

Hornsea Project Four: Consultation Report

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Volume B1, Annex 1.37 – Non Statutory Targeted Compensation Measures Consultation Responses

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Acronyms

Acronym	Definition
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
ERYC	East Riding of Yorkshire Council
EIA	Environmental Impact Assessment
ES	Environmental Statement
FAQs	Frequently Asked Questions
JNCC	Joint Nature Conservation Committee
LIEs	Local Information Events
MMO	MMO
NE	Natural England
NSIP	Nationally Significant Infrastructure Project
OnSS	Onshore Substation
PEIR	Preliminary Environmental Information Report
PEIR NTS	Preliminary Environmental Information Report Non-Technical Summary
PINS	Planning Inspectorate
SoCC	Statement of Community Consultation
SoS	Secretary of State
TCE	The Crown Estate

Table 1: Applicant regard to Non-Statutory Targeted Compensation Measures Consultation Responses

Comment ID (consultation_response ID_subsection number)	Respondent	Comment	Project change (Y/N/I or N/A) ¹	Project commitment (1o/Change/New or N/A) ²	Applicant Response
CompMeas Con_Email_001	La Societe Guernesiaise	<p>Thank you for contacting La Societe Guernesiaise on this subject.</p> <p>At this early stage, we would like to confirm our support for the concept of targeted predator eradication, particularly as we have seen the enormous success of similar projects on Lundy and The Scillies. As a non-native predator, the brown rat is known to inhibit the breeding success of many breeding species locally (eg auks) and prevents breeding entirely of some key species such as Storm Petrel and Manx Shearwater. We would therefore be pleased to be involved in this project and to help develop a programme of rat eradication at suitable seabird breeding sites across Guernsey and Alderney.</p> <p>We are aware that the States of Guernsey are a key stakeholder in the project and ultimately it is likely that nothing can be achieved without their close involvement and support. However we, as the local Wildlife Trust-equivalent, have close ties with the States and would be pleased to assist as much as we can.</p>	N/A	N/A	<p>The Applicant notes this comment and confirms that they will continue to engage with the stakeholder on proposals for compensation measures.</p> <p>The Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Razorbill Guillemot and Gannet Compensation Plan states that adaptive monitoring would also contextualise the colony population responses of other seabird species (such as Manx shearwater, European storm petrel and puffin) to the eradication project. This would be accomplished by the multi-species population monitoring.</p>

¹ N/A = Comment is not requesting a project change to be made; Y = Amendments made to the project design as a result of feedback from consultation; N = The applicant has had regard to the comment but determined that a change is not appropriate / justified in the circumstances; I = The applicant has had regard to the comment and incorporated into or considered when producing the assessment

² 1o = primary Commitment relevant to this response; Change = any change to the existing Commitment as a consequence of the feedback; New = any new commitment resulting from the comment

		We look forward to hearing from you in due course.			
CompMeas Con_Email_ 002	Billingham Town Council	Thank you for your recent communication which has been circulated to Members for comment. On behalf of Billingham Town Council I should like to confirm that at this stage members have no comment to make.	N/A	N/A	The Applicant notes this comment.
CompMeas Con_Email_ 003	Marine Management Organisation	The MMO confirm we have no comments to make on this non-statutory consultation. The MMO defers to SNCBs (Natural England) as specialists on compensation measures for seabirds.	N/A	N/A	The Applicant notes this comment.
CompMeas Con_Email_ 004	Associated British Ports	I am contacting you as a representative of Associated British Ports on behalf of the Harbour Master, Humber. We are the Statutory Harbour Authority and long term leaseholders of the river bed and foreshore of the Humber Estuary. I would like to register our interest as a consultee so that we can be advised explicitly what you wish to complete with regards to any seagrass meadows or any potential further compensation measures within the Humber.	N/A	N/A	The Applicant notes this comment and confirms that they will continue to engage with the stakeholder on proposals for compensation measures.
CompMeas Con_Email_ 005	DFDS	DFDS understands that the Compensation Measures proposed by Hornsea Four are designed to offset potential impacts upon the kittiwake, guillemot, razorbill and gannet seabird species, which are features of the Flamborough and Filey Coast SPA. The Compensation Measures are intended to provide connectivity between the compensation measures identified, the habitats and species within the proposed consultation area and the national site network, and that Offshore nesting is seen as a possibility.	N	N/A	The Applicant notes this comment and confirms that they will continue to engage with the stakeholder on proposals for compensation measures. As part of the Site Selection process for new offshore nesting structures, shipping density data will be reviewed to ensure the avoidance of key shipping

		<p>In respect of the Compensation Measure of installing platforms for offshore nesting, we as a shipping operator urge that shipping lanes are taken into account when deciding on the final position so that these do not obstruct safe passage for vessels trading in the area.</p> <p>We are open to continue the dialogue and would appreciate to be inquired before any decision is taken on the position of such offshore nesting platforms.</p>			<p>routes within the preferred search area.</p>
<p>CompMeas Con_Email_ 006</p>	<p>UK Chamber of Shipping</p>	<p>The UK Chamber of Shipping welcomes the opportunity to respond to the targeted consultation. The Chamber understands that the Compensation Measures proposed by Hornsea Four are designed to offset potential impacts upon the kittiwake, guillemot, razorbill and gannet seabird species, which are features of the Flamborough and Filey Coast SPA.</p> <p>The Chamber identifies one Compensation Measures of potential interest and concern for commercial shipping, which may have an impact upon the safety of navigation, that being the possibility of Offshore Nesting.</p> <p>The Chamber notes that two means of offshore nesting are considered, repurposing of existing offshore platform and installation of a new purpose-built platform. With respect to installation of a platform for offshore nesting, the Chamber asserts that any platform must be within the Red Line Boundary of the proposed development, in consistent lines of orientation with the turbines, and in conformity with MGN 654 for lighting, marking, and search and rescue purposes. The Chamber does not condone the obstruction of safe passage for commercial vessels in the area.</p> <p>The Chamber is happy to provide further comment if wished.</p>			<p>As part of the Site Selection process detailed at B2.7.5 the Applicant has confirmed that to minimise collision risk with turbines, any new offshore nesting structure will not be located within offshore wind farms (in planning, consented or built) and a 5km buffer should be applied to wind farms. This does not preclude the siting of the structure within the red line boundary for the export cable corridor or another area of sea.</p> <p>In addition, the Site Selection process includes the collection of shipping density data that will be reviewed to ensure the avoidance of key shipping routes within the preferred search area.</p>

Hornsea 4



CompMeas Con_Email_ 007	WDC, Whale and Dolphin Conservation	Many thanks for your email below regarding Hornsea Four consultation. WDC has changed how it works on marine renewables, and we no longer respond to individual developments, but focus on strategic level instead. So we won't be responding to this consultation.	N/A	N/A	The Applicant notes this comment.
CompMeas Con_Email_ 008	Yorkshire Marine Nature Partnership	The Yorkshire Marine Nature Partnership (YMNP) has been established to lead and facilitate improved collaboration across the region, for the benefit of Yorkshire's internationally-important marine ecosystems. The YMNP actively works with a wide range of organisations to support and inform the management of our marine protected areas, including the Flamborough and Filey Coast Special Protection Area (SPA). The comments below are offered as an officer response to the non-statutory consultation on potential compensation measures for seabirds, and may not reflect the opinions of all organisations engaged in the YMNP and/or management of the SPA.	N/A	N/A	The Applicant notes this comment.
CompMeas Con_Email_ 008	Yorkshire Marine Nature Partnership	Firstly, it should be noted that the pressing need for renewable energy production is recognised, along with the potential socio-economic benefits to the Yorkshire coast of such offshore developments. Nevertheless, offshore wind developments can place significant pressure on marine species which are already experiencing challenges due to the impacts of climate change. As such, infrastructure must be developed in a balanced and sustainable manner, with minimal impact on sensitive species, particularly those within marine protected areas.	N/A	N/A	The Applicant notes this comment.
CompMeas Con_Email_ 008	Yorkshire Marine Nature Partnership	The measures proposed in the consultation aim to compensate for the potential displacement and collision impacts of the Hornsea Project Four Offshore Wind Farm on the seabird species within the SPA. However, the majority of the compensatory measures proposed are un-tested and, particularly in the case of kittiwakes, are based on the			The Applicant notes this comment. The ecological evidence to support all compensation measures and demonstrate the likely success of the measures are set out in the following documents: B2.7.1, 7.3, 8.1 and Annex 8.3 . The ecological evidence to

