



Hornsea Project Four: Derogation Information

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Glossary

| Term | Definition |
|--|---|
| Compensation / Compensatory Measures | If an Adverse Effect on the Integrity on a designated site is determined during the Secretary of State's Appropriate Assessment, compensatory measures for the impacted site (and relevant features) will be required. The term compensatory measures is not defined in the Habitats Regulations. Compensatory measures are however, considered to comprise those measures which are independent of the project, including any associated mitigation measures, and are intended to offset the negative effects of the plan or project so that the overall ecological coherence of the national site network is maintained. |
| Development Consent Order (DCO) | An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Projects (NSIP). |
| European site | A Special Area of Conservation (SAC) or candidate SAC (cSAC), a Special Protection Area (SPA) or a site listed as a Site of Community Importance (SCI). Potential SPAs (pSPAs), possible SACs (pSACs) and Ramsar sites are also afforded the same protection as European sites by the National Planning Policy Framework – para 176 (Ministry of Housing, Communities and Local Government, 2019). European offshore marine sites are also referred to as “European sites” for the purposes of this document. |
| Hornsea Project Four Offshore Wind Farm | The proposed Hornsea Project Four Offshore Wind Farm project. The term covers all elements of the project (i.e., both the offshore and onshore). Hornsea Four infrastructure will include offshore generating stations (wind turbines), electrical export cables to landfall, and connection to the electricity transmission network. Hereafter referred to as Hornsea Four. |
| National Site Network | The network of European Sites in the UK. Prior to the UK's exit from the EU and the coming into force of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 these sites formed part of the EU ecological network known as “Natura 2000”. |
| Offshore Ornithology Engagement Group (OOEG) | The Hornsea Four Offshore Ornithology Engagement Group means the group that will assist, through consultation the undertaker in relation to the delivery of each compensation measures as identified in the gannet and kittiwake compensation plan and the gannet razorbill and guillemot compensation plan. Matters to be consulted upon to be determined by the Applicant and will include site selection, project/study design, methodology for implementing the measure, monitoring, and adaptive management options as set out in the gannet and kittiwake compensation plan and the gannet razorbill and guillemot compensation plan. |
| Orsted Hornsea Project Four Ltd. | The Applicant for the proposed Hornsea Project Four Offshore Wind Farm Development Consent Order (DCO). |
| Planning Inspectorate (PINS) | The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs). |
| Ramsar | Wetlands of international importance designated under the Ramsar Convention. |
| Special Area of Conservation (SAC) | Strictly protected sites designated pursuant to Article 3 of the Habitats Directive (via the Habitats Regulations) for habitats listed on Annex I and species listed on Annex II of the directive. |

| Term | Definition |
|-------------------------------|---|
| Special Protection Area (SPA) | Strictly protected sites designated pursuant to Article 4 of the Birds Directive (via the Habitats Regulations) for species listed on Annex I of the Directive and for regularly occurring migratory species. |

Acronyms

| Acronym | Definition |
|----------|---|
| BRAG | Black, Red, Amber, Green. |
| CfD | Contracts for Difference |
| DCO | Development Consent Order |
| FFC | Flamborough and Filey Coast |
| FID | Final Investment Decision |
| GGRIMP | Gannet, Guillemot and Razorbill Compensation Implementation and Monitoring Plan |
| JNCC SMP | Join Nature Conservation Council Seabird Monitoring Programme |
| MMO | Marine Management Organisation |
| MoU | Memorandum of Understanding |
| NGO | Non-Governmental Organisation |
| NFFO | National Federation of Fisheries Organisation |
| OOEG | Offshore Ornithology Engagement Group |
| PINS | Planning Inspectorate |
| RSPB | Royal Society for the Protection of Birds |
| SAC | Special Area of Conservation |
| SCI | Site of Community Importance |
| SNCBs | Statutory Nature Conservation Bodies |
| SoS | Secretary of State |
| SPA | Special Protection Area |
| UK | United Kingdom |

1 Introduction

1.1.1.1 This Guillemot and Razorbill Predator Eradication Roadmap document provides an overview of the anticipated next steps for implementation of predator eradication and/ or control¹ as a 'without prejudice' compensation measure for Hornsea Four, if deemed necessary by the Secretary of State following their Appropriate Assessment. It should be noted that this is a 'live' document and should compensation be required it will be added to or revised as the Development Consent Order (DCO) application for Hornsea Four progresses. This roadmap sets out a clear pathway to demonstrate that the compensation measure can be secured and that the mechanism for delivery of the compensation can be implemented.

2 Description and Scope

2.1.1.1 To compensate for the potential displacement impact on guillemot and razorbill from Hornsea Four, the Applicant proposes to implement a predator eradication programme at selected guillemot and/or razorbill breeding colonies. The selected colony will be chosen based on delivery potential and connectivity to the colonies within the biogeographic region. This would form part of a suite of compensation measures for these species (see [B2.6 Compensation measures for FFC SPA: Overview](#)). A detailed account of the evidence supporting the measure can be found within the Guillemot and Razorbill Predator Eradication Evidence Report ([B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence](#)).

2.1.1.2 Predator eradication will be undertaken by island restoration experts using well established methods evidenced throughout the wealth of previous predator eradication examples from the UK and further afield. For ground predators, such as rats, this usually involves poison bait stations. The primary species predator eradication would be focussed upon are rat and house mouse but could extend to include crow or other species as a supportive measure pending ecological advice and stakeholder discussions, whilst ensuring non-targeted species are not unintentionally harmed. Some of the locations shortlisted for potential eradication projects also harbour invasive plant species (such as sour fig *Carpobrotus edulis*) which can reduce the available habitat to nesting seabirds. Therefore, the measure could also include habitat management measures to remove and reduce the spread of invasive plants.

