



Written Submission

for the

Royal Society for the Protection of Birds

Submitted for Deadline 18
12th October 2020

Planning Act 2008 (as amended)

In the matter of:

Application by Norfolk Boreas Limited for an
Order Granting Development Consent for the
Norfolk Boreas Offshore Wind Farm

Planning Inspectorate Ref: EN010087
Registration Identification Ref: 20022916

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1. Summary of the RSPB's submission at Deadline 18

- 1.1 At Deadline 17, the Applicant submitted a response to the RSPB's Deadline 16 submission. The following comments are in response to the Applicant's comments to provide clarity on the RSPB's position and address an identified misrepresentation by the Applicant.
- 1.2 The RSPB notes that the Applicant has referenced two specific documents (Deadline 12 submission REP12-001 and additional information AS-081) where they consider additional information has been provided that could resolve some of the RSPB's outstanding concerns. In Section 2 below, the RSPB has reviewed the Applicant's comments and we provide our response. Due to the nature of the comments made regarding the management of RSPB Havergate Island we have provided more detail on this issue in Section 3 below.
- 1.3 The RSPB considers that many of the points raised by the Applicant in REP12-001 and AS-081 have been covered through the detailed comments we set out in our recent submissions at Deadline 16 (REP16-029) and Deadline 17 (REP17-012).
- 1.4 Our position remains unchanged from our detailed submissions at Deadline 16 and Deadline 17.

2. The RSPB's comments on Deadline 17 submissions

2.1 The RSPB has reviewed the Applicant's Deadline 17 submission (REP17-003). Our responses on the comments made on our Deadline 16 submission are set out in Table 1 below.

Table 1: The RSPB's response to the Applicant's comments submitted at Deadline 17 (REP17-003)

Summary of Submission	Applicant's comments	RSPB response
1. Introduction	This section relates to the R17 questions and therefore the Applicant has addressed this in a separate response (ExA.PDR.D17.V1).	The RSPB has read REP17-004. We welcome the statement that the Applicant will "...seek...to... work collaboratively and strategically..." with other parties. The RSPB considers this essential to ensure that any proposed compensation measures will meet the EC guidance and specifically demonstrate additionality. Whilst this statement is welcome, the Applicant has not elaborated on points we have made on the EC guidance, and our comments at Deadline 16 (REP16-029) and Deadline 17 (REP17-012) still stand.
2. Summary of the RSPB's Deadline 15 response regarding conclusions of Adverse Effects on Integrity	The Applicant provided a response to the RSPB's Deadline 15 submission in AS-081. Since this section of REP16-029 is a summary of the points made by the RSPB in REP15-013, the Applicant's response [AS-081] and references to other submissions therein remain valid. The Applicant does not consider it necessary or appropriate to repeat the content of those submissions here.	<p>The RSPB has reviewed the additional submission (AS-081) provided by the Applicant and has the following comments to make:</p> <p>Comment on updates to the kittiwake flight speed: The RSPB acknowledges the information provided by the Applicant at Deadline 5 (REP5-060). We reviewed the updated note on kittiwake flight speed and did not consider that the presented evidence altered our position. Our position is therefore that set out at Deadline 15 (REP15-013).</p> <p>Comment on accumulation of small impacts: The RSPB has reviewed the Applicant's position with respect to additional impacts arising from individual projects that may be considered '<i>small</i>' or '<i>de minimis</i>'. In particular, we note the</p>

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		<p>statement in response to Natural England's comments to Q5.8.4.1 of the Regulation 17 request for further information in REP15-003:</p> <p><i>"Importantly, it is not agreed that it has been established that impacts have already reached a level resulting in a negative assessment on site integrity. Neither is it agreed that the in-combination total has reached or exceeded the level at which the conservation objectives for the relevant European sites cannot be achieved. Therefore, in respect of the Norfolk Boreas application, it is not correct to say that any further addition to effects will exacerbate an existing effect on site integrity."</i></p> <p>The RSPB has provided our detailed comments on this issue in our Deadline 15 (REP15-013) and Deadline 16 (REP16-029) submissions. Both Natural England and the RSPB have concluded that the evidence demonstrates that an adverse effect on integrity on the Flamborough and Filey Coast SPA and Alde-Ore Estuary SPA cannot be ruled out. The site conservation objectives, site supplementary advice and site improvement plans make the restoration objectives for the sites clear and any activity that increases mortality to the species of concern (kittiwake, gannet, guillemot, razorbill and lesser black-backed gull) risks making recovery (where appropriate) impossible as we have previously highlighted.</p> <p>Submission of comments on Norfolk Vanguard: The RSPB notes that the Applicant is "...unclear why the RSPB has presented its position on the Norfolk Vanguard project as at the end of the Norfolk Vanguard extended consultation." The</p>