		<p>assumption that increased habitat availability will lead to long-term population growth.</p> <p>Within the Flamborough and Filey Coast SPA, and more broadly along the north Yorkshire coastline, there is currently no shortage of suitable nesting habitats. The recent declines in kittiwake populations and associated low productivity (seen both within the SPA and at other colonies in the North Atlantic), are widely understood to be linked to the availability of preferred prey species. As such, creating artificial nesting sites, either onshore or offshore, are unlikely to create a net-gain increase in the North Sea kittiwake population, whilst issues with prey availability still persist.</p> <p>Furthermore, birds that are recruited to these sites could place additional pressure on the SPA colony, if they have a geographic advantage to key foraging areas or otherwise benefit from the structure or location of artificial nesting platforms.</p> <p>The compensation measures suggested for auks will likely benefit the birds in the vicinity of the measures, i.e. birds transiting through the English Channel or those breeding on islands targeted for predator eradication. Again, however, any population gains are likely to be small. Whilst some evidence suggests that auks from the SPA migrate through the English Channel later in the breeding season, this connection is tenuous.</p> <p>Further information should be gathered on the post-breeding movements of auks to understand whether reducing bycatch in the English Channel will offer suitable compensation for the potential impacts of Hornsea Project Four.</p>			<p>support the resilience measure of fish habitat enhancement is set out within B2.8.5.</p> <p>All compensation measures aim to contribute towards the coherence of the national site network.</p> <p>The Applicant will develop a monitoring package in consultation with the Offshore Ornithological Engagement Group that will focus on the progress and confirmation of a reduction in bycatch numbers for auks and gannet. The monitoring of results would be dependent on the implementation method. At this stage the Applicant does not propose to monitor the post breeding movements of auks in relation to the bycatch compensation measure however the Applicant will be subject to monitoring obligations to be set out in the ornithological monitoring plan associated with the operation of the windfarm.</p>
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<p>CompMeas Con_Email_008</p>	<p>Yorkshire Marine Nature Partnership</p>	<p>No information has been received about the compensation measures suggested for gannet, which are understood to reflect those of kittiwake. Without these details, it is impossible to offer a full response. However, it should be noted that artificial nesting structures for gannets are, once again, entirely untested and could produce unintended consequences for the SPA colony. The proposals for gannets should be shared with stakeholders at the earliest opportunity.</p>			<p>The compensation measures to offset the impact upon gannet comprise the provision of either an offshore or onshore artificial nesting structure with a preference for an offshore repurposed artificial nesting structure. The Applicant also proposes bycatch reduction measures to benefit gannet. The ecological evidence to support these measures are set out in: B2.7.1, 7.3, 8.1 and Annex 8.3.</p>
<p>CompMeas Con_Email_008</p>	<p>Yorkshire Marine Nature Partnership</p>	<p>Measures to restore, protect and manage seagrass in the Humber Estuary have been ongoing for some time and would benefit from support by Orsted. It is acknowledged that there is no clear connection between seagrass restoration and the habitat requirements of SPA birds, however improving seagrass habitats would benefit the ecosystem as a whole. Therefore, this workstream has merit as a biodiversity net gain measure, rather than a compensatory measure.</p>			<p>The Applicant acknowledges that the fish habitat enhancement measures is not a compensation measure. Further to engaging with key stakeholders (namely Natural England, JNCC and RSPB) on the merits of developing resilience measures linked to the enhancement of seabird populations, the Applicant has embarked upon supporting the delivery of seagrass bed restoration projects in two strategic areas (the North East and the South West). This measure is not put forward as a compensation measure, but rather is proposed as a resilience measure to supplement the compensation measure. The ecological evidence to support the resilience measure of fish habitat enhancement is set out within B2.8.5.</p>

CompMeas Con_Email_ 008	Yorkshire Marine Nature Partnership	Similarly, I would like to propose that Orsted also consider supporting the work of the YMNP; recognising the Partnership's role in collaborative and holistic management of the SPA. The YMNP works with a wide variety of partners to reduce human pressures on the seabird colony and enhance our understanding of the site. Financial support for the Partnership from Orsted would demonstrate the company's commitment to the long-term health of the SPA and would bolster the Partnership's work, which is complementary to statutory management. Having been engaged in the Hornsea developments for a number of years, the YMNP would value financial support from Orsted, both in recognition of the importance of partnership working, and the need to continue sharing advice and local knowledge in order to reach the most appropriate outcome for the site.			The Applicant notes the request to support Yorkshire Marine Nature Partnership.
CompMeas Con_Email_ 008	Yorkshire Marine Nature Partnership	I would welcome the opportunity to discuss this proposal in more detail with you, at your earliest convenience.			The Applicant notes this comment and confirms that they will continue to engage with the stakeholder on proposals for compensation measures.
CompMeas Con_Email_ 009	RSPB	<p>Scope of RSPB consultation response.</p> <p>1.1 Thank you for consulting the RSPB on Hornsea Project Four's outline proposals for compensation measures for seabirds from the Flamborough and Filey Coast Special Protection Area (FFC SPA) predicted to be affected by the proposed offshore wind farm.</p> <p>1.2 This document sets out the RSPB's response to the consultation, concentrating on the Compensation Project Description (CPD) document. The CPD document sets out high</p>			The Applicant notes this comment.

		<p>level information on a series of possible compensation measures that Hornsea Project Four proposes to bring forward as part of its application.</p> <p>1.3 Given the high-level nature of the information provided, the RSPB reserves its detailed position on the Hornsea Project Four compensation proposals pending assessment of the formal application documents and associated detailed proposals.</p> <p>1.4 Therefore, we have set out very high-level comments only, indicating whether we consider the measure has merit as a “primary”, or even as a “supporting” compensation measure at this time. We also provide additional comments where we consider it helpful at this stage.</p> <p>1.5 Our comments are set out as follows:</p> <ul style="list-style-type: none"> • RSPB’s approach to evaluating compensation measures under the Conservation of Habitats and Species Regulations 2017 (as amended); • RSPB comments on the Volume 4, Annex 6.1 Compensation Project Description document (July 2021). 			
CompMeas Con_Email_009	RSPB	<p>2 RSPB’s approach to evaluating compensation measures under the Conservation of Habitats and Species Regulations 2017 (as amended)</p> <p>2.1 In this section we set out the following:</p> <ul style="list-style-type: none"> • The RSPB’s approach to assessing compensation proposals; • What level of detail is required on proposed compensation measures? <p>The RSPB’s approach to assessing compensation proposals.</p>			The Applicant notes this comment.

		<p>2.2 The RSPB has reviewed both the EC1 and Defra2 guidance on compensatory measures. Both are in broad alignment as to the principles to adopt when considering compensatory measures. As the EC Guidance is fuller and more up to date, we have used that as our primary reference, while drawing out any additional points made in the Defra guidance since it is UK focused.</p> <p>2.3 In Table 1, we summarise the EC’s criteria for designing compensatory measures and annotate them with additional commentary based on the RSPB’s experience of the principles that should be applied when assessing compensatory measures. We will use the combination of the EC guidance and the RSPB’s experience in this field to assess compensatory measures put forward by scheme proponents.</p>			
<p>CompMeas Con_Email_ 009</p>	<p>RSPB</p>	<p>What level of detail is required on proposed compensation measures?</p> <p>2.5 In his decision3 on the Hornsea Project Three scheme, the Secretary of State for Business, Energy and Industrial Strategy set out clear expectations that offshore wind (and other) developers should submit (what have been termed by other developers) “in principle” compensation measure packages as part of their application, following appropriate pre-application discussions with stakeholders (emphasis added):</p> <p><i>“6.3 The Secretary of State is clear that the development consent process for nationally significant infrastructure projects is not designed for consultation on complex issues, such as HRA, to take place after the conclusion of the examination. On occasion, as a pragmatic response to particular circumstances, he may undertake such consultation, but no reliance should be placed on the fact that he will always do so. In this instance, he has, on balance, accepted that the situation in respect of potential</i></p>			<p>The Applicant notes this comment and has noted the Secretary of States clear direction in his decision letter for Hornsea Three. In light of this the Application is accompanied by a detailed derogation case (including compensatory measures) which is provided on a “without prejudice” basis to the Applicants position that it can be concluded that no adverse effect on the integrity will arise, alone or in combination with other projects or plans on the integrity of the FFC SPA.</p>

	<p><i>significant adverse effects on the sites referred to in para 6.2 was novel and so has exercised his discretion, and allowed the Applicant to make further representations on the matter of possible compensatory measures for those sites. However, he wishes to make it clear that, in order to maintain the efficient functioning of the development consenting regime, he may not always request post-examination representations on such matters, indeed it should be assumed that he will not do so, and he may therefore make decisions on such evidence as is in front of him following his receipt of the ExA's report. It is therefore important that potential adverse impacts on the integrity of designated sites are identified during the pre-application period and full consideration is given to the need for derogation of the Habitats Regulations during the examination. He expects Applicants and statutory nature conservation bodies ("SNCBs") to engage constructively during the pre-application period and provide all necessary evidence on these matters, including possible compensatory measures, for consideration during the examination.</i></p> <p><i>6.4 This does not mean that it is necessary for Applicants to agree with SNCBs if SNCBs consider that there would be significant adverse impacts on designated sites. The final decision on such matters remains for the Secretary of State (though the Secretary of State reserves the right not to request further evidence from Applicants following the examination). Applicants should be assured that where they disagree with SNCBs and maintain a position that there are no significant adverse impacts, but provide evidence of possible compensatory measures for consideration at the examination on a "without prejudice" basis, both the ExA in the examination and the Secretary of State in the decision period will give full and proper consideration to the question of whether there are or are not significant adverse impacts. It will not be assumed that the provision of information</i></p>		<p>In response to para 2.7 and 2.8, the Applicant has provided considerable detail, far exceeding other wind farm applications, within the suite of documents at B2.6, 7 and 8 relating to the site selection process, proposed design, implementation and ongoing monitoring for each measure. This is to allow the compensation measures to be fully examined. The Road Maps at B2.7.2, 7.4, 8.2, 8.4 and 8.6 set out the details of all associated agreements, consents and permissions required to deliver the compensation measures and the timescales for ensuring these are in place prior to operation of the wind farm. This will provide the Secretary of State with the necessary confidence as to whether those measures can be secured and implemented within a reasonable timeframe to ensure the benefit to the coherence of the national site network.</p>
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	<p><i>regarding possible compensatory measures signifies agreement as to the existence of significant adverse impacts. The ExA will be required to provide an opinion on the sufficiency of the proposed compensation even if it considers that compensation is not required (in case the Secretary of State disagrees with that conclusion), but such measures would only be required if the Secretary of State were to find that there would be significant adverse impacts (and that the proposed compensatory measures are appropriate)."</i></p> <p>2.6 The RSPB does not consider "in principle" equates to "outline" proposals such that all/most of the critical issues are addressed post-DCO consent. We consider this would completely undermine confidence in what the compensation measures will comprise and that the public interest to protect the coherence of the National Site Network can be secured.</p> <p>2.7 Based on its review of various offshore wind farm compensation proposals over the last 18-24 months, the RSPB considers that much greater detail about the location, design and implementation, monitoring and review of any proposed compensatory measures is needed to inform the application and examination process and enable proper public scrutiny. Details of the associated agreements, consents and permissions required to deliver the compensation measures should also be available for scrutiny. This in turn should provide the Secretary of State with the necessary confidence as to whether those measures can be secured and implemented with a reasonable guarantee of success, thereby protecting the coherence of the National Site Network.</p> <p>2.8 We consider there are detailed requirements that should be subject to public scrutiny and settled before DCO consent is decided, in order to be confident any compensation measure</p>			
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		has/can be secured and will have a reasonable guarantee of success. These should be available as part of the application documentation in order that any potential interested parties have a full opportunity to review and assess their adequacy before deciding whether to formally register as an interested party and submit a relevant representation.			
CompMeas Con_Email_ 009	RSPB	<p>2.9 These, with some adaptation, are common to all such measures. Some of the key issues are listed below:</p> <ul style="list-style-type: none"> • Nature/magnitude of compensation: sufficient detail to enable agreement on: • the scale of compensation required in relation to the predicted impacts; • the detailed compensation objectives and associated success criteria to address those impacts; • best estimate of the timeline by which each proposed compensation measure can be fully implemented and when it will achieve its objectives (including assessment of ecological uncertainty), the latter to work out the lead-in time necessary to implement the compensation measure and ensure the overall coherence of the National Site Network is protected; • Location: legal securing of proposed compensation sites/measures with ability to scrutinise: • compensation design (detail); • evidence of relevant consents being secured; and • evidence of relevant legal agreements to secure land to ensure compatibility with compensation objectives; • Monitoring and review: detailed monitoring and review packages. As well as the relevant technical detail addressing the objectives for each compensation measure and success criteria, these should include: 			<p>The Applicant has provided detailed Compensation Plans for the key species (B2 Chapter 7: Gannet and Kittiwake Compensation Plan and B2 Chapter 8: Razorbill Guillemot and Gannet Compensation Plan) and a number of compensation measure roadmaps which address the areas outlined B2.7.2: Offshore Artificial Nesting Roadmap, Volume B2.7.4: Onshore Artificial Nesting Roadmap, Volume B2.8.2: Bycatch Reduction: Roadmap, B2.8.4: Predator Eradication: Roadmap, B2.8.6: Fish Habitat Enhancement: Roadmap).</p> <p>The Applicant is very confident that each of these key issues are addressed within the suite of compensation documents submitted with the Application.</p>

