

Date: 28 June 2021
Our ref: Case: 10571 Consultation: 357078
Your ref: EN010077



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Dear Sir/Madam

East Anglia ONE North (EA1N) Offshore Wind Farm

The following constitutes Natural England's formal statutory response for Examination Deadline 12.

1. Natural England Deadline 12 Submissions

Natural England has reviewed the relevant documents submitted by the Applicant at Deadline 11. Please find a summary of Natural England's position regarding these documents in Table 1 below. Natural England is also submitting further detailed responses, including comments to the Updated Report on the Implication for European Sites (RIES) issued on 16th June 2021 and a response to the Rule 17 letter issued on the 18th June 2021, within the following thematic appendices:

- EN010077 357078 EA1N Appendix A15d - NE Comments on Derogation Case [REP11-069] and Without Prejudice Compensation Measures [REP11-070] Deadline 12
- EN010077 357078 EA1N Appendix A16c – NE Comments on Cumulative and In-Combination Collision Risk and Displacement Update [REP11-027] Deadline 12
- EN010077 357078 EA1N Appendix C11 – Natural England's Comments to the Hundred River Ecology Survey Report [REP11-063] Deadline 12

- EN010077 357078 EA1N Appendix I1i – NE Risk and Issues Log Deadline 12
- EN010077 357078 EA1N Appendix K8b - NE Comments on the Updated Report on the Implication for European Sites (RIES) [PID-051] Deadline 12
- EN010077 357078 EA1N Appendix K11 - NE Response to Rule 17 Letter Deadline 12

2. Natural England's Comments on Updated Displacement of Red-Throated Diver in the Outer Thames Estuary SPA [REP11-025,026]

Natural England would like to re-iterate that our comments to previous versions of the Displacement of Red-Throated Diver in the Outer Thames Estuary (OTE) Special Protection Area (SPA) still stand [REP4-087, REP6-113, REP7-070, REP9-067]. We note that the only changes in version 5 [REP11-025,026] relate to the inclusion of EA2 project in the in-combination assessment, so comments are restricted to these updates.

Natural England notes the inclusion of East Anglia TWO in the in-combination assessment. If the effect displacement is up to 11.5km as reported from London Array, then there will be some displacement, therefore we welcome the amendment to include East Anglia TWO as part of the in-combination assessment.

Natural England's position is that there is already an AEoI from red-throated diver in-combination [REP4-087] from existing windfarms within the OTE SPA. It is clear that a significant percentage of the SPA by area is already subjected to displacement, either using the Applicant's or Natural England's methodology. We therefore reiterate that we disagree with the Applicant's conclusions set out in Table 11. Natural England's conclusions are set out in Table 1 of REP9-067.

3. Letters of No Impediment

Natural England understands from the Applicant's response [REP11-049] that the draft Letter of No Impediment (LONI) application for Greater-Crested Newt will be submitted post application. Natural England will continue to engage with the Applicant outside of examination.

Natural England also understands from the Applicant's response [REP11-049] that the draft LONI application for Badger will be submitted into examination. Please note, if this is the case, there will insufficient time to progress this application before Examination ends on July 6th.

4. NE Comments on Cumulative and In-Combination Collision Risk and Displacement Update [REP11-027]

The Applicant submitted a Cumulative and In-Combination Collision Risk and Displacement Update at Deadline 11 [REP11-027]. Since submission Natural England has engaged with the Applicant, through our Discretionary Advice Service (DAS) in relation to this matter and have agreed to provide comprehensive advice to inform the decision making process.

We have reviewed the evidence presented in the updated assessments in REP11-027. And with Appendix A16c we have amended the totals to the abundance figures for Hornsea Project 3 in the displacement assessments to those we consider appropriate for use and the collision predictions included for East Anglia 3 to the consented values. We have used these updated cumulative and in-combination figures to update our advice on these matters for considering all projects up to and including Hornsea 3, Norfolk Vanguard, Norfolk Boreas, EA1N and EA2, for both excluding and including the Hornsea Project 4, Dudgeon Extension (DEP) and Sheringham Extension (SEP) projects where the figures are from the Preliminary Environmental Impact Reports (PEIR) and hence subject to change. Please see Appendix A16c at Deadline 12.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

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Table 1 Natural England's Response/Summary Position to the Applicant's Documents Submitted at Deadline 11.

PINS Document Reference	Applicant's Document Name	Natural England's Response/Position Summary
REP11-015 REP11-016	Outline Code of Construction Practice (tracked & clean)	Natural England has no further comments to this document.
REP11-025 REP11-026	Displacement of red-throated divers in the Outer Thames Estuary (tracked & clean)	Please see NE's final position statement in Point 2 of this cover letter.
REP11-027	Offshore Ornithology Cumulative and In Combination Collision Risk and Displacement Update – Version 01	Please see NE Deadline 12 Appendix A16c
REP11-045	Underwater Noise Modelling Update – Version 02	The new results show a slight increase in permanent threshold shift (PTS) zone, but only a small one, and therefore we do not consider this requires any changes to mitigation etc.
REP11-063	Hundred River Ecology Survey Report – Version 01	Please see Natural England's response in Appendix C11.
REP11-069	HRA Derogation Case	Please Natural England's response in Appendix A15d.
REP11-070 REP11-071	Offshore Ornithology Without Prejudice Compensation Measures (clean & tracked)	Please see Natural England's response in Appendix A15d.
REP11-073 REP11-074	Outline Watercourse Crossing Method Statement (clean & tracked)	Natural England has no further comment.
AS-127 AS-128	Outline Landscape and Ecological Management Strategy (tracked & clean)	Natural England has no specific comment on the OLEMS document submitted at Deadline 11. However, given that we have been unable to provide a LONI for this project it should be recognised that the OLEMS may not be fit for purpose. And we would require commitment/guarantee from the Applicant that any requirements of any wildlife licence process post consent can and will be incorporated into the OLEMS and associated plans.