2.1.1.3 Concurrently with the removal of the (invasive) predator species, biosecurity measures will be implemented to prevent re-invasion. Biosecurity measures form a vital role in ensuring the benefits of the predator eradication continue as expected. There are a significant number of biosecurity measures available depending on the location and species being considered, all of which have been tried and tested at previous predator eradication schemes (i.e., Biosecurity for LIFE projects). Note that the locations where only a control programme could be implemented that this would potentially not maintain permanent eradication of predators (due to re-infestation during lowest astronomical tide), but instead aim to maintain a reduced population.

2.1.1.4 In order to increase the breeding population of adult birds by a sufficient margin to offset

¹ In absence of the ability to maintain a full eradication for the lifetime of the project (e.g., islands easily accessible by predators from nearby landmasses), predator control can be implemented to reduce the impact of predators on seabird populations. Although predator control may not eliminate the predator, the reduction in numbers could increase productivity and aid seabird population growth (Igal et al., 2005; Jones et al., 2008). Where we refer to predator eradication throughout this document we also include 'and/or control'.

the predicted impact of Hornsea Four on an annual basis (see Table 2 of [B2.6: Compensation Measures for FFC SPA Overview](#)), predator eradication measures could be used to compensate as part of a suite of measures. It is considered that guillemot and razorbill would be sufficiently compensated through a suite of measures:

- Predator eradication/ control;
- Bycatch reduction measures; and
- Fish habitat enhancement (as a resilience measure).

2.1.1.5 The predator eradication measures could collectively, with the other measures, be scaled up to provide a ratio of 1:2. The reduction in mortality through the implementation of the suite of measures collectively are capable of over-compensation of the 70 guillemot and 3 razorbills to compensate for the estimated potential impact of Hornsea Four (see Table 2 of [B2.6: Compensation Measures for FFC SPA Overview](#)).

2.1.1.6 Based upon a precautionary assessment, the Applicant would consider predator eradication at 1-3 locations, which would be determined following ground-truthing studies, in addition to the further additional measures as part of the compensation measures package (see [2.1.1.4](#)). For example, following the bycatch technology selection phase the number of vessels may increase or decrease depending on the level of success of the bycatch trial and therefore, the planned extent of the predator eradication may also increase or decrease. These compensation measures have the benefit of being flexible and scalable to enable successful delivery of the compensation.

2.1.1.7 Hornsea Four is expected to operate for 35 years following construction. If required, the accepted compensation measure would be monitored throughout the operational lifespan of Hornsea Four.

3 Indicative timescale for delivery and implementation

3.1.1.1 The high-level programme presented below ([Table 1](#)) is applicable to the implementation and delivery of the predator eradication compensation measure. The decision on the requirement for and the scale of the suite of measures and inclusion of the predator eradication measure (or continuation of the bycatch reduction measure) will be subject to the outcome of monitoring of the bycatch reduction technology selection phase to be determined in 2023. The timing of implementation of the predator eradication compensation measure is provisional as the timeframe for Examination, consent award, reaching final investment decision (FID) and Contracts for Difference Allocation Round Five, have not yet been set. The programme has been carefully considered to ensure timely delivery of the compensation measure.

Table 1: Indicative timescale for delivery and implementation

| Activity | Year | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|--|-------------------------|------|------|------|------|------|------|------|------|
| Rat and habitat surveys | 2021 - 2022 | █ | █ | | | | | | |
| Site Selection | 2021 | █ | | | | | | | |
| Further site refinement and ground truthing | 2021 - 2022 | █ | █ | | | | | | |
| Scale and package consideration | 2023 | | | █ | | | | | |
| Anticipated Hornsea Four DCO Granted | 2023 | | | █ | | | | | |
| Compensation Implementation ² | 2023/ 2024 - TBC | | | █ | █ | | | | |
| Establishment of Offshore Ornithology Engagement Group (OOEG) | Following consent award | | | █ | █ | █ | █ | █ | |
| Gannet, Guillemot and Razorbill Compensation Implementation and Monitoring Plan (GGRIMP) | Following consent award | | | █ | █ | █ | █ | █ | |
| GGRIMP submitted to Secretary of State | Following consent award | | | █ | █ | █ | █ | █ | |
| Offshore Construction of Hornsea Four Foundations | 2026 | | | | | | █ | | |
| Offshore Construction of Hornsea Four Offshore Turbines | 2027 | | | | | | | █ | |
| First Power (partially operational windfarm) | 2028 | | | | | | | | █ |

4 Consultation

4.1.1.1 Stakeholder engagement is considered important for predator eradication and stakeholder engagement will be required throughout the project development.

4.2 Post-application

4.2.1.1 The Applicant will continue consultation with stakeholders post-application and prior to close of Examination. It is proposed to undertake initial site visits and island ground truthing surveys during this period and therefore ongoing engagement with stakeholders will take place to consult on details of these visits and the potential eradication project. Evidence gathered during these site visits and surveys will also be provided to stakeholders. Following the surveys and feasibility studies the predator eradication planning will begin. This stage

² Due to the uncertainty regarding Allocation Round 5 of the Contracts for Difference (CfD) scheme the date cannot be confirmed at this time.

will include consultation and engagement with local stakeholders and advisory bodies.

