

**Response to the Examining Authority's first round of written questions and requests for information
for the
Royal Society for the Protection of Birds**

15 July 2015

Planning Act 2008 (as amended)

In the matter of:

Application by SMartWind for an Order granting Development Consent for the

Hornsea Offshore Wind Farm – Project Two

located 89km east of the East Riding of Yorkshire Coast

**Planning Inspectorate Ref: EN010053
Registration Identification Ref: 10031166**



EOO	Ecology offshore – ornithology
EO01	<p data-bbox="409 253 2056 323">Further to ongoing discussions post-acceptance, and NE Relevant Representations [RR-021], please provide an update on SoCG for offshore ornithological issues?</p> <p data-bbox="409 360 2152 499">The RSPB has had initial discussions with SMartWind about the preparation of a draft Statement of Common Ground and will continue to work with the Applicant after the submission of the written representations. In order to assist the Examining Authority it is suggested that the Statement be limited to the areas of concern that the RSPB has expressed.</p>
EO02	<p data-bbox="409 537 2152 643">Please report on progress made in resolving the baseline data issues raised primarily in the Section 42 Response and Relevant Representations [RR-021] by Natural England and the RSPB [RR-028] in relation to the applicant’s ornithological assessment for the Hornsea Project 2 alone, in particular issues about:</p> <ul style="list-style-type: none"> <li data-bbox="409 679 2051 746">(a) Methods used to derive population estimates, with inter alia an explanation of the reasons for the differences between the species counts data for Hornsea Project 1 and Hornsea Project 2. <li data-bbox="409 783 2092 850">(b) Treatment of incomplete and missing survey data (eg for month of December) and contributions of more recent surveys, subsequent to those completed in 2013, including aerial surveys. <li data-bbox="409 887 1984 954">(c) Clarification of treatment of unidentified species and their apportioning to various species categories; <li data-bbox="409 991 2085 1096">(d) The accuracy of boat based observations of Percentage of birds at Collision Height (PCH) collected at fine scale resolution, approaches to account for uncertainty in flight height data, plus the over-use of site-specific data rather than more generic data sources (e.g. Cook 2012). <li data-bbox="409 1133 1984 1200">(e) Data on relevant Biologically Defined Minimum Population Scales (BDMPS) used to assess impacts in EIA. <li data-bbox="409 1236 2047 1303">(f) The assumptions used to apportion birds to SPAs in different seasons, for kittiwakes, gannets and auks.
	<p data-bbox="409 1406 1883 1434">Although the RSPB is listed under this question, we think that these questions are for the Applicant.</p>

<p>E003</p>	<p>Are there any results from the RSPB FAME project on GPS-tagged kittiwakes and their flights from Bempton Cliffs' colony?</p> <p>Tracking work is now available for 2013 and 2014. We present a consolidated map, as well as individual maps, for the years 2010 to 2014 all covering the same area in Annex IV of the RSPB's written representation of 15 July 2015 and discussed in paragraphs 2.15 to 2.18.</p>
<p>E004</p>	<p>What progress has been made in resolving the methodological issues raised primarily in the Section 42 Response and Relevant Representations [RR-021] by Natural England /JNCC and the RSPB [RR-028] in relation to the applicant's ornithological assessment for the Hornsea 2 project alone, including issues in relation to:</p> <p>(a) further allowance for <i>uncertainty</i> around the outputs of the CRM, in particular in relation to density of birds in the project area, flight height of those birds, and uncertainty in PCH figures derived from boat based surveys;</p> <p>(b) <i>Collision Risk Modelling (CRM)</i> methodology:</p> <p>(i) how much weight do the interested parties give to the published findings in the Marine Scotland Report (Dec 2014) on appropriate Avoidance Rates (ARs) for various Band model Options for various species;</p> <p>(ii) further update on this AR work, and responses to it—especially in relation to use of the Band Extended Model;</p> <p>(iii) the NE position on the applicant's CRM approach for migratory species; and</p> <p>(iv) the need for use of a Population Viability Analysis (PVA) in addition to the Population Biological Removal (PBR) approach?</p> <p><i>With regard to the above--please provide the ExA with copies of recent papers on ARs produced by Smart Wind and Forewind (2013) and by SNCB (2014)</i></p> <p>Although the RSPB is listed under this question, we think that these questions are for the Applicant.</p>
<p>E005</p>	<p>What progress has been made in resolving the methodological issues raised primarily in the Section 42 Response and Relevant Representations [RR-021] by NE and the RSPB [RR-028] in relation to the</p>