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		<p>RSPB recognises that, whilst further information has been provided during the extended Norfolk Boreas examination, the issues of concern remain the same. The RSPB maintains that our comments on the Norfolk Vanguard project are directly relevant to the Norfolk Boreas project, as well as providing context on how much progress has (or has not) been made at developing e.g. the compensation packages since the issue was raised and discussed during the Norfolk Vanguard (and Hornsea Three) request for additional information.</p> <p>We also note that the Examining Authority directly requested views on the Norfolk Vanguard and Hornsea Three decisions, so the submission of our comments on the decisions for Norfolk Vanguard and Hornsea Three are entirely appropriate for context.</p> <p>The RSPB's support to renewable energy developments: The RSPB notes the comments made by the Applicant on the RSPB's position on renewable energy projects. Our position is indeed that we are supportive where projects are appropriately located and have committed to undertake measures that will minimise their impacts on the environment. Unfortunately for projects in the Southern North Sea the data now demonstrate that the in-combination impacts arising from projects that are constructed, consented or within planning will increase mortality for a number of species, notably kittiwake and lesser black-backed gulls. The RSPB covered the evidence surrounding the bar-plots for kittiwake (and lesser black-backed gull) in our submission at Deadline 15 (REP15-013). We disagree with the Applicant's implication that the data demonstrate such small</p>

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		<p>contributions that impacts are not significant. Any consideration of significance must be set against the ecological requirements and current condition of the kittiwake feature of the Flamborough and Filey Coast SPA (and lesser black-backed gull from the Alde-Ore Estuary SPA). For a species that is identified as in unfavourable condition and in need of recovery, any additional mortality risks countering any positive measures taken to restore the population and risk restoration becoming impossible; we set out our position on this in detail at Deadline 15 (REP15-013) and Deadline 16 (REP16-029). Only if an appropriate compensation package can be developed that will demonstrate that it will be possible to truly address any in-combination impacts and still allow for the kittiwake population to be restored would the RSPB consider that the “...requirements for responsible development” will be met.</p>
<p>3. Summary of the RSPB's approach to identifying compensation measures and developing appropriate compensation packages</p>	<p>This section of the RSPB's submission is a summary and reiteration of their Deadline 10 submission [REP10-067], to which the Applicant responded in REP12- 001. The Applicant does not consider it necessary or appropriate to repeat the content of these submissions here. However, it should be noted that the RSPB also states that:</p> <p><i>'3.2 To date no new information has been provided by the Applicant to demonstrate that the compensation measures that they have identified meet the standards set out in Defra and European Commission guidance. Our comments on the compensation packages therefore remain as set out in our Deadline 10 submission (REP10-067).'</i></p> <p>As noted above, this is not accurate as the Applicant provided detailed responses to REP10-067 at Deadline 12 [REP12-001]. The Applicant's</p>	<p>Responding to reference of the Applicant's Deadline 12 submission (REP12-001):</p> <p>The RSPB notes reference to the Applicant's Deadline 12 submission (REP12-001). The RSPB was previously unaware of this amended document, which we understand was submitted, counter to the Examination timetable, following the Applicant's omission of a response to the RSPB's Deadline 10 submission (REP10-067) in their original Deadline 11 submission. It is unfortunate that this re-submission was not brought to the RSPB's attention previously.</p> <p>The RSPB's position on the compensation packages:</p> <p>Having reviewed the comments made by the Applicant in their Deadline 12 submission (REP12-001), the RSPB does not</p>