		<ul style="list-style-type: none"> • Detailed terms of reference and ways of working for any “regulators group” to oversee implementation of measures, review periods, feedback loops etc; • Commitment to ensure the data and results of monitoring are publicly available to enable lessons to be learned and applied elsewhere, and to demonstrate the level of success and compliance. • Compliance and enforcement: details and evidence of how the proposed compensation measures will be subject to review by the relevant regulator and the legal mechanisms available to those regulators to review and enforce any approved compensation plans e.g. if the agreed success criteria are not met. This is especially important if the proposed measures lies outside the jurisdiction of the decision-making authority. 			
CompMeas Con_Email_ 009	RSPB	<p>2.10 The recent (July/August 2021) consultation on the Norfolk Boreas compensation package outlined some of the advice given by Natural England to the applicant for the Norfolk Boreas scheme, in particular what a compensation plan for each designated site feature should comprise (e.g. see section 4.6.3 in Norfolk Boreas Offshore Wind Farm In Principle Habitats Regulations Derogation Provision of Evidence. Appendix 1 Flamborough and Filey SPA In</p> <p>Principle Compensation4). Natural England’s advice is in line with the approach and level of detail we consider should be required as part of the application documentation. It flows from the criteria and other factors we have described above and provides a robust basis for the evidence on each proposed compensation measure that should be submitted as part of any application.</p>			<p>The Applicant is aware of the Natural England advice, which has been provided in response to this Consultation.</p> <p>The Applicant has also engaged openly and constructively with stakeholders throughout the development of the “without prejudice” derogation case. With specific reference to the site selection process, the Applicant has included a preferred area of search as part of the detailed site selection process for both onshore and the provision of a new offshore nesting structure. The Applicant has further set out the preferred islands/islets for predator eradication and provided detailed ecological evidence to</p>

		<p>2.11 To enable informed scrutiny and decision-making, we recommend that applicants address and overcome the tension that currently exists in dealing with compensation proposals that, to date, have mainly comprised outline proposals with little, if any, practical detail. We consider it is important to ensure the availability of sufficient information as part of the application documentation so that it can be subject to the examination process e.g.:</p> <p>The nature and location of the proposed measure(s) and an assessment of whether it is likely to have a reasonable guarantee of success;</p> <p>Whether it has been legally secured through relevant consents and agreements.</p>		<p>clearly demonstrate the likelihood of success of the measures. The Road Maps also set out a clear pathway to demonstrate how and when any additional consents will be secured, bearing in mind that this is a without prejudice submission.</p> <p>It is important to note that it is not necessary for there to be binding agreements in place for delivery of compensation before consent is issued, the question is whether the Secretary of State could rationally believe that he could fulfil his duty to secure compensation measures or could be only rationally conclude that he would be unable to fulfil it.</p>
CompMeas Con_Email_ 009	RSPB	<p>2.12 The RSPB considers there are significant, detailed considerations for compensation measures that it is both essential and appropriate to consider before DCO consent is granted, rather than assume an outline compensation measure can be translated in to a detailed and workable measure “on the ground” at a later date and all the necessary consents and agreements successfully secured.</p> <p>2.13 This detail should be subject to public scrutiny as part of the application and subsequent examination process. This should ensure these issues are properly addressed before the Secretary of State is required to make a decision on whether to grant DCO consent. This should ensure, among other things, that it is possible to:</p>		<p>The Applicant is confident that the necessary level of detail has been provided to provide the Secretary of State with a rational basis for finding that he has discharged his duty to secure that necessary compensation measures will be delivered.</p> <p>The Applicant is confident that the key issues as set out at para 2.13 have been addressed by the Applicant within the Road Maps for each compensation measure and the resilience measure at Volume B2 Annex 7.2, 7.4, 8.2, 8.4 and 8.6</p>

		<p>Identify the detailed location and mechanism(s) of the proposed compensation measure;</p> <p>Identify the relevant consenting and/or licensing mechanisms required;</p> <p>Identify any potential impacts of the proposed measure on the receptor site(s) and surrounding environment and carry out appropriate screening;</p> <p>Based on this, identify any particular impact assessment requirements necessary which might arise from likely direct and indirect effects of the compensation measure on other receptors (e.g. Environmental Impact Assessment, Habitats Regulations Assessment, SSSI consents etc);</p> <p>Once these have been completed and relevant processes completed, be satisfied that the relevant legal consents are secured before any decision on DCO consent, assuming consent for the compensation measure is granted by the relevant decision-making authority. If consent has not been granted, the Examining Authority and Secretary of State would know in advance.</p>			
CompMeas Con_Email_ 009	RSPB	<p>2.14 This would in turn enable the Examining Authority and Secretary of State to be able to make a fully informed decision on whether proposed compensatory measures have been secured, have a reasonable guarantee of success and therefore will protect the overall coherence of the National Site Network.</p> <p>2.15 The criteria, guidance and associated requirements set out above will guide how the RSPB assesses the Hornsea Project Four compensation measure proposals submitted as part of an eventual application. The RSPB understands that the current consultation is non-statutory and provides only an overview of the measures Hornsea Project Four intends to bring forward to compensate for impacts on seabirds.</p>			<p>The Applicant is confident that the necessary level of detail has been provided to provide the Secretary of State with a rational basis for finding that he has discharged his duty to secure that necessary compensation measures will be delivered.</p> <p>The Applicant is confident that the key issues as set out at para 2.13 have been addressed by the Applicant within the Road Maps for each compensation measure and the resilience measure at Volume B2 Annex 7.2, 7.4, 8.2, 8.4 and 8.6</p>

<p>CompMeas Con_Email_009</p>	<p>RSPB</p>	<p>3.1 The Compensation Project Description (CPD) document sets out high level information on a series of possible compensation measures that Hornsea Project Four proposes to bring forward as part of its application. It indicates to which seabird species each will apply. Further to this, it indicates whether it considers each measure to be a "primary" or "supporting" measure.</p> <p>3.2 Given the high-level nature of the information provided, the RSPB reserves its detailed position on the Hornsea Project Four compensation proposals pending assessment of the formal application documents and associated detailed proposals. At this point we will assess them against the various criteria and other factors set out in section 2 above, as well as other relevant material.</p> <p>3.3 In this response, we have set out very high-level comments only, indicating whether we consider the measure has merit as a "primary", or even as a "supporting" compensation measure at this time. We also provide additional comments where we consider it helpful at this stage.</p> <p>3.4 Our comments are set out in the following sections:</p> <ul style="list-style-type: none"> • Section 1.6: Decommissioning of compensation measures; • Sections 2 and 3: Offshore and onshore artificial nesting platforms (kittiwakes); • Section 4: bycatch mitigation (guillemots and razorbills); • Section 5: predator eradication (guillemots and razorbills); • Section 6: Fish Habitat Enhancement - seagrass restoration (gannets, kittiwakes, guillemots and razorbills). 			<p>The high-level nature of the information provided in the consultation materials has been further developed for the respective compensation plans for each respective measure (B2.7: Gannet and Kittiwake Compensation Plan and B2.8: Razorbill Guillemot and Gannet Compensation Plan).</p>
<p>CompMeas Con_Email_009</p>	<p>RSPB</p>	<p>Gannets</p> <p>3.5 The RSPB notes that Table 1 in the CPD makes reference to compensation measures for gannet – specifically artificial nesting structures (offshore and onshore) and fish habitat</p>			<p>The Applicant also proposes bycatch reduction as a compensation measure for gannet. The full suite of</p>

		enhancement. However, no further detail is provided in the document. Therefore, we assume that Hornsea Project Four does yet have sufficient information to put forward for consultation. The RSPB will await relevant detail and evidence on compensation measures for gannet as part of the submitted application.			documents that support the compensation case relating to Gannet are within B2.7 and Annex 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 and Chapter 8 and Annex 8.1, 8.2, 8.5, 8.6 and 8.7
CompMeas Con_Email_ 009	RSPB	<p>Section 1.6: Decommissioning of compensation measures</p> <p>3.6 Section 1.6 and text elsewhere in the CPD document indicate that the various compensation measures will be for the lifetime of the development i.e. 35 years, with some minor variations.</p> <p>3.7 It is the RSPB's view that compensation measures should remain in place for as long as the project's adverse impacts on the SAC/SPA/Ramsar site continue. Typically, this has been "in perpetuity" as impacts have been permanent. We recognise this is not automatically the case when dealing with offshore wind farms. However, it is also not as simple as just the lifetime of the development. This is in line with our advice to the Secretary of State regarding the Hornsea Project Three compensation. As noted in that response (November 2020):</p> <p><i>"The length of time the compensation measures should be secured for must be based on the combination of the lifetime of the development plus the time it will take the affected seabird population to recover from the impacts."</i></p> <p>3.8 Therefore, the apparent default proposal that the compensation measure will be decommissioned at around the end of the lifetime of the development is not acceptable. There are two key factors:</p>			<p>The Applicant is aware of the position on Hornsea Three whereby the paragraph in the relevant Schedule 14 requires written approval of the Secretary of State before decommissioning of the onshore structures. It is however necessary to acknowledge that the exact nature of decommissioning will be determined in consultation with the relevant authorities towards the end of the anticipated operation life of Hornsea Four.</p> <p>For a new structure, the Applicant will design the structure for a design life equal to that of the windfarm together with any pre-operational requirements and similarly a repurposed structure will have an anticipated design life.</p> <p>In addition in relation to offshore structures, the ability to allow infrastructure to remain in situ may require a derogation from the Convention for the Protection of the Marine Environment of the North East</p>