	<p>applicant's ornithological assessment for the Hornsea project 2 alone, including issues in relation to:</p> <p>(a) The calculation of <i>displacement rates</i></p> <p>(i) the use of a comparative analysis of levels of sustainable mortality generated by tools such as (PVA); and</p> <p>(ii) the summing of the annual predicted mortality of the colony, or wider population scale used to assess the population level impact.</p> <p>(b) The range of species selected for the impact assessment—collision risk and displacement; and</p> <p>(c) The approach to the assessment of significance.</p> <p>Although the RSPB is listed under this question, we think that these questions are for the Applicant.</p>
<p>EO06</p>	<p>What progress has been made in resolving the impact assessment issues raised primarily in the Section 42 Response and Relevant Representations [RR-021] by NE in relation to the applicant's ornithological assessment for the Hornsea project 2 alone, in particular concerns about:</p> <p>(a) The spatial scope of the assessment.</p> <p>(b) The Special protection area (SPA) and Special areas of conservation (SAC) sites which need consideration in relation to Likely Significant Effects on offshore ecology.</p> <p>(c) Evidence the applicant has relied on in reaching conclusion that disturbance will not exceed a 1km buffer around the source of disturbance.</p> <p>(d) Evidence used to select displacement and mortality rates.</p> <p>(e) Various levels of impact assessment classed by the applicant for operational impacts (displacement and collision risk).</p> <p>Although the RSPB is listed under this question, we think that these questions are for the Applicant.</p>
<p>EO08</p>	<p>What progress been made in resolving the impact assessment issues raised primarily in the Relevant Representations [RR-021] by NE in relation to the applicant's ornithological assessment for Hornsea</p>

	<p>Project 2 cumulative and in-combination impacts, in particular:</p> <p>(a) Is there now an agreed approach for the <i>re-tiering</i> of Offshore Wind farms (OWFs) used for cumulative and in combination effects assessment?</p> <p>(b) Is there now an agreed approach on the projects to be included in each tier, including the capacity of those projects?</p> <p>(c) With regard to cumulative displacement impacts, has further work been undertaken on the standardisation and use of a 2km buffer size, and if so, with what implications for assessed impacts?</p> <p>(d) Can the discrepancies between the figures for the various North Sea plans and projects calculated as part of the Dogger Bank Teesside and the Hornsea Project 2 application, as identified by NE, be explained?</p> <p>(e) What methods have been used to generate population estimates and displacement figures for projects where either no information, or information for the development footprint without a 2km buffer, was available in the relevant ESs?</p> <p>(f) What progress has been made in undertaking further assessment, as recommended by NE, at a North Sea scale across the whole year, for each relevant species?</p> <p>(g) What progress has been made in agreeing</p> <p style="padding-left: 40px;">(i) cumulative impacts at a population scale (displacement and collision) for all relevant species; and</p> <p style="padding-left: 40px;">(ii) in-combination impacts on the Flamborough Head and Filey Coast (FFC) pSPA, for all relevant species?</p>
	<p>Although the RSPB is listed under this question, we think that these questions are for the Applicant.</p>
<p>EOO12</p>	<p>Para 2.6.71 of NPS EN-3 supports ecological monitoring to mitigate where appropriate any adverse ecological impacts of the project under consideration, and to enable further useful information to be provided for future projects.</p> <p>(a) Can the applicant please clarify the nature of the intended offshore ornithological monitoring</p>

programme for the full life cycle of the Hornsea Project 2?

(b) How will monitoring of the Hornsea Project 1 be built into the development of the Hornsea Project 2?

(c) Are the MMO and NE content with the proposed approach to monitoring for Hornsea Project 2?

(d) Do the conditions in the DML provide sufficient certainty about the delivery of mitigation and monitoring measures (as specified in the ES)?

As mentioned in the RSPB's written representations [xref] we only recently noted that the Applicant had submitted a second version of the DCO and DML and have not been able to review in detail prior to the submission of the written representations and answers to these questions. We will be completing that review shortly and passing any comments to the Applicant.

However we welcome the Examining Authority's recognition that monitoring from Project One would benefit Project Two as set out in question (b) above.

EL	Ecology—onshore and inter-tidal
EL9	<p>The consideration of the cumulative effects of the construction of both Hornsea Project 1 and Hornsea Project 2 under the three scenarios outlined indicates either a higher level or a longer duration of local ecological impacts, or possibly both.</p> <p>(a) But it is unclear from the complex assessment which scenario is the most disruptive, and which is the least disruptive, for the local ecology. Can the applicant please clarify further for the relevant species and habitats in:</p> <p style="padding-left: 40px;">(i) the onshore cable corridor; and</p> <p style="padding-left: 40px;">(ii) the intertidal zone</p> <p>(b) Can the applicant also establish the link between the construction phase described in ES 7.3.3 [APP-044] Table 3.13 and the relevant works number in the draft DCO as well as in the works plan?</p> <p>(c) Are there any additional control measures that can be applied to the draft DCO to avoid the most damaging aspects of the assessed scenarios (e.g. consecutive years of construction)?</p>
	<p>The RSPB is concerned about the potential impacts of the intertidal work and the lack of clarity over the likely duration and intensity of the cable-laying works. We set out our concerns in section 10 of our Written Representation.</p>