4.3 Post-consent

- 4.3.1.1 Following consent, a steering group named the Offshore Ornithology Engagement Group (OOEG) would be convened by the Applicant to assist in the delivery of the site selection, implementation, reporting, and other relevant matters of the compensation measure as determined by the Applicant. The OOEG core members would be the relevant Statutory Nature Conservation Bodies (SNCB(s)), local planning authority and the Marine Management Organisation (MMO). The Royal Society for the Protection of Birds (RSPB) and The Wildlife Trust would also be invited in an advisory capacity to form part of the OOEG. The purpose of this group would be to help shape and inform the nature and delivery of the compensation post consent.
- 4.3.1.2 A GGRIMP will be produced (following the content in [B2.8.7 Outline Gannet, Guillemot and Razorbill Compensation Implementation and Monitoring Plan](#)) which will document all of the proposed compensation measures for gannet, guillemot and razorbill (including mechanisms and programme for delivery, monitoring, adaptive management, reporting). It is important to note that gannet will not be included within the predator eradication projects due to lack of evidence supporting a potential benefit to this species. The OOEG will be consulted during development of the GGRIMP. The GGRIMP will be submitted to the Secretary of State for approval.
- 4.3.1.3 The Applicant will carry out the predator feasibility studies on the potential site(s). This will involve the appointment of an experienced eradication/island restoration specialist to undertake the eradication and/ or control programme.
- 4.3.1.4 Biosecurity measures and monitoring for success will be implemented and will be discussed with OOEG members prior to deployment. This will be set out within the GGRIMP for approval by the Secretary of State. Monitoring will also inform any adaptive management required and will be discussed with OOEG members before implementation. This will be continued until Hornsea Four has ceased operation or a determination is made by the Secretary of State following consultation with the relevant statutory nature conservation body, that compensation is no longer required. Further information on biosecurity measures, monitoring and adaptive management can be found in [Section 6](#).
- 4.3.1.5 Reporting of the results of implementation of the compensation measure will be carried out according to timescales discussed with the OOEG and set out in the GGRIMP.

5 Development and Implementation of the Predator Eradication/ Control Programme

- 5.1.1.1 The following section summarises the results of the site selection process undertaken to date with the goal of identifying suitable locations for restoration, which is provided in the Predator Eradication Evidence Report ([B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence](#)), and the future site refinement approach that will be undertaken to identify candidate locations for an eradication project. The Application proposes to carry out site refinement and island ground truthing work following the feasibility study.

5.1.2 Location Identification

5.1.2.1 The site selection process to date has highlighted a number of potential locations which support populations of guillemot and/ or razorbill colonies³, rats and where a predator eradication and/ or control scheme is potentially feasible. These are⁴:

- Bailiwick of Guernsey:
 - Alderney: A number of islands/ islets around the main island;
 - Herm: Including Herm, The Humps and Jethou; and
 - Sark: A number of islands/ islets around the main island.
- Isles of Scilly: A number of Islands/ islets;
- Rathlin Island; and
- Several islands/ islets along the south coast of England.

5.1.2.2 Further details on how these sites were selected are provided in Guillemot and Razorbill Predator Eradication Evidence Report ([B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence](#)).

5.1.3 Further Site Refinement & Ground Truthing

5.1.3.1 The initial location options for predator eradication presented in [Section 5.1.2.1](#) were identified as a result of the initial site selection process. The next step will be to determine the most suitable location for predator eradication from the above list via a further process of site refinement. This will likely involve site visits by predator eradication experts, site managers and/ or ornithologists to provide further evidence in support of the eradication proposal. This process will be undertaken by continued consultation with site/ reserve managers, wardens, landowners, NGOs, the local community, and other relevant stakeholders to determine a location's feasibility (see [Appendix A](#) and [Appendix B](#) presenting a Letter of Comfort from Alderney Wildlife Trust regarding collaboration on a feasibility study at Alderney and the response from States of Alderney and from the States of Guernsey in relation to Herm (and surround) islands in [B1.1: Annex 37 Non-Statutory Targeted Compensation Measures Consultation Responses](#)).

5.1.3.2 Once the list of locations has been refined to those locations with confirmed rat presence and identification of suitable nesting habitat, a ground truthing exercise will be undertaken by the Applicant to gather further evidence to maximise the chances of success of the eradication and/ or control project and feed into the decision-making process of which island(s)/islet(s) to take forward. It is planned that this site refinement and ground truthing exercise would be undertaken before the DCO is granted. The ground truthing exercise will include site feasibility assessments, focussed on understanding in greater detail the following topics detailed in paragraphs [5.1.3.3-5.1.3.8](#). Where previous island eradication feasibility assessments have been undertaken, documents will be reviewed and discussed with eradication experts to judge whether the previous reports are still relevant to the scope of the planned eradication, or whether an update is required to collect more recent information. Each consideration will be presented in a black, red, amber, green (BRAG)

³ Note that all of the following overarching locations contain populations of nesting guillemot and razorbill, however, not all islands and islets around these locations, that may be considered for eradication, have both species present.

⁴ Note that exact island names for some locations are not disclosed due to confidentiality/ on-going discussions which are commercially sensitive.

matrix approach to allow a transparent rank-based decision-making process to be documented. If following these studies it is considered that further sites should be explored, the Applicant will return to the original long-list of potential sites for further ground truthing and site refinement (see [Appendix 1](#) in [B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence](#)).

Logistical considerations for undertaking an eradication scheme

- 5.1.3.3 This will consider whether or not a predator eradication project could be technically feasible at the location, including factors such as access and other logistical requirements, such as support from the local community for future biosecurity measures. This would be undertaken in conjunction with landowners, site managers and island restoration experts to provide a site specific and informed opinion.

Presence of target predator species

- 5.1.3.4 This section will determine the species and degree of predator presence at island locations and the level of overlap between the predator occurrence and guillemot and razorbill nesting locations. It is likely that this would be conducted by eradication specialists and/or ecologists to allow realistic abundance estimates to be made and a prediction of the effort required to achieve their eradication or the most effective methods (Roy *et al.* 2015).

- 5.1.3.5 Previous methods used in the UK have included the use of chewsticks (wooden spatulas saturated with margarine or lard that are chewed and bitten by rats) which were set around the island and checked or replaced daily during a period of 6 months (typically during winter when populations are likely to be lowest) (Zonfrillo, 2001). Additionally, cage traps, camera traps and ink tunnels can also be used (Roy *et al.* 2015). Undertaking the survey during the non-breeding season would avoid disturbance to breeding seabirds, but depending on the timing, could limit access to islands during periods of severe weather and therefore the timeframes will be considered carefully in the design of the surveys. Predator surveys would be undertaken during and after the eradication and/ or control project to monitor the abundance/presence of invasive predators, using appropriate methods that will be defined in due course.