		<ul style="list-style-type: none"> • Time lag in a new colony reaching the necessary population size meaning there is likely to be a significant delay before the required population is reached (assuming it is colonised); • The time taken for the relevant population at the FFC SPA to recover from the accumulated annual losses of breeding adults over 35 years, and once the wind farm has ceased operation. The development’s impact on the FFC SPA will likely go substantially beyond the lifetime of the development. 			<p>Atlantic (“OSPAR”) requirements.</p> <p>In summary the structures will have a design life and other technical, legal and commercial considerations may mean the structure will have to be decommissioned following cessation of the generation of power and in turn the impact of the windfarm upon the kittiwake and gannet feature of the FFC SPA. As noted above however the nature and timing of decommissioning will be approved by the Secretary of State.</p>
CompMeas Con_Email_ 009	RSPB	<p>Sections 2 and 3: Offshore and onshore artificial nesting platforms (kittiwakes)</p> <p>3.9 The CPD proposes artificial nesting structures as the compensation measure for kittiwakes:</p> <ul style="list-style-type: none"> • Offshore (primary compensation measure); • Onshore (secondary or alternative if required). <p>3.10 The CPD document presents very little detail on the measures at this stage.</p> <p>3.11 The RSPB agrees that artificial nesting structures are a possible compensation measure, but with substantial caveats as we consider artificial nesting structures as a compensation measure remain unproven. Our general concerns as set out in detailed comments on the Hornsea Project Three proposals remain in terms of providing a reasonable guarantee of success as a compensation measure e.g.:</p>			<p>The Applicant welcomes the RSPB’s agreement that artificial nesting structures are a possible compensation measure and acknowledges the caveats stated with the response.</p> <p>The Applicant has addressed each of the points raised at para. 3.11 within the suite of documents at Volume B2 Chapter 7.</p> <p>The first and last bullet points are addressed as part of the site selection criteria (B2.7.5 Compensation measures for FFC SPA Artificial Nesting Site Selection and Design) and as noted above the Applicant has included a preferred area of search both onshore and offshore. The site selection</p>

	<ul style="list-style-type: none"> • Whether the selected location will have access to a good food supply; • Whether the artificial nesting structures will be colonised (and whether these will be additional as opposed to existing breeding adults); • Whether and over what timescale any new colony will achieve the target population and recruitment of breeding adults in to the Eastern Atlantic population; • Whether the selected location will be exposed to additional pressures e.g. collision risk from current and planned offshore wind farms. <p>3.12 Therefore, the RSPB will wait for the detailed proposals and accompanying evidence that will be set out in the application documents. As set out in section 2 above, we will expect a substantial and detailed proposal to be set out, including details on the precise location, design, possible impacts on environmental receptors, as well as monitoring and reporting, plus assessment of risk in terms of available food supply and collision with existing and planned offshore wind farms.</p> <p>3.13 As with Hornsea Project Three, in order to address these uncertainties, we recommend that a meta-population analysis is carried out to clarify the dynamics between potential purpose-built artificial nest sites and SPA and other colony populations. Due to immigration from other colonies being required for recruitment into the artificial colonies, conventional population analysis, which are based on closed populations, are not suitable. A method for the theoretical quantification of connectivity between colonies has been described by Miller (2020)⁵ and Miller et al (2020)⁶ for the Shetland meta-population of kittiwake, and a similar method for a regional meta-population of East Atlantic would elucidate the feasibility</p>		<p>document sets out the criteria for narrowing down the preferred area of search which includes the availability of prey, foraging range and the positions of existing windfarms (planned, consented and built) B2.7.5.</p> <p>The second and third bullet points are addressed in the ecological evidence documents at B2.7.1 and 7.3.</p> <p>The Applicant will continue to consult with the RSPB in relation to the meta-population analysis.</p>
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		<p>of the establishment of the colonies. Furthermore, it would investigate the consequences of such colony establishment on the populations of other colonies, in particular that of the FFC SPA. There is additional complexity due to the number of emerging proposals for artificial nesting structures as compensation from other wind farm developers.</p>			
<p>CompMeas Con_Email_ 009</p>	<p>RSPB</p>	<p>Section 4: bycatch mitigation (guillemots and razorbills)</p> <p>3.14 The CPD document identifies bycatch mitigation as a primary compensation measure for guillemots and razorbills.</p> <p>3.15 The RSPB does not accept that bycatch mitigation can be described as a primary compensation measure. The proposal, as it stands, is to conduct research trials during autumn and winter 2021 to “gather evidence” on the efficacy of each suggested trial bycatch mitigation method.</p> <p>3.16 For reasons the RSPB has set out during stakeholder discussions, we consider this proposal is best described as experimental research and cannot yet be considered as a compensation measure, primary or otherwise.</p> <p>3.17 The RSPB’s current view on bycatch mitigation as compensation has been expressed in two submissions to the examination for the East Anglia One North and East Anglia Two offshore wind farm schemes.⁷ We have pulled out the key points from those submissions that summarise our current view on bycatch mitigation as a possible compensation measure for predicted impacts on guillemots and razorbills:</p> <p>The general paucity of information on the nature, scale and location of bycatch affecting guillemots and razorbills in UK waters means that there can be no confidence bycatch mitigation proposals will be of any benefit to these species and</p>			<p>Bycatch reduction is part of a suite of measures also including predator eradication and the resillience measure of fish habitat enhancement (seagrass restoration).</p> <p>The purpose of the Technology Selection Phase (referred to intermittently as trials in the compensation materials) is to gather further evidence on the efficacy of each bycatch reduction method in order to determine which method or combination of methods will be taken forward. The Applicant has confidence that one or a combination of the available technologies can be successfully implemented.</p> <p>These Technology Selection Phase will take place in 2021/22.</p> <p>The suite of documents in support of Bycatch Reduction are detailed at B2.8.1 and 8.2.</p> <p>The Applicant has a longstanding relationship with UK fishing industry, particularly on the east and west coast of</p>

	<p>therefore provide compensation with a reasonable guarantee of success;</p> <p>While continued effort to identify the scale of and potential solutions to bycatch in static net fisheries is imperative, based on current literature, mitigation measures for static net fisheries cannot reasonably guarantee reductions in seabird bycatch levels at this stage, and therefore cannot be relied upon as a compensation measure;</p> <p>Underlying the proposal is an assumption that it can solve significant challenges in a short timeframe. Assuming a link is proven to the target species, these challenges include the identification of suitable mitigation options appropriate to specific fisheries and addressing the long-term social, economic and scientific research necessary to persuade individual fishers and fisheries to adopt any such measures.</p> <p>While we have initial evidence of seabird bycatch rates and risk, there is an urgent need for improved data on seabird bycatch across the UK, particularly in static net fisheries, to understand the true scale of the problem. There is also a concurrent need to invest in identifying potential solutions with industry. The RSPB believes the focus needs to be on coherent, coordinated and well-funded strategic research and development to improve data collection and plug substantial evidence gaps on seabird bycatch in the UK as a whole</p> <p>i.e. significantly increased monitoring coverage (observer and electronic) over several years across multiple fisheries in order to:</p> <p>Improve understanding of seabird bycatch and sea areas of conservation concern in respect of bycatch affecting the target species;</p>		<p>England where positive and trusting relationships have been built over time. The Applicant has a track record of encouraging co-existence between renewable energy development and the fishing industry and are often used as an example of best practice. This should aid the roll out of the measure on a long term basis.</p> <p>The Applicant will develop a monitoring package in consultation with the OOEG. Monitoring would focus on the progress and confirmation of a reduction in bycatch number for gannet, guillemot and razorbill. The monitoring will depend upon the form of technology rolled out. This is outlined in detail in the suite of documents referred to above.</p> <p>The RSPB is referred to Volume B2 Annex 6.2 Appendix A Orsted's strategic compensation approach which outlines the extensive work undertaken to facilitate a strategic approach to compensation.</p>
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<p>CompMeas Con_Email_009</p>	<p>RSPB</p>	<p>Section 5: predator eradication (guillemots and razorbills)</p> <p>3.20 Predator eradication is described in the CPD document as a primary compensation measure for guillemots and razorbills.</p> <p>3.21 The RSPB recognises that predator eradication or island restoration (IR) offers some potential to benefit guillemots and razorbills. However, we consider it premature to describe IR as a primary compensation measure for these two auk species.</p> <p>3.22 IR is a complex and highly specialised conservation measure. Below, we have outlined the critical matters that need to be addressed in evaluating whether an IR scheme can be assessed as feasible, planned in sufficient detail and is</p>			<p>The applicant thanks RSPB for the recognition of the potential benefit of the measure.</p> <p>The Applicant is progressing predator eradication not island restoration. This Applicant notes this is an important clarification.</p> <p>The Applicant has provided B2.6.1: Compensation measures for FFC SPA Compensation Criteria. These criteria were applied to the long list of potential compensation options and locations to identify</p>

