




F I V E 
ESTUARIES
OFFSHORE WIND FARM

FIVE ESTUARIES
OFFSHORE WIND FARM
PRELIMINARY ENVIRONMENTAL
INFORMATION REPORT

VOLUME 4, ANNEX: 3.1 WATER
FRAMEWORK DIRECTIVE ASSESSMENT
NOTE

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CONTENTS

1	Outline WFD Assessment.....	5
1.1	Introduction.....	5
1.2	The Process	5
1.3	Next Steps.....	6
2	References.....	7



DEFINITION OF ACRONYMS

Term	Definition
WFD	Water Framework Directive
EU	European Union
ES	Environmental Statement
PEIR	Preliminary Environmental Information
RBMPs	River Basin Management Plans
JNCC	Joint Nature Conservation Committee

GLOSSARY OF TERMS

Term	Definiton
Environmental Statement (ES)	The documents that collate the processes and results of the EIA.
Preliminary Environmental Information Report (PEIR)	The PEIR is written in the style of a draft Environmental Statement (ES) and forms the basis of statutory consultation. Following that consultation, the PEIR documentation will be updated into the final ES that will accompany the application for the Development Consent Order (DCO).
Water Framework Directive (WFD)	The Water Framework Directive applies to inland, transitional and coastal surface waters as well as groundwaters. It ensures an integrated approach to water management, respecting the integrity of whole ecosystems, including by regulating individual pollutants and setting corresponding regulatory standards.
Environment Agency	The Environment Agency (EA) is a non-departmental public body, established in 1996 and sponsored by the United Kingdom government's Department for Environment, Food and Rural Affairs, with responsibilities relating to the protection and enhancement of the environment in England



1 OUTLINE WFD ASSESSMENT

1.1 INTRODUCTION

- 1.1.1 The Water Framework Directive (WFD; 2000/60/EC) came into force in 2000 and establishes a framework for the management and protection of Europe's water resources. It is implemented in England and Wales through the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (as amended), modified by the Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 on 31 January 2020 following the UK's withdrawal from the European Union (EU). The overall objective of the WFD is to achieve good status in all inland, transitional, coastal and ground waters by 2015, unless alternative objectives are set and there are appropriate reasons for time limited derogation (currently working towards objectives for 2027).
- 1.1.2 A WFD compliance assessment is conducted during the development process to ensure proposed activities are compliant with the objectives of the WFD, and will not result in a deterioration/jeopardy to status of water bodies and protected areas. These desk-based assessments are completed using project-specific information from technical chapters and relevant survey work, while also making use of publicly available data.
- 1.1.3 The WFD compliance assessment for Five Estuaries will be completed as part of the Environmental Statement (ES) phase. This note has been produced to accompany the Preliminary Environmental Information Report (PEIR), outlining the intended assessment. The final WFD compliance assessment will consider marine and freshwater water bodies separately, allowing for in-depth analysis of activities and impacts.
- 1.1.4 The WFD compliance assessment will consider previous consultation comments received, such as those relating the Marine Water and Sediment Quality, which will be addressed in full through the assessment. These comments will help inform the impact assessment stage of the WFD compliance assessment.

1.2 THE PROCESS

- 1.2.1 The Environment Agency's "Clearing the Waters for All" process will be used as a template for the WFD compliance assessment, as well as the Planning Inspectorate's Advice Note Eighteen: The Water Framework Directive. The WFD compliance assessment will also be conducted in accordance with relevant environmental legislation. Publicly available data will inform the locations of relevant Bathing Waters, water bodies, Shellfish Water Protected Areas, National Site Network and Ramsar sites, and other relevant WFD protected areas.
- 1.2.2 Data will be collected from (but not limited to) the Environment Agency's Catchment Data Explorer, Bathing Waters profiles, River Basin Management Plans (RBMPs) and interim freshwater classifications, relevant water bodies risk assessment excel files, and WFD protected areas information from Natural England and the Joint Nature Conservation Committee (JNCC).
- 1.2.3 Relevant WFD coastal and transitional water bodies will likely include Essex coastal water body (ID: GB650503520001) and Harwich Approaches coastal water body (ID: GB650503190000).



- 1.2.4 Relevant Bathing Waters will likely include Dovercourt, Walton, Frinton, Holland, Clacton, Clacton (Groyne 41), Clacton Beach Martello Tower, and Jaywick.
- 1.2.5 This information will be used to identify sensitive areas, which are then assessed against environment receptors to determine if there is likely to be an adverse impact from the proposed development.
- 1.2.6 The WFD compliance assessment will comprise of 3 core stages: Screening, Scoping and Impact Assessment. Screening is conducted to recognise the proposed activities which could potentially have a material impact on the status of WFD water bodies, and exclude those activities which are not relevant. Scoping is then conducted to identify the risks associated with development activities, on relevant environmental receptors. The Impact Assessment is a detailed assessment of all relevant environment receptors (those which were previously scoped in). This allows for a statement to be made as to whether to the proposed activities are compliant with the WFD, and identify any mitigation measures which may be required in the cases of non-compliance. For an activity to be compliant, it must not lead to a deterioration in water body status or jeopardise relevant water bodies from attaining good status in the future.
- 1.2.7 The Impact Assessment is typically informed by the relevant technical chapters of the ES. This allows for accurate, project-specific information to inform the WFD compliance assessment. While it is recognised that WFD compliance assessments are ideally presented as stand-alone documents, information from technical chapters will be summarised and cross-referenced to avoid significant duplication.

1.3 NEXT STEPS

- 1.3.1 The following steps will be undertaken in order to progress the WFD assessment from PEIR stage to DCO application stage:
- > A full WFD assessment will be drafted, following the Environment Agency's 'Clearing the Waters for All' guidance to determine compliance of proposed VE activities against the objectives of relevant WFD water bodies.
 - > Further consultation and engagement will undertaken through the Marine Ecology and Processes ETG. All feedback post-PEIR will be used to inform and update the WFD assessment.



2 REFERENCES

DEFRA (2017), 'The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017'. The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 ([legislation.gov.uk](https://www.legislation.gov.uk)) [Accessed February 2023].

DEFRA (2019), 'The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019.' [The Floods and Water \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(legislation.gov.uk\)](https://www.legislation.gov.uk) [Accessed February 2023].



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