Additional site-specific evidence of predation pressure

- 5.1.3.6 Surveys of the islands would be undertaken to document further site-specific evidence of predation of guillemot and razorbill eggs, nestlings, or adults. The survey would look to collect data such as egg caches, gnawed seabird carcasses, photographic evidence from cameras, invasive predator tissue testing (such as stable isotope analysis of caught individuals), or other methods determined as appropriate.

Potential nesting habitat assessment

- 5.1.3.7 An assessment of colony habitat would be undertaken to determine the amount of potential nesting habitat available to guillemot and razorbill following the removal of the predator. This would be undertaken by ornithologists and subsequently analysed in to determine potential nesting space (see [Appendix A](#)). Islands where guillemot and razorbill

populations have historically been larger would be considered to have proven capacity for increased productivity.

Colony Census

5.1.3.8 A complete island seabird census would also be undertaken following methods presented in Walsh *et al.*, (1995) and would include collection of productivity data and species population estimates. This would form the baseline for future population and productivity assessment if the island is included in the eradication project. Long-term seabird monitoring is described in the sections below. Information may also be collected on other flora and fauna and general island restoration following the removal of the invasive species.

5.1.4 Additional considerations

5.1.4.1 There are also a number of other considerations which would be incorporated into the decision-making process in a qualitative manner. For example, guillemot and razorbill are known to be at risk of potential displacement from offshore wind farms (Bradbury *et al.*, 2014). There is additional biosecurity risk from human populations on islands (the larger the population the greater the risk of invasive species arriving), and therefore preference would be given to uninhabited islands or islands with a low human population.

5.1.4.2 The FFC SPA is designated for a number of breeding seabird species including (in addition to guillemot and razorbill): kittiwake, gannet and a breeding seabird assemblage consisting of fulmar, puffin, herring gull, shag and cormorant. Those species nesting in burrows (such as puffin) or on the ground/in accessible areas (such as razorbill, shag, and cormorant) have increased vulnerability to predation from predators when compared to cliff nesting species. Burrow nesting species are known to benefit from predator eradication projects, with multiple reports of increased breeding success following the removal of key predators. It is, therefore, likely that numerous species would benefit from eradication projects in addition to the reduced predation pressure on just a single target seabird species (Ratcliffe *et al.* 2009). In order to ascertain the assemblage of other seabird species breeding at each island, the JNCC SMP would also be used to explore other breeding seabird species.

5.1.4.3 Unassisted re-invasion of islands by predators is a potential threat to islands previously eradicated which are within swimming distance of infested islands or the mainland (Tabak *et al.* 2015). Protocols to limit potential re-invasions would be instated at islands during and following the eradication programme and are further detailed in the biosecurity measure section below. Note that the locations where only a control programme could be implemented that this would potentially not maintain permanent eradication of predators (due to re-infestation during lowest astronomical tide), but instead aim to maintain a reduced population.

5.2 Implementation of the Predator Eradication/ Control Programme

5.2.1.1 Following grant of the DCO and approval of the Gannet, Guillemot and Razorbill Compensation Implementation and Monitoring Plan (GGRIMP), the eradication process will be undertaken. Predator eradication will be undertaken by professional predator eradication experts using well established methods evidenced throughout the wealth of previous island restoration examples from the UK and further afield.

6 Biosecurity measures, monitoring, and adaptive management

6.1 Biosecurity measures

- 6.1.1.1 At the initiation of the predator eradication program from the chosen locations, biosecurity measures would be put in place to prevent re-infestation by the target predator, or the arrival of other non-native mammalian predator species (note that the locations where only a control programme could be implemented that this would potentially not maintain permanent eradication of predators (due to re-infestation during lowest astronomical tide), but instead aim to maintain a reduced population). For example, previous projects have implemented vector control including vessel control and bait traps at arrival points to minimise chance of reinvasion and surveillance procedures including using sniffer dogs and/or chew sticks at points around islands to identify early signs of reinvasion. Previous successful biosecurity measures have been implemented on islands in the UK that have undergone predator eradication such as at Canna and Sanday, measures consisting of continuous monitoring (wax blocks and kill traps), quarantine and contingency plans have prevented the reinvasion of rats since being declared rat free in 2008 (Luxmoore *et al.*, 2019).
- 6.1.1.2 Biosecurity measures would be in-line with the current RSPB Biosecurity for LIFE⁵ project which was initiated to safeguard the UK's internationally important seabird islands. The RSPB project aims to improve biosecurity measures across all of the UK's 41 seabird island SPAs and establish response plans when invasive species are reported at island SPAs (RSPB, 2019). The biosecurity measures would aim to replicate the RSPB Biosecurity for LIFE project in conjunction with the OOEG, including the RSPB who have significant experience in island biosecurity.
- 6.1.1.3 The Applicant has already undertaken site visits to locations where predator eradication schemes have been undertaken to understand the potential level of biosecurity controls (for example, St. Agnes and Gugh on the Isles of Scilly). Such information will complement and inform biosecurity planning at a site-specific level of detail for the compensatory measure.

6.2 Monitoring

- 6.2.1.1 Monitoring will be an important component at all stages of the proposed eradication programme (pre-, during and post-eradication) in order to assess the success of a scheme including native species population and productivity changes, invasive species survival and any associated impacts of the eradication.
- 6.2.1.2 The detail of the monitoring proposals will be discussed with the OOEG and detailed in the GGRIMP for agreement with the Secretary of State. The monitoring plan will be developed in line with the evidence base presented in [Section 7](#) of the [B2.83. Compensatory Measures for FFC SPA Predator Eradication](#).
- 6.2.1.3 A monitoring package including the frequency, duration and nature of the monitoring methodology would be designed with the delivery partner and in consultation with the OOEG. Monitoring would focus on the progress and confirmation of eradication, and guillemot and razorbill productivity at the island colony. The objective of the monitoring is to record the population response at the chosen locations.