	<p>capable of being implemented successfully over the long term. A fuller version of this text can be found in the RSPB’s recent submission (dated 20 August 2021) on the Secretary of State’s consultation on the compensation proposals for the Norfolk Boreas offshore wind farm.⁸</p> <p>Summary of pre-requisites to assess an island restoration compensation proposal</p> <p>3.23 The RSPB considers the following elements are essential before a proposal to deploy IR as a compensation measure for specific seabird species can be properly assessed to determine if it will have a “reasonable guarantee of success” in line with Defra and EC guidance on compensation. The following evidence should be available for public examination before any decision to grant consent for an offshore wind farm scheme relying on IR as a compensation measure:</p> <p>A full-scale Feasibility Study carried out by a suitable eradication expert contractor to international best practice standards in order to firmly establish that the removal of Invasive Non-Native Species (INNS) for each island to be restored is feasible. They would need expertise relevant to the chosen approach to bait laying: ground-based versus aerial. This must be against the 7 feasibility criteria set out in Table 1 on page 18 of the Manual of the UK Rodent Eradication Best Practice Toolkit (2018)⁹ i.e.:</p> <ul style="list-style-type: none"> • Technically feasible • Sustainable • Socially acceptable • Politically and legally acceptable • Environmentally acceptable • Capacity • Affordable. <p>The above will include but is not limited to detailed assessments of the selected islands regarding:</p>		<p>the short list options brought forward in the without prejudice derogation case.</p> <p>The Applicant has provided detailed Compensation Plans (see B2 Chapter 8: Razorbill Guillemot and Gannet Compensation Plan) and a number of compensation measure roadmaps which address the areas outlined B2.8.4: Predator Eradication: Roadmap, B2.8.6: Fish Habitat Enhancement: Roadmap.</p>
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		<p>the presence/absence of the beneficiary seabird species and its historic and current population status;</p> <p>Habitat suitability survey to determine the extent of unoccupied but suitable habitat available to the beneficiary seabird species;</p> <p>Up to date survey to establish the presence of INNS of concern, on both target islands and areas where they could reinvade from;</p> <p>A good understanding of the vulnerability of the beneficiary seabird species to the INNS to be targeted for removal on the selected islands and evidence to show how they will benefit from the IR proposal i.e. to be confident that INNS removal on the specified islands will support any claimed increase in the seabird's population.</p> <p>It must also include:</p> <p>Detailed biosecurity and emergency response plans, based on a proper understanding of the risk of reinvasion by the target INNS and to be funded in perpetuity;</p> <p>Evidence that full community support for the IR scheme (eradication, biosecurity and emergency response) has been obtained;</p> <p>Evidence that relevant landowner/occupier consents have been obtained;</p> <p>Evidence that relevant legal consents to carry out IR have been obtained where required e.g. ASSI/SSSI consents from the relevant statutory nature conservation body; information for any accompanying Habitats Regulations Assessment if an SPA/SAC/Ramsar site is likely to be affected; and Health and Safety Executive/Defra consent (depending on bait type and delivery method used).</p> <p>What evidence is there that island restoration benefits guillemot and/or razorbill?</p>			
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	<p>3.24 Razorbill and guillemot have increased on Lundy (Booker et al (2019)10) However, the RSPB is aware that there has been a more general increase in the populations of these species elsewhere in south-west England and south Wales. Further research and analysis is required to:</p> <p>quantify how much the increase in the populations of these species on Lundy is down to rat eradication (and the influence of black rat versus brown rat (see next section)); and/or how much is due to other factors such as food supply.</p> <p>3.25 What the UK experience does show is a mixed picture of success, with good evidence to show the benefits of IR for burrow nesting species such as Manx shearwater and storm petrel but limited information demonstrating benefits for guillemot and razorbill.</p> <p>How vulnerable are guillemots and razorbills to predation by INNS</p> <p>3.26 Understanding the vulnerability of a seabird species to predation by INNS requires a knowledge of the species' breeding habitat requirements and the potential for an INNS to access that habitat and predate the species.</p> <p>3.27 In Table 2 below, we set out a summary description of the breeding habitat of each species: guillemot and razorbill. Stanbury et al 201711 set out a scoring system: having considered the breeding ecology of each seabird species they assessed the likely severity of impact of the INNS on the beneficiary seabird species as follows:</p> <ul style="list-style-type: none"> • 0 = no apparent negative impact on the seabird species; • 1 = small to moderate impact that would reduce population size but allow the seabird species to persist; • 2 = severe impact that would eventually lead to local extinction of the seabird species. 			
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<p>CompMeas Con_Email_ 009</p>	<p>RSPB</p>	<p>Guillemot</p> <p>Breeding habitat: Breeding areas are situated where the birds are safe from mammalian predators. This means that on the mainland, they are confined to sheer cliffs or in among boulders at the bases of cliffs where access is difficult even from the sea. On islands,cliffs and the tops of large stacks are preferred but where such habitat is absent they breed among rocks or even on flat open ground</p> <p>Likely severity of impact from black rat: Score = 1 Small to moderate impactthat would reduce population size but allow the seabird species to persist</p> <p>Likely severity of impact from brown rat: Score = 1 Small to moderate impactthat would reduce population size but allow the seabird species to persist</p>			<p>The Applicant notes this comment.</p>
<p>CompMeas Con_Email_ 009</p>	<p>RSPB</p>	<p>Razorbill</p> <p>Breeding habitat: Breed mainly on small ledges or in cracks of rocky cliffs and in associated scree, and on boulder-fields.</p> <p>Likely severity of impact from black rat: Score = 2 Severe impact that wouldeventually lead to local extinction of the seabird species</p> <p>Likely severity of impact from brown rat: Score = 2 Severe impact that wouldeventually lead to local extinction of the seabird species</p>			<p>The Applicant notes this comment.</p>

<p>CompMeas Con_Email_ 009</p>	<p>RSPB</p>	<p>The RSPB's general assessment is that guillemots are less vulnerable to rat predation than razorbills due to their general preference for sheer cliffs to nest. This should make them less accessible to both rat species.</p> <p>In addition, based on practical knowledge of the two rat species, it is considered black rat is a higher risk to both species due to its greater agility and ability to access difficult nesting locations.</p> <p>Therefore, in summary (and in general terms):</p> <p>Razorbills are thought to be more vulnerable than guillemots to predation by black and/or brown rat and risk of local extinction due to the accessibility of their nesting habitat;</p> <p>Black rat is a greater threat than brown rat to either guillemot or razorbill due to its greater agility and potential ability to access their nesting habitat.</p> <p>Black rat has a highly restricted distribution in the UK and crown dependencies. Following its successful eradication from Lundy and the Shiant Islands it is the RSPB's understanding that it is now restricted to the following islands:</p> <p>Inchcolm (Firth of Forth);</p> <p>Channel Islands: black rats confirmed on Sark only and no black rats have been reported from Guernsey in recent years (J. Henney, States of Guernsey pers.comm.).</p> <p>Since publication of the Stanbury et al 2017 article, small mammal trapping work has been carried out on Herm which found only brown rats present. Additional small mammal trapping would be required on Jethou and The Humps to provide up to date information for those islands.</p> <p>As set out above, a detailed feasibility study of potential IR locations would be required before it could be determined what level of risk black rat, brown rat or other INNS pose to either guillemot or razorbill. This would include an assessment of the</p>			<p>The Applicant notes the comment and would welcome any supporting evidence to support the ascertations on vulnerability.</p> <p>The applicant has provided an evidence report to support the predator eradication work to date (B2.8.3: Compensation measures for FFC SPA Predator Eradication Ecological Evidence).</p>
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		availability of suitable but unoccupied breeding habitat for each species to determine if there could be a benefit to either auk species from an eradication scheme.			
CompMeas Con_Email_009	RSPB	<p>Critical importance of securing community support to ensure successful island restoration</p> <p>A critical factor in the success of an IR scheme is securing the support of the affected human communities. Without this, IR schemes are at considerable risk of failure as it can result in weakness in key elements of an IR scheme, especially the eradication itself and then the ongoing biosecurity measures. Securing such support is a highly skilled job.</p> <p>In island communities, this will involve not just the main landowners, but all property owners or occupiers, boat launch and flight locations (both on relevant islands and any mainland access points) etc.</p> <p>Stanbury et al 2017¹⁴ point out that this key element of IR schemes has often been underestimated. They give the example of the (now successful) IR scheme for St. Agnes and Gugh in the Isles of Scilly which took more than 10 years of preparatory work with the island communities involved. They considered 10 years a reasonable timescale for similar projects. The RSPB considers this is a key consideration in assessing any IR compensation proposal. It is directly relevant to the aim to have compensation in place and effective before damage occurs. Any suggestion that securing community support is straightforward, or that it could either be short-circuited or completed within a couple of years, risks undermining the proposal and could result in failure and/or hostility to the IR scheme.</p>			<p>The Applicant is progressing predator eradication not island restoration. This is an important clarification.</p> <p>The Applicant will continue to engage with those communities that may be affected by the implementation of any compensation measure that may be implemented upon determination to do so by the Secretary of State (SoS).</p>
		<i>Rathlin Island</i>	Y	Change	The Applicant notes the RSPB position to remove Rathlin.