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	<p>previous response to these points notwithstanding, the Applicant, in consultation with Natural England, has further developed the compensation proposals and these are secured in the final dDCO (Schedule 19) to be submitted at Deadline 18. This is summarised in the Applicant's responses at Deadline 16 [REP16-003 and REP16-004]. The RSPB has also suggested that derogation should be provided for gannet, guillemot and razorbill from the Flamborough and Filey Coast SPA. This question was raised previously by the ExA (WQ3.8.7.2) and answered by the Applicant in REP7-017.</p> <p>The Applicant also considers that the Norfolk Vanguard Habitats Regulations Assessment is relevant in response to the RSPB's suggestion. With respect to in-combination impacts on gannet, razorbill and guillemot from the Flamborough and Filey Coast SPA, the Secretary of State (SoS) concluded that Adverse Effects on Integrity (AEoI) could be ruled out for all three species, both with and without the inclusion of Hornsea Project Three. Importantly, the in-combination assessment for Norfolk Vanguard on which the SoS's decisions were based included the predicted impacts for Norfolk Boreas. Therefore the magnitude of in-combination impacts assessed for Norfolk Boreas are aligned with those assessed for Norfolk Vanguard. Consequently the Applicant expects the SoS will reach the same conclusions of no AEoI for these species, and consequently there will be no requirement for compensation for these species.</p> <p>The RSPB concludes this section with the following statement:</p> <p><i>3.18 The RSPB's detailed comments on the proposed compensatory measures against the criteria set out in EC guidance can be found at Table 8 (kittiwake, artificial nesting structures) and Table 10 (lesser black-</i></p>	<p>consider it contained any information that would resolve any of our outstanding concerns. That said, we do have a few comments on REP12-001 and specifically note that some misinformation has been provided regarding the RSPB's management of lesser black-backed gulls on Havergate Island. A detailed response on REP12-001 is provided in Section 3 below.</p> <p>The RSPB has provided our detailed position on the proposed compensation packages at Deadline 15 (REP15-013), Deadline 16 (REP16-029) and Deadline 17 (REP17-012). We continue to have concerns about the significant amount of detail that would need to be resolved post-consent and the ability to demonstrate additionality. Therefore, our conclusions remain as outlined at the end of our Deadline 17 response.</p> <p>Comments on the Norfolk Vanguard HRA and consideration of gannet, guillemot and razorbill:</p> <p>The RSPB notes the Applicant has highlighted that the Norfolk Vanguard HRA considered adverse effects on integrity for gannet, guillemot and razorbill could be ruled out. The RSPB has reviewed the Secretary of State's decision, including the HRA, and notes that the conclusion did not elaborate on the evidence presented and as such fails to reveal the Secretary of State's full consideration of the matter.</p> <p>However, as we have previously highlighted (REP16-029), in the case that the Secretary of State agrees with Natural England and the RSPB on these matters in his consideration of the Norfolk Boreas project, he has made it clear (in paragraphs 5.2 and 5.3 of his decision letter on the Norfolk Vanguard (and Hornsea</p>

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	<p><i>backed gull, predator-proof fencing) in REP10-067. They are relevant to our comments on the Deadline 15 submissions (see below) and bear close examination, as they demonstrate the dynamic interrelationship between the criteria. They highlight the issues which need to be addressed by decision-makers to assess properly the level of confidence that can be safely placed in any proposed compensation measures. It is unfortunate there has, to date, been no response by the Applicant to these legitimate and substantive concerns.</i></p> <p>This statement is incorrect. The Applicant provided a thorough response to these points in REP12-001.</p>	<p>three) project) that he will have no option but to refuse consent as he will not have the information to enable him to secure the necessary compensatory measures to protect the overall coherence of the Natura 2000 network.</p>
<p>4. The RSPB's comments on the Applicant's and Natural England's Deadline 15 comments a) Introduction</p>	<p>This section of the RSPB's submission includes a summary and reiteration of their Deadline 10 submission [REP10-067]. As noted in the previous row of this table, the Applicant provided responses to these points at Deadline 12 [REP12-001] and does not consider it necessary or appropriate to repeat the content of these submissions here.</p> <p>However, the above notwithstanding, the Applicant wishes to draw attention to the following statement from the RSPB:</p> <p>'4.2 We remain concerned that far too many details (scheme design, location, management requirements, tenure, consents etc) are proposed to be left to the post DCO consent period and create considerable risk that the appropriate measures will not ultimately be secured'.</p> <p>The Applicant has addressed this point through revisions to the DCO which now make it a condition that the compensation (if required by the SoS) must be agreed and provided prior to wind farm operation. The revised condition wording for both the Flamborough and Filey Coast SPA</p>	<p>Responding to reference of the Applicant's Deadline 12 submission (REP12-001):</p> <p>The RSPB acknowledges reference to the Applicant's Deadline 12 submission. Having reviewed the comments made by the Applicant in their Deadline 12 submission, the RSPB does not consider it contained any information that would resolve any of our outstanding concerns. Our detailed response to a matter raised in REP12-001 concerning the RSPB's management of lesser black-backed gulls on Havergate Island is provided in Section 3 below.</p> <p>Revised DCO condition wording:</p> <p>The RSPB is grateful to the Applicant for providing its updates on the draft DCO condition wording. Whilst we welcome the efforts to improve the wording, we do not consider the proposed amendments resolve our concerns for the reasons set out in our Deadline 17 submission (REP17-012). We consider our recommended changes are necessary to increase confidence</p>

