessing these issues of squeeze.

## **Cumulative and ‘in-combination’ effects**

As a result of the large increase in the number and scale of potential and planned projects, it has been recognised that the cumulative effects of offshore wind projects have potential implications for all vessels. Existing and future offshore wind farms developed by EU Member States will undoubtedly add to the cumulative effects. There is an awareness that the intended development of offshore wind farms could also lead to in-combination effects (effects arising from these developments in proximity to other activities; e.g. wave and tidal renewable installations, fishing, offshore oil and gas activities and marine protected areas) that might impact all mariners. The *cumulative and in-combination effects* of offshore energy installations on navigation routes will be increasingly significant and must be taken into account in future siting proposals and plans.

## **Availability of information**

When planning a passage recreational boaters generally refer to charts, almanacs and pilot books. As the number of operational wind farms increases it is of critical importance that information regarding any restrictions that may be imposed on navigation through them is made available to recreational boaters through the media they routinely refer to. Such rules need to be promulgated internationally to ensure as wide a reach as possible.

## **The EBA Position on Offshore Wind Farms**

### **The EBA will**

- Support its members in their dealings with their respective national Governments regarding the development of offshore wind energy installations in order to secure navigational safety and to ensure that recreational boating interests are not adversely affected;
- Object to the establishment of operational safety zones around individual turbines or entire wind farms unless it can be demonstrated that they are necessary and that their enforcement will increase the safety of mariners navigating within the vicinity of the development;
- Support the guidance provided by the IALA in relation to marking and lighting and will support its members in their dealings with their respective national Governments to identify site specific issues that may occur.
- Encourage publishers of media used by recreational boaters for passage planning to include details of any restrictions relating to wind farms.

---

## Notes

### **<sup>1</sup> 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.

## <sup>2</sup> 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.