⁵ <https://biosecurityforlife.org.uk/>

- 6.2.1.4 Predator monitoring would commence following the baiting or trapping campaign and would follow the established methods outlined by the eradication contractor. It is anticipated that this monitoring would last at least two years to record the removal of target species from the location.
- 6.2.1.5 Monitoring for potential re-infestation on the location would continue for the operational phase of the project, at a frequency to be approved with the relevant approval authority. This would be included with the biosecurity compensatory measures.
- 6.2.1.6 In order to monitor guillemot and razorbill and explore the response of other species of seabird on the locations to the removal of predators, a breeding seabird census project would be initiated to collect population data. Details of seabird monitoring would be determined after initial ground truthing surveys have been completed. To show the changes as a result of the predator eradication project, population increases would be provided in the context of local, regional and national trends. This would involve undertaking seabird censuses at other local/ regional guillemot and razorbill colonies (the number of which would be determined at a later stage in consultation with the OOEG), while comparing the national trend to JNCC seabird population analysis publications would be assessed. This would show population changes at the colony where an eradication has been undertaken relative to a regional level change. As an example, this was explored within the Lundy Island case study presented within the Guillemot and Razorbill Predator Eradication Evidence Report ([B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence](#)) where the Lundy Island guillemot and razorbill population had increased above the percentage change experienced by local razorbill and guillemot colonies within the region. This suggests predation pressure from rats was likely to have had an impact beyond what other external influences had.
- 6.2.1.7 Monitoring would continue for the operational phase of the project, at a frequency to be detailed in the GGRIMP. It is envisaged that the delivery partner would lead the monitoring component of this measure.

6.3 Adaptive Management

- 6.3.1.1 If monitoring indicates that eradication attempts prove unsuccessful, the reasons for the lack of success would be investigated and options identified for improving the eradication programme. If the long-term biosecurity risk proves too high at the initial islands, another location may be chosen (such as those considered in the long-list of sites) for eradication in consultation with the OOEG.

7 Legal agreement(s)

- 7.1.1.1 The Applicant's primary approach to securing any locations shortlisted as part of the site refinement process will be to enter into voluntary access agreements with landowners and occupiers in order to gain access to their land both for implementing the compensation measure and for ongoing monitoring through the lifetime of Hornsea Four. The detailed terms of such agreements will be determined by the outcome of the commercial negotiations between the parties in question. The number of agreements that may be required will be dependent upon the population and land ownership status of the proposed site. A land referencing exercise has been undertaken for each location to determine the

number of landowners and this will be updated during the site refinement process.

7.1.1.2 Generally the Applicant will be seeking:

- Licence agreements from landowners to enable equipment to be installed and maintained on third party land for the duration of Hornsea Four.
- The agreements would also contain rights of access to any equipment left in situ, allowing for maintenance and monitoring visits.

7.2 Lease Agreements for Monitoring and Biosecurity.

7.2.1.1 It may be necessary to put in place biosecurity measures in which case the Applicant's approach would be (if necessary) to secure any long-term monitoring station pursuant to a leasing arrangement with the landowner for the duration of the operation of Hornsea Four. These may be required for monitoring and for checking of vessels located at boat launch/mooring locations. The detailed terms of such agreements will be determined by the outcome of commercial negotiations between the parties in question. Generally, the Applicant will be seeking:

- An initial option agreement that grants the Applicant exclusivity over a specified area of land for a set period with the ability to call on the landowner to permit a monitoring station to be installed.
- The grant of a long leasehold interest; and
- Rights of access and if needed the installation of service media.

7.2.1.2 In addition, commercial arrangements may be needed with vessel and/or flight operators to ensure suitable biosecurity measures can be implemented.

7.3 Compulsory Purchase

7.3.1.1 The Applicant has obtained legal advice confirming that, if necessary, compulsory acquisition powers can be obtained for the acquisition of the monitoring station sites based in England and Wales. In order to be successful in applying for these powers, the Applicant will need to satisfy the compulsory acquisition tests i.e., there must be a compelling case in the public interest and the rights sought must be necessary and proportionate. It will also be necessary to demonstrate the alternatives to compulsory acquisition have been considered and reasonable attempts to secure the necessary land rights by way of voluntary agreement have been exhausted.

7.3.1.2 The Applicant holds a Generation License pursuant to section 6 of the Electricity Act 1989 (the "1989 Act") and can therefore promote a compulsory purchase order under the 1989 Act. If that were pursued it would be necessary to demonstrate that the delivery of compensatory measures is a purpose connected with activities related to electricity generation. This is the case as the delivery of the compensation measure would be required by the DCO as a compensation measure for the impact of Hornsea Four on the FFC SPA.

7.3.2 Memorandum of Understanding ("MoU")

7.3.2.1 The Applicant intends to enter into MoU's (subject to contract) with the relevant delivery partners to document the parties' collaboration and further scope out the compensation

measure with a view to entering into the necessary contracts once the site has been selected. Each MoU will include work to be undertaken pre and post consent award. They will set out the main aims of the initial scope e.g., establishment/confirmation of target predator species presence and calculation of available nesting habitat. The methodology for undertaking the initial feasibility studies is also included. Any initial funding arrangements on the part of the Applicant will be included within the MoU together with any additional information gathering, the technical requirements, long term security of the compensation measure and the formalising of the arrangement between the Applicant and the relevant bodies. This section will be updated once the MoU's are finalised.