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	<p>(as included in REP16-003) and the Alde-Ore Estuary SPA has been agreed with Natural England. The latter has been provided to the RSPB for comment following the Deadline 16 submission and prior to submission at Deadline 18. The Applicant believes that the revised condition wording for both SPAs will address some of the RSPB concerns.</p>	<p><i>'that the overall coherence of the Natura 2000 Network will be protected'</i> should consent be given (see Section 3, REP17-012).</p>
<p>b) Proposed compensation measures: lesser black-backed gull from the Alde-Ore Estuary SPA. The RSPB understands that the current compensation measures are to include:</p> <ul style="list-style-type: none"> • predator-proof fencing; and • a delivery co-ordinator to oversee delivery of the compensation and coordinate with landowners and other stakeholders. 	<p>In consultation with Natural England the condition securing the compensation for the Alde-Ores [<i>sic</i>] Estuary SPA in the dDCO has been widened to allow for 'predator management measures' and this is not restricted to locations within the SPA but can also include measures undertaken in nearby, linked habitats (Natural England has advised the Applicant about several locations outside the SPA where the proposed compensation measures could be delivered), such that the options referred to by the RSPB (and possibly others) can be explored post consent. The Applicant has agreed to amend the dDCO condition (Schedule 19) accordingly in the next version of the dDCO to be submitted at Deadline 18. Since the previous proposal to install a fence within the SPA has now been replaced with a more general proposal to manage predation levels, the Applicant considers this addresses (at least in part) the RSPB's comments in paragraphs 4.12 and 4.17 to 4.23.</p> <p>The Applicant would like to clarify that due to the extremely limited time available the Applicant's efforts have been concentrated in addressing the draft advice received from Natural England on the proposed compensation at the Alde-Ore Estuary SPA for Deadline 16. Following on from that the revised condition wording has been provided to the RSPB for comment, prior to submission at Deadline 18, and a meeting has been offered to the RSPB to discuss any comments that they might have on the revised wording or the Addendum submitted at D16 [REP16- 003].</p>	<p>Revised DCO condition wording:</p> <p>The RSPB is grateful to the Applicant for providing us with their update on the draft DCO condition wording for the Alde-Ore Estuary SPA. Whilst we welcome the move away from the specific mention of a 'predator-proof fence' alone, we do not consider the proposed amendments resolve our concerns for the reasons set out in our Deadline 17 submission. Any compensation measure must consider the full ecological requirements for lesser blacked-backed gulls and the full range of factors that may limit their breeding success. We consider our recommended changes are necessary to increase confidence <i>'that the overall coherence of the Natura 2000 Network will be protected'</i> should consent be given (see Section 3, REP17-012).</p>

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<p>c) Proposed compensation measures for kittiwake from the Flamborough and Filey Coast SPA</p>	<p>The Applicant has undertaken additional work in relation to compensation for kittiwake from the Flamborough and Filey Coast SPA [REP16-003]. This additional information, which has been consulted on with Natural England, has provided further evidence that artificial nesting structures are not 'unproven' as stated by the RSPB. This has been demonstrated through a review of existing onshore kittiwake colonies on artificial structures and consideration for how these could be extended. To this end, a 'letter of comfort' has been received from the Port of Lowestoft stating their willingness to support the Applicant in the provision of kittiwake compensation through these means, should it be required [REP16-003].</p> <p>Paragraph 4.39 of REP16-029 states:</p> <p><i>We note the Applicant accepts at Deadline 15 (REP15-003 – response to comments on Q5.8.6.2) that its scheme will act to reduce the SPA population from its current level.</i></p> <p>The Applicant has reviewed its response to this question (reproduced below) and can find no indication that this implies the acceptance of this effect as stated by the RSPB. In summary, the Applicant stated in REP15-003 that, if Natural England's methods (which the Applicant has repeatedly stated throughout the examination it considers to be highly precautionary) are applied to realistic estimates of the Flamborough and Filey Coast SPA population (i.e. treating the 1979 count of 83,700 as almost certainly a count of individuals, rather than pairs as is the normal unit of census) then the predicted impact level would not result in an adverse effect on integrity (AEoI). This in no way equates to the Applicant accepting Natural England's methods, but rather highlights that if the highly questionable 1979 count is replaced with a more realistic estimate</p>	<p>Comment regarding the Applicant's acceptance that the SPA will reduce from its current level:</p> <p>The RSPB highlighted the relevant text from the Applicant's Deadline 15 submission (REP15-003), as we consider it speaks directly to the discussion about the ability for the Flamborough to Filey Coast SPA to be restored in the presence of the project (in-combination with other offshore windfarm projects in the region). The impacts, as the Applicant acknowledges, will depress the population below its target population, reducing it substantially from the predicted level in the absence of in-combination development. This conclusion is made despite the uncertainties around demographics such as future productivity, which we have covered in detail in our Deadline 17 submission (REP17-012).</p>