		<p>The RSPB notes that Rathlin Island is currently included in a list of potential broad locations being considered for predator eradication. The RSPB requests that Rathlin Island now be removed from the list of potential locations Hornsea Project Four is considering for predator eradication. This is because this partnership project is now funded and is going ahead. Information on its funding status is embargoed and cannot be used until after the public launch of the project by its partners. Public launch is, at the time of writing, scheduled for Thursday 9 September 2021.</p>			
		<p>Section 6: Fish Habitat Enhancement - seagrass restoration (gannets, kittiwakes, guillemots and razorbills)</p> <p>The main measure described is seagrass restoration. This is described in section 6.7 as a "compensation measure to support the resilience of other compensation measures...".</p> <p>While the RSPB welcomes the work carried out by Hornsea Project Four on this topic, we remain of the view expressed in stakeholder discussions that it cannot yet be considered even a supportive measure .This is due to a combination of the weak evidence base capable of linking this measure with measurable benefits to the target seabird species and the experimental nature of seagrass restoration itself such that its success as a habitat restoration measure per se cannot be guaranteed. As with bycatch mitigation, it too is also at the experimental research and trial stage.</p> <p>We will keep our position under review and await the detailed evidence to be submitted as part of the application documentation.</p>			<p>The Applicant notes this comment. Fish Habitat Enhancement (seagrass restoration) is provided as a compensation resilience measure.</p>
CompMeas Con_Email_ 010	PD Teesport Limited.	<p>Guidance on compensatory measures is included in the Government's guide: 'Habitats regulations assessments: protecting a European site'.</p>			<p>The Applicant notes this comment.</p>

		<p>If a scheme gets to the stage where it fails the integrity test and an adverse effect on site integrity cannot be ruled out, then derogation has to be considered against 3 legal tests. Where Tests 1 (Consider alternative solutions) and Tests 2 (Consider imperative reasons of overriding public interest) have been met, Test 3 requires the securing of compensatory measures. These measures will need to fully offset the damage which will or could be caused to the site.</p>			
CompMeas Con_Email_ 010	PD Teesport Limited.	<p>Compensatory measures can include creating or restoring the same or very similar habitat on areas of little or no conservation value: within the same site - if it exists at a suitable location outside the site. If the area providing compensatory measures is not within the European site, it should become designated as part of the European site.</p>			<p>The Applicant has had regard to the relevant guidance and has addressed the connectivity point raised within each of the ecological evidence documents in support of the compensation measures.</p>
CompMeas Con_Email_ 010	PD Teesport Limited.	<p>In this instance, the compensatory measures may be required to offset potential impacts upon the kittiwake, guillemot, razorbill and gannet seabird species, which are features of the Flamborough and Filey Coast SPA. The nature of the consultation indicates that the measures would need to be delivered off-site. The area to the north and south of the Tees Estuary and the Tees and Hartlepool Coastline (Location ID: B1) has been identified as an area of search to site onshore nesting for kittiwakes. The northern most point of the Flamborough and Filey Coast SPA designation extends just north of Filey, some 65km (as the crow flies) from the Tees Estuary. Teesmouth and Cleveland Coast SPA is designated for avocet, common tern, knot, little tern, redshank, ruff, sandwich tern seabird species and the assemblage of water birds. It has no connection with the features and qualities of the Flamborough and Filey Coast</p>			<p>The Applicant notes this comment.</p> <p>Overall, the Habitats Regulations and the relevant guidance do not require the compensation measure to benefit the FFC SPA. Instead, they require the measure to ensure that the overall coherence of the national site network is protected.</p>

		SPA thus any compensation measures in the locality would be artificial and forced opportunities.			
CompMeas Con_Email_ 010	PD Teesport Limited.	<p>The Government guidance includes several considerations that need to be taken on board when deciding compensatory measures. These include:</p> <ul style="list-style-type: none"> how technically feasible and effective the measures will be - based on scientific evidence and previous examples how financially viable the measures are - the proposer must have enough funds to cover costs how the compensation would be carried out, including how it'll be managed and monitored over the time that's needed, and how it's been secured distance from the affected site - compensation closer to the site is generally preferred, unless measures further away will benefit the network of European sites as a whole how long the compensatory measures will take to reach the required quality and amount of habitat. It is apparent from the consultation material that the source of the impact (i.e. Hornsea 4) is a significant distance from the Tees and Hartlepool Coastline and located well beyond the Flamborough and Filey Coast SPA. The development itself will not provide any direct human benefits to businesses and the economy of Teesside. It is also not clear how the areas identified as potential locations for onshore nesting compensation will maintain coherence of the national site network as suggested in the consultation document. Again, the distance from the affected site suggests any benefits would be limited in weight and we do not see, at this stage, how it would benefit the network of European sites as a whole. As the Tees Estuary and the Tees and Hartlepool Coastline and the surrounding area is not located within the same European site, it is unclear as to the extent of compensation that will be required to sufficiently mitigate the impact, were it to be provided in or around this location. 			<p>The Applicant notes this comment.</p> <p>Each Compensation Plan clearly sets out the guidance that has been considered in drafting the respective plans (B2.7: Gannet and Kittiwake Compensation Plan and B2. 8: Razorbill Guillemot and Gannet Compensation Plan)</p> <p>The Applicants notes the stakeholder's reference to the unknowns and concerns. These are variably addressed in the associated roadmaps B2.7.2: Offshore Artificial Nesting Roadmap, Volume B2.7.4: Onshore Artificial Nesting Roadmap, Volume B2.8.2: Bycatch Reduction: Roadmap, B2.8.4: Predator Eradication: Roadmap, B2.8.6: Fish Habitat Enhancement: Roadmap)</p>

		<p>Whilst there are a range of unknowns, our primary concern at this stage is that the use of land within the vicinity of Teesport as a location to accommodate the required compensatory measures could introduce a very significant constraint to current and emerging economic growth developments on Teesside that are essential for the local economy and delivery of employment opportunities. These are at the heart of rebuilding local communities. This is particularly so, considering that the minimum requirement for the onshore nesting compensation will require an operational period for a minimum of 35 years once construction is complete. The existing designations on Teesside already provide a significant constraint to development and PD Ports continue to positively engage and work with the relevant authorities. Therefore, it is essential that this wider economic and social impact is fully understood and factored into when deciding on the chosen locations for compensatory measures and introducing additional constraints to the delivery of essential development.</p>			
CompMeas Con_Email_ 010	PD Teesport Limited.	<p>You will appreciate that the lack of detail at this stage, means we will have to reserve our right to make further representations as more details are published, including the findings from the current consultation. However, we would request that full consideration is given to our points raised at this stage.</p>			<p>The Applicant notes this comment.</p>
CompMeas Con_Email_ 011	DNO North Sea plc	<p>Thank you for the opportunity to respond to your non statutory targeted consultation on potential compensation measures for seabirds, relating to the Hornsea Project Four Offshore Wind Farm. At this stage DNO currently have no major concerns with the proposals.</p>			<p>The Applicant notes this comment and will continue to engage with DNO North Sea plc.</p> <p>The Applicant is currently in the process of concluding a carbon footprint assessment for</p>

		<p>One comment relates to the carbon footprint of the proposals. It is not immediately clear within your impact registers that atmospheric emissions (and specifically CO2) resulting from the various compensation measures has been considered e.g. from vessel and HGV use etc.</p> <p>The development of a CTMP and VMP is noted in your commitment register, however, it would be interesting to understand whether atmospheric impacts have specifically been taken into account and/or indeed the overall carbon footprint of the proposals. Would consideration of carbon offsetting measures, namely tree planting (aid/restore local wildlife habitats) or the support of peatland restoration projects (carbon sequestration) be considered viable? We look forward to hearing your response in due course.</p>			<p>Hornsea Four and wil include the compensationbn measures.</p>
CompMeas Con_Email_ 012	The Wildlife Trusts	<p>1.Introduction</p> <p>1.1. The Wildlife Trusts (TWT) welcome the opportunity to provide input into the consultation for compensation measures for the Hornsea Four Offshore Windfarm. The following appendices are also included to support our response:</p> <ul style="list-style-type: none"> • Appendix A: TWT compensation principles • Appendix B: TWT criteria for assessing the appropriateness of compensation measures <p>1.2. This response concerns the proposed compensation measures for Flamborough and Filey Coast Special Protection Area (SPA). However, the principles included in Appendix A should be included in all compensation plans.</p> <p>1.3. TWT does not currently have confidence in the proposed compensation measures for the following reason:</p> <ul style="list-style-type: none"> • Strong evidence must be included to demonstrate the effectiveness of compensation in order for TWT to support any 			<p>The Applicant notes this comment.</p> <p>The Applicant has provided B2.6.1: Compensation measures for FFC SPA Compensation Criteria to which the reader is referred.</p> <p>The ecological evidence to support all compensation measures and demonstrate the likely success of the measures are set out in the following documents: B2.7.1, B2., B2.7.3, B2. 8.1 and B2.8.3.</p>

		<p>proposed measures. Although we appreciate evidence gathering work is ongoing, this is not currently available to increase our confidence.</p> <ul style="list-style-type: none"> • The measures may take place in other MPAs and cause damage. Further derogation to provide for damage from compensation measures is not acceptable. • Measures are proposed in difference regional sea areas from the project, which TWT does not support. • Some measures are not sustainable. 			
CompMeas Con_Email_ 012	The Wildlife Trusts	<p>2. Summary of TWTs views on the proposed compensation measures for impacts on Flamborough and Filey Coast SPA</p> <p>2.1. Offshore nesting</p> <p>2.1.1. It should be noted that as a principle, TWT is not supportive of offshore platforms in Marine Protected Areas (MPAs) as a compensation measure, particularly those MPAs that are currently in unfavourable condition. This is due to the following reasons: The development of infrastructure should always aim to avoid MPAs and other protected sites by adhering to the mitigation hierarchy. This must also apply to the development of infrastructure as compensation.</p> <ul style="list-style-type: none"> • Placing hard infrastructure in a benthic MPA in unfavourable condition will alter the habitat type present and therefore impede the recovery of the site. Constructing offshore platforms in a benthic MPA would require compensation to be provided for the compensation. This is not an acceptable or sustainable solution. • Concerning the repurposing of existing platforms, if these platforms are located within an MPA it is likely that decommissioning is required to allow for the recovery of the MPA to occur. • Therefore offshore platforms should avoid designated sites. 			<p>The Applicant notes this comment.</p> <p>With specific reference to the site selection process, the Applicant has included a preferred area of search as part of the detailed site selection process for both onshore and the provision of a new offshore nesting structure.</p> <p>At the initial stage of site selection, the offshore search areas include include an area of highest ecological potential. The site selction process is outlined in B2.7.5 Compensation measures for FFC SPA Artificial Nesting Site Selection and Design and will be refined throughout the Examination with the final requirement for compensation determined by the SoS.</p> <p>The Applicant has provided detailed Compensation Plans for the key species (B2.7: Gannet and Kittiwake</p>