8 Securing key consents

- 8.1.1.1 In parallel with securing the requisite land rights the Applicant will assess what site specific consents are needed.
- 8.1.1.2 Designation of land as a Special Area of Conservation (SAC) or a Special Protection Area (SPA) are important considerations in the implementation of predator eradication. It is important to consider the implications of designated sites at the earliest possible stage to ensure that there will be no adverse effect.
- 8.1.1.3 Where a project is to be consented as a result of the application of Reg 64 of the Conservation of Habitats and Species Regulations 2017 (the "Habitats Regulations") it is not open to the Secretary of State to consider measures as a compensation measure that may have a negative effect on the same or on another SAC or SPA. When considering the additional consents needed therefore to implement the compensation measure the Applicant should be confident that the measure will either be exempt or excluded from the Habitats Regulations or that the measure will not have an adverse effect on site integrity. All measures considered as compensation will not have an adverse effect on site integrity, see the [B2.2.2 RP Volume B2 Annex 2.2 Habitat Regulations Assessment Compensation Measures](#) for further information. The benefit of the measure to the SAC or SPA can be considered by the competent authority at the Appropriate Assessment stage.
- 8.1.1.4 A Site of Special Scientific Interest (SSSI) notification (if required) will include a list of operations likely to damage the features for which the site is regarded as special. Section 28G of the Wildlife and Countryside Act 1981 (the 1981 Act) confers duties on "section 28G authorities". The Applicant holds a Generation Licence pursuant to s6 of the Electricity Act 1989 which means the Applicant is a statutory undertaker and falls within section 28G. The 1981 Act requires the Applicant to take certain steps to notify the relevant statutory nature conservation body of the works.
- 8.1.1.5 It may also be necessary to obtain consents from either the Health and Safety Executive or the Department for the Environment, Food and Rural Affairs depending upon the bait type and delivery method used.

9 Draft DCO wording

Schedule []

Ornithology Compensation Measures

PART 1

The Hornsea Four Offshore Ornithological Engagement Group

1. In this Schedule:

“The FFC” means the site designated as the Flamborough and Filey Coast Special Protection Area;

“the gannet and kittiwake compensation plan” means the document certified as the gannet and kittiwake compensation plan by the Secretary of State for the purposes of this Order under article 38 (certification of plans and documents etc.);

“the gannet guillemot and razorbill compensation plan” means the document certified as the gannet razorbill and guillemot compensation plan by the Secretary of State for the purposes of this Order under article 38 (certification of plans and documents etc.);

“the Hornsea Four Offshore Ornithology Engagement Group” or “H4 OOEG” means the group that will assist, through consultation, the undertaker in the delivery of the compensation measures identified in the gannet and kittiwake compensation plan and the gannet razorbill and guillemot compensation plan;

“the offshore compensation measures” means, as the context requires, bycatch reduction and/or the offshore nesting structure(s); and

“the onshore compensation measures” means, as the context requires, predator eradication and/or predator control measures and/or the onshore nesting structure(s).

2. Work Nos. 1, 2, 3, 4 and 5 together with any associated development offshore may not be commenced until a plan for the work of the “H4 OOEG” has been submitted to and approved by the Secretary of State. Such plan to include:

- a) terms of reference of the H4 OOEG;
- b) details of the membership of the H4 OOEG which must include:
 - i. the MMO and the relevant statutory nature conservation body as core members for offshore compensation measures and
 - ii. the relevant local planning authority and statutory nature conservation body as core members for onshore compensation measures;
 - iii. the RSPB and The Wildlife Trust and the National Federation of Fishermens Organisations as advisory members, for both onshore compensation measures and/or offshore compensation measures subject to their area of expertise;

- c) details of the proposed schedule of meetings, timetable for preparation of the gannet and kittiwake implementation and monitoring plan ("the KGIMP") and the gannet, guillemot and razorbill implementation and monitoring plan ("GGRIMP") and reporting and review periods;
- d) the dispute resolution mechanism and confidentiality provisions;
- e) the scope of the H4 OOEG to be limited to the topics for discussion as identified by the Applicant as chair of the H4 OOEG to include in relation to each compensation measure, site selection, project/study design, methodology for implementing the measure, monitoring and adaptive management options.

PART 2

Gannet and Kittiwake Compensation Measures

3. The GKIMP must be submitted to the Secretary of State for approval in consultation with the MMO and relevant statutory nature conservation body for offshore compensation measures (if required), and with Natural England and the relevant local planning authority for onshore compensation measures (if required). The KGIMP must be based on the strategy for gannet and kittiwake compensation set out in the gannet and kittiwake compensation plan and include:
 - a) details of locations where compensation measures will be deployed, and in the event onshore structures are required, details of landowner agreements and in the event new offshore structures are required, details of the seabed agreements with the relevant owner of the foreshore;
 - b) details of designs of artificial nesting structure(s); and how risks from avian or mammalian predation and for onshore nesting structures how unauthorised human access will be mitigated;
 - c) an implementation timetable for delivery of the artificial nesting structure, such timetable to ensure that in the event of the implementation of:
 - i. a new or repurposed onshore or offshore structure that does not host an existing colony, the structure is in place to allow for two kittiwake and gannet breeding seasons prior to operation of any turbine forming part of the authorised development; or
 - ii. a repurposed onshore or offshore structure that hosts an existing colony the structure is in place to allow for one kittiwake and gannet breeding season prior to operation of any turbine forming part of the authorised development;For the purposes of this paragraph each breeding season is assumed to have commenced on 1 April in each year and ended on 31st August.
 - d) details of the proposed ongoing monitoring of the measures including: survey methods; survey programmes and colony and productivity counts;
 - e) recording of H4 OOEG consultations;
 - f) details of any adaptive management measures, with details of the factors used to trigger any such measures;
 - g) provision for reporting to the Secretary of State, to include details of the use of each site by breeding kittiwake and gannet to identify barriers to success and target any adaptive management measures;