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	<p>of pairs (i.e. 41,850) then even when assessed using Natural England's highly precautionary methods the conclusion would be of no AEol. For the avoidance of doubt, the Applicant does not consider that this project will result in a reduction in the kittiwake population at the Flamborough and Filey Coast SPA either alone or in-combination (REP2-035).</p> <p>The following text is copied from REP15-003 (emphasis added):</p> <p><i>Kittiwake in-combination assessment. As set out in REP2-035 and REP5-051, the Applicant considers that Natural England has failed to fully take account for over precaution in the assessment (for example due to headroom, REP6-021). The Applicant is also aware of very compelling evidence, presented in Coulson (2011) that the conservation objective for this population (Restore the size of the breeding population at a level which is above 83,700 breeding pairs, whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent) is based on an erroneous count, conducted in 1979, which was almost certainly a count of individuals, not pairs (see Coulson 2011 pages 238-240 for a detailed consideration). Since the most recent population estimate is over 51,000 pairs, against a designated size of 44,520, this population context is highly relevant to the determination of AEol.</i></p> <p>Natural England's precautionary interpretation of the PVA outputs, which suggests a reduction of 13.7% in the population size, would reduce the current population of 51,000 to 44,000 over the 30 year lifetime of the wind farm. This would clearly mean that, even when applying Natural England's precautionary approaches, the population would still be very close to its designated size at the end of the wind farm's projected lifespan, and on this basis an AEol could be ruled out.</p>	

3. The RSPB's further comments on REP12-001: Norfolk Boreas Limited.

3.1 The RSPB has reviewed the comments by the Applicant submitted at Deadline 12 (REP12-001). We note that the following topics raised by the Applicant have been covered in detail in our Deadline 15 (REP15-013), Deadline 16 (REP16-029) and Deadline 17 (REP17-012) submissions:

- reference to the RSPB's submissions on the Norfolk Vanguard and Hornsea Three derogation cases (see also our comments in Table 1 above),
- the derogation case for Norfolk Boreas,
- whether sufficient information is available for the Secretary of State to determine the Norfolk Boreas DCO application,
- the appropriateness of the proposed compensation measures,
- the degree of uncertainty and precaution within the assessment process.

3.2 The RSPB's latest submissions therefore continue to reflect the RSPB's current position on the above topics. We have no further comments to make on those points raised in REP12-001.

3.3 We have, however, identified that providing additional comments on the RSPB's management of Havergate Island would be helpful for the Examining Authority to address some misrepresentations by the Applicant in their REP12-001 submission.

a) Response regarding the RSPB's management of lesser black-backed gulls on Havergate Island

3.4 The RSPB notes the Applicant's REP12-001 comment at page 49 on the RSPB's REP10-067 submission, specifically where they criticise the RSPB for making "*contradictory statements*" in respect of the management for breeding lesser black-backed gulls at RSPB Havergate Island versus those required elsewhere in the SPA to restore breeding lesser black-backed gulls to favourable condition. A more careful reading and description of our full submissions would have understood there is no contradiction. It is important to set out some brief context (contained in REP10-067 and other RSPB submissions) before we respond to the Applicant's REP12-001 comment.