	<p>2.1.3. TWT has serious concerns regarding offshore nesting platforms. Increasing the infrastructure footprint of offshore wind to provide compensation in the form of offshore nesting platforms is an unsustainable solution for industry. Given the large amount of offshore wind infrastructure that will be needed to reach net zero by 2050 (predicted to be in the range of 75-140GW¹), industry should be looking to minimise the infrastructural footprint wherever possible. Otherwise, we risk impeding progress towards a recovered MPA Network² and Good Environmental Status³, and meeting the overall objectives of the 25 Year Environment Plan⁴. For this reason, TWT is not supportive of offshore nesting platforms as a principle across all offshore wind farm developments.</p> <p>2.2. Onshore nesting</p> <p>2.2.1. We do not consider the provision of onshore nesting structures to be a suitable or sustainable option of compensation for Hornsea Four. Therefore, this option should be discounted.</p> <p>2.3. Bycatch mitigation</p> <p>2.3.3. It is our understanding that the bycatch mitigation measures presented as part of this consultation are largely experimental. Therefore, we do not agree with the assessment that this is a compensation measure.</p> <p>2.3.1. TWT believe that compensation must be able to demonstrate benefit to the impacted site/feature of concern in order to counteract the adverse impacts caused by the plan or project (Principle 1, Appendix A). Compensation that provides wider benefits to the environment, but not to the impacted site/feature of concern is not sufficient to prevent decline, and therefore is not fit for purpose. 2.5.2. As a principle, TWT do not</p>		<p>Compensation Plan and B2. 8: Razorbill Guillemot and Gannet Compensation Plan) and a number of compensation measure roadmaps which address the areas outlined B2.7.2: Offshore Artificial Nesting Roadmap, Volume B2.7.4: Onshore Artificial Nesting Roadmap, Volume B2.8.2: Bycatch Reduction: Roadmap, B2.8.4: Predator Eradication: Roadmap, B2.8.6: Fish Habitat Enhancement: Roadmap).</p>
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		<p>support the delivery of compensation measures outside of the regional sea where the site/feature of concern is located.</p> <p>2.4. Predator eradication</p> <p>2.4.1. There is a lack of evidence to determine how eradicating rats from islands will counteract the adverse impact from Hornsea Four to the guillemot and razorbill populations that use the Flamborough and Filey SPA. Therefore, we do not agree with the assessment that this is a compensation measure for this project.</p> <p>2.4.4. It is our understanding that predation from invasive rats primarily affects seabird species that live in burrows, such as puffins and storm petrels. Less research has been done into the impact of brown and grey rats on guillemot and razorbill colonies.</p> <p>2.5. Fish habitat enhancement (seagrass)</p> <p>2.5.1. There no evidence to link the restoration of seagrass both inside and outside of the southern North Sea regional sea area to the kittiwake, gannet, guillemot and razorbill populations that use the Flamborough and Filey SPA. Therefore, we do not support this as a compensation measure for this project.</p> <p>2.5.2. Compensation must be able to demonstrate benefit to the impacted site/feature of concern in order to counteract the adverse impacts caused by the plan or project (Principle 1, Appendix A). Compensation that provides wider benefits to the environment, but not to the impacted site/feature of concern is not sufficient to prevent decline, and therefore is not fit for purpose.</p>			
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<p>CompMeas Con_Email_ 012</p>	<p>The Wildlife Trusts</p>	<p>3. Overarching comments</p> <p>3.1. It was our understanding that Hornsea Four were also exploring potential compensation measures that centred on prey availability. We were disappointed that this has not been included in this consultation as in our view this measure has the potential to provide the greatest benefit.</p> <p>3.2. TWTs preference as a compensation measure would be the implementation of fisheries management measures. The removal of fisheries pressure will have one of the biggest impacts in providing environmental head room for further development. Evidence is also available to support ecosystem recovery following the removal of fishing pressure e.g. Lyme Bay⁵ 6. TWT is seeking legal advice on the use of provisions within the Fisheries Act⁷ to deliver marine compensation through the management of fisheries.</p> <p>3.3. It is critical that all compensation measures tie back to clear objectives that aim to counteract the negative effects of the plan or project; in this case compensation measures must aim to maintain the ecological integrity of the kittiwake, gannet, guillemot and razorbill colonies linked to the Flamborough and Filey Coast SPA and counteract the adverse impacts from Hornsea Four.</p> <p>3.4. Further information for each of the compensation measures is needed concerning:</p> <ul style="list-style-type: none"> • Ecological connectivity to the seabird colonies of the Flamborough and Filey Coast SPA; • Detailed feasibility assessments; 			<p>The Applicant notes the response and the consultee's preference for compensation measures.</p> <p>The Applicants note the preference for compensation measures expressed by the stakeholder and reaffirms to the stakeholder that it is not within the power of the Applicant to deliver fisheries management measures. However, the Applicant has included details of a fund. The outline document referred to below includes a financial commitment which has been made to ensure the Secretary of State can have certainty that if Art 6(4) is engaged the research fund (to link kittiwake, gannet, guillemot and razorbill to prey species and identify and fill gaps in knowledge) will be delivered. Is presented in B2 6.2A: Ørsted Strategic Compensation Approach.</p> <p>Further information required is acknowledged. A number of compensation measure roadmaps which address the areas outlined B2.7.2: Offshore Artificial Nesting Roadmap, Volume B2.7.4: Onshore Artificial Nesting Roadmap,</p>

	<ul style="list-style-type: none"> • Success metrics and how these tie into the overall objectives of the compensation; • Exploration of strategic compensation measures; • Data accessibility and transparency; • Plans for future engagement with statutory and non-statutory bodies pre- and post consent. <p>3.5. When TWT review the final compensation documentation entered as part of the Development Consent Order (DCO) submission, we will assess the appropriateness of the compensation against criteria as outlined in Appendix B.</p> <p>3.6. In future documentation, it would be helpful for all future maps include the proposed cable route in addition to the Hornsea Four array area.</p> <p>3.7. Please note, TWT expect that full details of the proposed compensation measures with supporting evidence will be included in the DCO submission. This will ensure the smooth running of the examination and reduce any chance of delays. This is also in line with the Hornsea Three decision, in which the Secretary of State noted: “6.3. The Secretary of State is clear that the development consent process for nationally significant infrastructure projects is not designed for consultation on complex issues, such as HRA, to take place after the conclusion of the examination.....However, he wishes to make it clear that, in order to maintain the efficient functioning of the development consenting regime, he may not always request post-examination representations on such matters, indeed it should be assumed that he will not do so, and he may therefore make decisions on such evidence as is in front of him following his receipt of the ExA’s report. It is therefore important that potential adverse impacts on the integrity of designated sites</p>		<p>Volume B2.8.2: Bycatch Reduction: Roadmap, B2.8.4: Predator Eradication: Roadmap, B2.8.6: Fish Habitat Enhancement: Roadmap).</p>
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		<p>are identified during the pre-application period and full consideration is given to the need for derogation of the Habitats Regulations during the examination.”</p> <p>TWT looks forward to continuing to engage in the development of compensation measures for Hornsea Four, whether that be in one-to-one discussions with Orsted, through targeted compensation engagement or through the formal planning regime.</p>			
CompMeas Con_Email_ 013	DEFRA	<p>As the Department with responsibility for the protection of the marine environment we are writing in response to the Hornsea Four Offshore Wind Farm (OWF) non-statutory consultation on potential compensation measures for seabirds (05 August – 06 September 2021). We are aware that following the fourth Hornsea Project Four ornithology compensation workshop on 3rd August 2021, Natural England has provided detailed written advice on the specific compensation measures proposed which form part of this consultation. We advise careful consideration is given to the advice provided by Natural England and as such Defra will not be providing detailed advice on the specificity of the proposed measures. However, we would like to highlight some of the work Defra has been developing which is relevant for this consultation and flag some other key points which should be considered. Firstly, we would like to recognise the effort the project has put in developing a diverse package of compensatory measures, looking at innovative solutions to address potential adverse impacts from the project on seabirds, particularly those features of the Flamborough and Filey Coast (FFC) Special Protection Area (SPA). Whilst we recognise that the particular details of all compensation measures are not yet fully determined, we would encourage the project to further refine the scope of the proposal in close collaboration with Natural England to have a more substantial proposal at the time of application, ahead of</p>			<p>The Applicant notes this comment.</p> <p>The Applicant has had due regard for Defra’s best practice guidance for developing compensatory measures in relation to Marine Protected Areas (MPAs), which is currently under consultation.</p> <p>Consideration of all guidance considered is set out in the relevant compensation plans for the key species (B2.7: Gannet and Kittiwake Compensation Plan and B2. 8: Razorbill Guillemot and Gannet Compensation Plan)</p>

		examination. Similarly, when defining the scope of the final compensation package, we would like to encourage the project to consider Defra's best practice guidance for developing compensatory measures in relation to Marine Protected Areas (MPAs) currently under consultation until 30th September.			
CompMeas Con_Email_ 013	DEFRA	It is Defra's understanding that the primary compensation measures being proposed include offshore nesting platforms, bycatch mitigation and predator eradication, while onshore nesting platforms are being proposed only in case offshore platforms are not considered to deliver sufficient compensation for kittiwakes. We also understand that fish habitat enhancement (i.e. seagrass restoration projects) is being proposed more as a resilience measure to support other compensation measures, rather than a compensatory measure of its own accord. Defra agrees that priority should be given to developing offshore nesting platforms, recognising that Natural England does not support further onshore nesting platforms beyond those already submitted to BEIS. Similarly, we agree resilience measures, such as seagrass restoration projects, would not represent a compensation measure on its own, but we welcome the project's initiative of developing resilience measures to support a broader compensation package.			<p>The Applicant notes this comment and stakeholder's preference for offshore nesting as a compensation measure for kittiwake.</p> <p>The Applicant has provided detailed Compensation Plans for the key species (B2.7: Gannet and Kittiwake Compensation Plan and B2. 8: Razorbill Guillemot and Gannet Compensation Plan) and a number of compensation measure roadmaps which address the areas outlined B2.7.2: Offshore Artificial Nesting Roadmap, Volume B2.7.4: Onshore Artificial Nesting Roadmap, Volume B2.8.2: Bycatch Reduction: Roadmap, B2.8.4: Predator Eradication: Roadmap, B2.8.6: Fish Habitat Enhancement: Roadmap).</p>
CompMeas Con_Email_ 013	DEFRA	The project has already highlighted Defra and Cefas' joint Clean Catch initiative. Further work is being developed on this front and we would encourage the project to liaise with Defra bycatch team on this matter. Similarly, regarding seagrass restoration projects, the Defra Group is leading a number of			The Applicant notes this comment and will continue to work with Defra and Cefas in close collaboration to ensure the best use of ongoing initiatives.