- h) details of the artificial nesting site maintenance schedule for the artificial nesting structure; and
 - i) in the event that the undertaker must implement bycatch reduction measures for gannet the information listed in paragraph 9(b)
- 4. The undertaker must construct the compensation measures as set out in the GKIMP approved by the Secretary of State.
- 5. The undertaker must notify the Secretary of State of completion of implementation of the measures set out in the GKIMP.
- 6. The artificial nest structure must not be decommissioned without prior written approval of the Secretary of State.
- 7. The GKIMP approved under this Schedule includes any amendments that may subsequently be approved in writing by the Secretary of State. Any amendments to or variations of the approved GKIMP must be in accordance with the principles set out in the gannet and kittiwake compensation plan and may only be approved where it has been demonstrated to the satisfaction of the Secretary of State that it is unlikely to give rise to any materially new or materially different environmental effects from those considered in the gannet and kittiwake compensation plan.

PART 3

Gannet Guillemot and Razorbill Compensation Measures

- 8. The GGRIMP must be submitted to the Secretary of State for approval in consultation with the MMO and the relevant statutory nature conservation body for offshore compensation measures, and with the relevant statutory nature conservation body and the relevant local planning authority and relevant conservation trusts for onshore compensation measures. The GGRIMP must be based on the strategy for gannet, guillemot and razorbill compensation set out in the gannet guillemot and razorbill compensation plan and include:
 - a) in the event that the undertaker must implement predator eradication and/or predator control measures
 - i. details of locations where compensation measures will be deployed;
 - ii. details of how any necessary access rights, licences and approvals have or will be obtained and any biosecurity measures will or have been secured;
 - iii. an implementation timetable for delivery of the predator eradication and/or predator control measure that ensures that the measure has been implemented two years prior to operation of any turbine forming part of the authorised development;
 - iv. proposals for monitoring and reporting on the effectiveness of the measures, including productivity rates; breeding population and distribution of breeding birds;
 - v. recording of H4 OoEG consultations;
 - vi. details of any adaptive management measures, with details of the factors used to trigger any such measures; and

- vii. provision for reporting to the Secretary of State, to include details of the use of each site by breeding guillemot and razorbill to identify barriers to success and target the adaptive management measures.
 - b) in the event that the undertaker must implement bycatch reduction measures
 - i. details of relevant technology supply agreements and arrangements with fishers to uptake the bycatch reduction technology that will or has been secured;
 - ii. an implementation timetable for provision of the bycatch reduction measures that ensures that the measures are in place prior to the operation of any turbine forming part of the authorised development;
 - iii. proposals for monitoring and reporting on the effectiveness of the measures, including the collection of data from participating fishers;
 - iv. recording of H4 OoEG consultations;
 - v. details of any adaptive management measures and details of the factors used to trigger adaptive management measures for each species; and
 - vi. provision for annual reporting to the Secretary of State, to identify barriers to success and target the adaptive management measures.
9. The undertaker must implement the compensation measures as set out in the GGRIMP approved by the Secretary of State.
10. The undertaker must notify the Secretary of State of completion of implementation of the measures set out in the GGRIMP.
11. The GGRIMP approved under this Schedule includes any amendments that may subsequently be approved in writing by the Secretary of State. Any amendments to or variations of the approved GGRIMP must be in accordance with the principles set out in the gannet, guillemot and razorbill compensation plan and may only be approved where it has been demonstrated to the satisfaction of the Secretary of State that it is unlikely to give rise to any materially new or materially different environmental effects from those considered in the kittiwake compensation plan.

PART 4

Fish Habitat Enhancement

12. No turbine forming part of the authorised development may begin operation until the fish habitat enhancement measures have been implemented in accordance with the principles as set out in the GKIMP and the GGRIMP (as relevant).

10 Funding

- 10.1.1.1 The Applicant has identified the costs associated with the development, implementation, and ongoing monitoring of the proposed compensation measure. These costs have been included within a detailed Derogation Funding Statement ([B2.10 RP Volume B2 Chapter 10 Without Prejudice Derogation Funding Statement](#)). This statement is supplemental to the Funding Statement ([E1.1 CA Volume E1.1 Funding Statement](#)) submitted as part of the suite of Application documents. The Funding Statement(s) outline the overall project cost based

on the capital expenditure and operational expenditure assumptions in the “Review of Renewable Electricity Generation Cost and Technical Assumptions” (Arup 2016). The Funding Statement(s) also detail the corporate structure and a robust explanation to allow the Secretary of State to conclude that the necessary funding to deliver the compensation measure can be secured.

11 Legislative and Political Issues

11.1.1.1 Questions have been raised as to whether it is possible for a Generator to secure compensation measures outside England and the UK Continental Shelf. The latest draft DEFRA Guidance dated July 2021 does not preclude the implementation of compensation measures outside of the affected area, but states that in the case of mobile species, connectivity between populations should be considered (see [Appendix A of B2.8.1 Compensation measures for FFC SPA: Bycatch Reduction: Ecological Evidence](#)) for evidence of how guillemot and razorbill originating from North Sea colonies (i.e. in proximity to FFC SPA) are likely to migrate through or disperse to the waters in the English Channel. Depending on how mobile a species is, this may need to be considered in discussions with the Devolved Administrations. The Applicant has engaged with the Northern Irish government and with the State of Guernsey. The Applicant considers their continued support to be key to the delivery of the compensation measures.

11.1.1.2 Sites at Alderney and Herm are protected under the Convention on Wetlands of International Importance (“the Ramsar Convention”). These sites are located outside of the national site network. Nonetheless these sites are afforded the protection of Ramsar status. The National Planning Policy Framework in England affords Ramsar Sites and Proposed Ramsar Sites the same protection as European Sites. This is a policy position in England that cannot be reflected in Guernsey as they are a Crown Dependency and have never been subject to EU Law. The relevant applicable Ramsar policy is the 2020 Strategy for Nature. The Applicant has engaged with the State of Guernsey and has confidence that despite formal designation as an SPA not being possible, the 2020 Strategy for Nature envisages a proportionate level of protection. Further engagement with the State of Guernsey will continue to ensure the measure can be successfully implemented and monitored for the operational lifetime of Hornsea Four.