Context

3.5 At paragraphs 20-21 of Annex 1 of REP10-067, the RSPB outlines the historic and current situation of the SPA's lesser black-backed gull population, which has a restore target of 14,070 pairs:

- Historically, the main colony was located at the National Trust's Lantern Marshes, Orfordness. The colony peaked at c.20,000 pairs in 2000 before undergoing a rapid and severe decline (see Annex II in RSPB REP2-096). The Orfordness colony was essentially abandoned by 2013;
- The reasons for the rapid decline at Orfordness are uncertain. Research by the RSPB in 2010/2011 (summarised at paragraph 26 in Annex 1 of REP10-067) highlighted potential causal factors, having compared Orfordness with RSPB Havergate Island. It identified three main factors that are likely to have contributed to the decline at Orfordness:
 - Fox predation
 - Flooding; and
 - Habitat quality – dense vegetation.
- This summary immediately precedes paragraph 27 in Annex 1 (REP10-067) from which the Applicant selectively quotes in REP12-001 (see Table 2 below). Paragraph 27 also states that the RSPB's 2010/11 work recommended that "*further experimental research was essential to assess which management measure(s) would be most effective in increasing breeding productivity of breeding LBBGs at the Alde-Ore Estuary SPA to restore the colony to favourable status.*"
- The Orfordness colony was eventually abandoned and RSPB Havergate Island colonised. RSPB Havergate Island now supports the vast majority of the population currently breeding within the SPA.
- As stated by the RSPB in REP10-067 and other submissions, the RSPB's management priority at Havergate Island is now to provide positive management for breeding lesser black-backed gulls. This will inevitably respond to the specific management needs at Havergate Island, distinct from the management challenges faced at Orfordness.
- Relying on Havergate Island alone will not enable the SPA population of lesser black-backed gulls to be restored, as the carrying capacity of Havergate Island has largely been reached and cannot accommodate the additional pairs necessary to achieve the target population. To restore the SPA population to favourable condition requires site management measures to be carried out at Orfordness. This requires the experimental research to be carried out; to date, this has not taken place. Given that lesser black-backed gulls typically breed in their fourth year, should the research be commissioned it will take several years before results would be available to identify the most appropriate SPA site management measures to restore the colony at Orfordness.

Detailed response to the Applicant's comments on Havergate Island management for lesser black-backed gulls

Table 2: Response to Applicant's REP12-001 comments on paragraph 19 of RSPB's REP10-067

RSPB submission (REP10-067)	Applicant's comment (REP12-001)	RSPB's comments
<p>It should, however, be further noted that the RSPB is actively undertaking management measures to encourage lesser black-backed gulls to breed at Havergate Island. Whilst the RSPB's work seeks to make its contribution to meeting the SPA conservation objectives for this species, considerably more site management work is required for this species elsewhere in the SPA if the restore objective is to be achieved (see Annex 1, paras 20-29). In this context, any impacts that could limit the ability of the colony to be restored can only be deemed as having an adverse effect on the integrity of the Alde-Ore Estuary SPA.</p>	<p>The Applicant acknowledges the RSPB's comments on this matter. However, the Applicant considers that the RSPB appears to have made contradictory statements. In this comment, the RSPB states it is seeking to undertake management to contribute to restoring the population. However, the RSPB also states that there is uncertainty about why the population declined: <i>"it is not clear what actually caused the LBBG breeding population to collapse in the first place, and there is a lack of hard data on the effectiveness of site management measures"</i>. It therefore appears that while the RSPB has confidence that the (unspecified) measures it is taking are benefiting the population, at the same time the RSPB is also able to dismiss the Applicant's proposals, even though the initial step is to undertake a review to identify the most appropriate options.</p>	<p>There is no contradiction.</p> <p>The RSPB's management at Havergate Island will be based on meeting the breeding ecology requirements of the species (summarised at Annex B in Annex 1 of REP10-067) and responding to the circumstances found at Havergate Island. These circumstances will inevitably have differences to those found at Orfordness and any management measures will be based on assessing relevant evidence. Any changes to site management will also need to be signed off through Natural England in accordance with our site management plan process.</p> <p>As set out above, Orfordness remains the key location for site management measures to restore the SPA colony to favourable condition. This requires research to be carried out to determine the most appropriate combination of measures to secure success.</p> <p>The RSPB has made clear in all its submissions that it considers site management is the priority for conservation measures <u>within</u> the SPA in order to restore the colony i.e. targeted at Orfordness.</p>

RSPB submission (REP10-067)	Applicant's comment (REP12-001)	RSPB's comments
		<p>The RSPB has supported, not dismissed, the Applicant's step of undertaking a review of the most appropriate options based on the full breeding ecology requirements of the species, not focused on a single measure (predator management), whilst noting that this is not a compensation measure in its own right. However, the RSPB's consistent view is that:</p> <ul style="list-style-type: none"> (i) any such optioneering work should be carried out before DCO consent is granted, and (ii) any compensation measures identified by such work should be located <u>outside</u> the SPA in order to be <u>additional</u> to those site management measures required to restore the SPA to favourable condition.