		<p>estuarine and coastal habitat restoration initiatives. We would encourage the project to take a joined-up approach and can assist in providing contacts for the relevant teams. The Environment Agency’s Restoring Meadow, Marsh and Reef (ReMeMaRe) initiative is working to restore our estuarine and coastal habitats to benefit people and nature and has recently developed restoration potential site maps for saltmarsh, seagrass and oyster reefs. Natural England is also leading the EU-funded LIFE Recreation ReMEDIES project, which aims to restore seagrass and maerl habitat in five Special Areas of Conservation.</p> <p>Considering specific aspects of the compensation package being proposed please find below Defra’s views on the topics of connectivity, measures of success, monitoring and decommissioning.</p>			
CompMeas Con_Email_ 013	DEFRA	<p>Connectivity</p> <p>It will be important for the project to establish how the proposed measures will deliver compensation for FFC SPA, particularly for those measures located at greater distances from the colony. We encourage you to follow Natural England’s advice on establishing a robust evidence base to support the link to specific SPAs, considering this proposal is at project rather than plan-level. If the approach is to deliver compensation at a biogeographical population level, the compensation measures will need to be adjusted to account for this and an increased ratio of compensation might be required.</p>			<p>The Applicant notes this comment.</p> <p>The Evidence Reports for the respective compensation measures (see B2.6.6: Compensation measures for FFC SPA: Prey Resource Evidence, Compensation measures for FFC SPA, B2.7.1 Offshore Artificial Nesting: Ecological Evidence, Compensation measures for FFC SPA, B2.7.3: Onshore Artificial Nesting: Ecological Evidence, Compensation measures for FFC SPA, B2.8.1: Bycatch Reduction: Ecological Evidence, Compensation measures for FFC SPA, B2.8.3: Predator Eradication: Ecological Evidence,</p>

					<p>Compensation measures for FFC SPA, B2.8.5: Fish Habitat Enhancement: Ecological Evidence) establish the connectivity between the measures and FFC SPA.</p> <p>The Applicant has presented compensation values for the key species in B2.6: Compensation measures for FFC SPA Overview .</p>
CompMeas Con_Email_013	DEFRA	<p>Measuring Success and Monitoring</p> <p>It is not yet clear from the documents provided how the project intends to demonstrate the success of the proposed compensation measures. It is important that Hornsea Project Four can demonstrate the success of each compensation measure and therefore, a specific method for measuring success should be established for each measure taken forward. Success should not focus on the delivery of the measure per se but on the impact to the actual feature the measure is trying to compensate for. This will be closely linked with monitoring and adaptive management which is still to be developed as well. Again, we would encourage the project to work closely with Natural England and potentially Cefas, on developing such measures of success and monitoring strategies to ensure these are fit for purpose and that the success of the measures brought forward for compensation can be objectively validated.</p>			<p>The Applicant notes this comment.</p> <p>Success of the respective compensation measures will be determined via the respective monitoring reports. The reader is referred to B2.7.6: Outline Gannet and Kittiwake Implementation and Monitoring Plan and B2.8.7: Outline Gannet, Guillemot and Razorbill Implementation and Monitoring Plan</p>
CompMeas Con_Email_013	DEFRA	<p>Decommissioning</p> <p>We noted decommissioning of the structures proposed to deliver compensation will be only considered towards the end of the 35-year operational life of Hornsea Project Four. Defra</p>			<p>The Applicant notes this comment and will continue engagement with DEFRA, SNCBs and the relevant regulatory authorities in</p>

		<p>does not agree with this approach and advises that decommissioning of these structures is considered at a much earlier stage to avoid the situation where decommissioning is not feasible. Consideration should also be given to the fact that removing such structures could have a significant negative impact on the seabird populations, for instance if a nesting platform is successful to suddenly remove it will displace a great number of birds. Therefore, an assessment should be conducted at the time of decommissions as well, which does not invalidate the need to plan decommission at an earlier stage. Advice from the relevant SNCBs should be sought to develop a suitable decommissioning plan.</p>			<p>relation to decommissioning plans.</p>
<p>CompMeas Con_Email_ 014</p>	<p>Natural England</p>	<p>Thank you for your consultation dated 30 July 2021 in respect of the Hornsea Project Four Offshore Wind Farm (HOW04) compensation measures. This advice is being provided in accordance with Natural England’s Service Level Agreement with Ørsted, dated 17 June 2020. Natural England provided Ørsted with detailed advice on the compensation measures’ supporting evidence, upon which this consultation is based, following the fourth HOW04 compensation workshop on 3rd August 2021 (advice dated 25th August 2021). We do not repeat our comments on the merits of the measures and/or their evidence base here and have instead focussed on the designated sites that must be considered if the measures are taken forward. In Annex 1 we provide a list of the designated sites and associated features that could be impacted by the proposals, based on the search areas provided in the consultation materials for each measure. We note that further sites may require consideration that have not been listed. For example, for the offshore nest structures measure we have not included sites identified within the search area that do not extend below Mean Low Water (MLW). Should works occur above MLW, we advise the Defra MAGIC mapping tool is used</p>			<p>The Applicant notes this comment</p>

		<p>to identify any further Ramsar sites or Sites of Special Scientific Interest (SSSI) that may be affected. Furthermore, we have not provided details of qualifying SSSI features. The broad extent of the search areas indicated in the provided maps has resulted in a large volume of terrestrial and/or coastal SSSI (and some SAC/SPA) sites being identified for measures that are intended to be purely offshore. These sites are therefore unlikely to be impacted but have been retained as they overlap with the area of search. Should further information be needed on these sites, details can be found at Designated Sites View (https://designatedsites.naturalengland.org.uk/SiteSearch.aspx). We suggest possible SSSI impacts are revisited once the search areas have been further refined.</p> <p>In order to consider whether there are any National Parks, Areas of Outstanding Natural Beauty (AONB) and Heritage Coasts that could be impacted by the compensatory measures, including with respect to views into and out of these designated landscapes, we recommend using the Defra MAGIC mapping tool to identify these.</p> <p>As the final locations and implementation mechanisms for the measures are yet to be determined, we do not have the necessary information to exclude that the proposed operations will negatively impact the sites. We request Ørsted contact us if there are any specific sites they wish to discuss once the proposals are better defined.</p> <p>For clarification of any points in this letter, please contact me using the details provided below.</p>			
CompMeas Con_Email_ 015	Public Health England	<p>Please note that we have replied to earlier consultations as listed below and this response should be read in conjunction with that earlier correspondence:</p> <p>Request for Scoping Opinion 14 November 2018 Section 42 Consultation 23 September 2019</p>			The Applicant notes this comment

Hornsea 4



		<p>The consultation presents a range of compensation measure for seabirds, including offshore and onshore nesting; predator eradication; bycatch reduction and fish habitat management. The additional information does not cause any change to our previous responses. We have no further comments at this time and will review again with any updated information presented within the DCO submission.</p>			
CompMeas Con_Email_ 016	States of Alderney	<p>On behalf of the States of Alderney, I write to you as Chairman of the State's General Services Committee, In response to Orsted's Non-Statutory Consultation concerning Compensation Proposals for the Hornsea 4 windfarm development.</p> <p>Having reviewed the consultation documents and considered the States of Alderney's own policies on mitigation associated with planning applications, I would like to register the following comments on behalf of my committee:</p> <ul style="list-style-type: none"> • The Committee recognises the urgent need to expand renewable energy, including wind energy. • The Committee acknowledges that seabird populations within the North Sea could be negatively impacted by renewable energy projects but request more detailed information on the scale and cumulative nature of these impacts to inform its decision making. As recognised within the States of Alderney's Land Use Plan Policy 2016 there is a need for any development, where a significant impact will occur, to ensure the 'incorporation and implementation of measures to reduce the impact of a development proposal or a wider threat'. • The Committee acknowledges Orsted's approach to the States of Alderney and the local charity, the Alderney Wildlife Trust, to consider the potential for rodent control, and other direct management action, to benefit and possibly boost local populations of nesting seabirds in 			<p>The Applicant notes this comment and commits to continue engagement with the State's General Services Committee.</p>

		<p>Alderney, particularly Guillemots and Razorbills. It also acknowledges that these actions would complement the work already undertaken for the States of Alderney's 'West Coast, Burhou Islands and Other Sites Ramsar Strategy 2017-21'; notably, work investigating the current impact of rodents and invasive species on the island's seabird populations and the potential for control measures to improve productivity and increase breeding seabird populations. Furthermore, should these works establish mechanisms to improve seabird productivity and increase Alderney's seabird populations then it will look to work with Orsted to directly support this effort in the future.</p> <ul style="list-style-type: none">• The Committee recognises the importance of Alderney's marine environment, including its nesting seabird populations; however, before the Committee feels able to advise the States of Alderney to support the statement that 'actions undertaken to improve seabird productivity in Alderney can provide direct compensation for the projected loss of seabirds caused by the Hornsea 4 project', it would seek to establish the following:<ul style="list-style-type: none">○ Any compensation effort has a direct net gain on the seabird populations affected by the Hornsea 4 project (the project) and that this effort would be part of a strategic approach to the impacts of the project.○ Any compensation effort has clear objectives, with measurable goals, that include compensation targets ideally greater than the assumed population loss caused by the project.○ Any compensation effort is sustainable for the duration of the proposed development and ideally beyond.			
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		<ul style="list-style-type: none">○ Any compensation effort in Alderney should not cause a deterioration of the wider environment.○ The community of Alderney are engaged as far as is practicable, e.g. through a local Stakeholders Forum.○ The outcomes from any compensation effort are published and are used as part of the wider national effort to meet conservation objectives. <p>Finally, the Committee is grateful for the opportunity to respond to these proposals at such an early stage. Please keep us informed of their progress and maintain a liaison with the States of Alderney's Estates Manager, Richard Phelan</p>			
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