12 Conclusion

12.1.1.1 The Applicant is confident that the compensation measure is viable, will be effective and can be delivered. The Applicant will continue stakeholder engagement to demonstrate the suitability of the site refinement and development of the implementation of the predator eradication programme and ensure the compensation measures can be readily achieved and secured.

13 References

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Appendix A Letter of comfort from Alderney Wildlife Trust

Dr. Sarah Randall

Environment Manager & Derogation Lead
UK Consents, Development
Orsted,
5 Howick Place,
Westminster London,
SW1P 1WG

23rd September, 2021

Dear Dr. Randall,

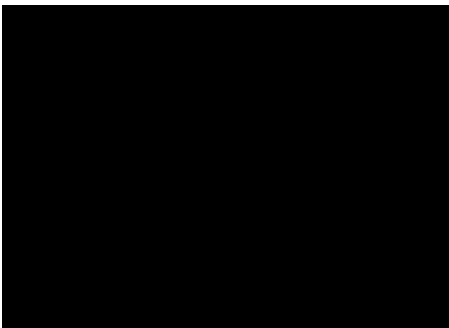
Alderney Wildlife Trust (AWT) is impressed by Ørsted's green vision, its commitment to renewables and its credentials as a sustainable energy company. AWT are pleased that Ørsted proactively seek to understand the environmental impacts of their projects and where necessary implement means to mitigate those impacts wherever possible.

For the Hornsea Four offshore windfarm project, located adjacent to the Lincolnshire coast, AWT, through its wholly owned subsidiary Alderney Wildlife Trust Enterprises Limited (AWTE), hope to collaborate with Ørsted on a feasibility study to help boost the numbers of Guillemots and Razorbills. Should this research take place we hope to examine the impact of rat presence on the local populations of Guillemot and Razorbill that nest on Alderney's near shore and tidal islets and, where need be, explore the use of rat control to protect and potentially enhance those populations in the Bailiwick of Guernsey. AWT is also grateful to see Ørsted's willingness to ensure that data coming out of such research would be available to Alderney's Government (States of Alderney).

AWT believes this work would be of mutual benefit for both organisations. It would enable AWTE to identify where rats and auks coexist, ascertain any negative impacts on the birds and explore means to effectively mitigate them. These actions might not only improve the bird's productivity but could also open up previously unused nesting habitat, enabling the local population to increase in numbers but also expand its distribution. In so doing, AWT hopes to help Ørsted to meet some of its environmental obligations for the Hornsea Four offshore windfarm project.

Furthermore, it is hoped that should this feasibility study go forwards it will provide the States of Alderney and AWT valuable information to help implement a biosecurity plan for Alderney and its outer islands, where rodent eradication or control can be applied effectively to protect and potentially enhance its seabird populations for future generations in the years to come.

Yours sincerely



Roland Gauvain
CEO, Alderney Wildlife Trust

Appendix B Letter of comfort from the States of Guernsey



States of Guernsey
Agriculture, Countryside and
Land Management Services

acims@gov.gg
www.gov.gg

Our Ref: Ramsar-Seabird
Your Ref: HOW04 States of
Guernsey

Dr S Randall
Environment Manager & Derogation Lead
UK Consents, Development
Ørsted
UK

23rd September 2021

Dear Dr Randall

**Hornsea Project Four Letter of Support – States of Guernsey re: Predator
Eradication in the Herm Ramsar site**

This letter provides confirmation that the States of Guernsey is in support of the Herm, Jethou & The Humps Ramsar site (“Herm Ramsar site”) being included as a candidate compensation site for the proposed Hornsea Project Four. We support the proposal by Ørsted to progress with a collaborative approach to carrying out a feasibility study to explore whether the site would be suitable to deliver a benefit to target seabird species (guillemot and/or razorbill) by freeing up suitable habitat by carrying out a Predator Eradication Programme, including ongoing monitoring and biosecurity, for the lifetime of the Hornsea Four windfarm (in the region of 35 years).

By way of background, the States of Guernsey has an existing commitment - under the Strategy for Nature for Guernsey - to implement a Ramsar Management Plan for the Herm site. The management plan has identified the need to support threatened seabird populations through a rodent extermination programme, but no eradication work has started. The only work carried out to date has been a research study which identified that the Ramsar site was important for seabird populations and that a rat eradication programme would be beneficial to those populations. The study included an outline scope of proposed eradication and ongoing biosecurity & monitoring.

The value that any Predator Eradication Programme could potentially bring is recognised, not just in supporting the potential recovery of seabird populations but also the potential opportunities afforded to both Herm and Guernsey in terms of ecotourism and helping to meet our obligations to the Convention on Wetlands (Ramsar) through the implementation of a Ramsar Management Plan.

ACLMS is pleased to note the importance Ørsted attaches to extensive stakeholder and community engagement as part of any programme of works.

ACLMS raises no objection in principle to a collaborative approach with Ørsted to research, do feasibility studies or to implement a Predator Eradication Programme (PEP) subject to the following conditions:

That consultation is carried out and appropriate stakeholder engagement continues over the life of the PEP. Further that no work - including planning, preparation and delivery of works in connection with, or having relevance to, Guernsey, Herm or Jethou - in respect of any part of the PEP, commences without the prior consent of ACLMS.

As the designated Ramsar Management Authority for the Herm Ramsar site, ACLMS retains full control to review Ørsted's proposed operational plan and retains the authority to veto or amend works and specifications for works which do not meet relevant standards and best practice.

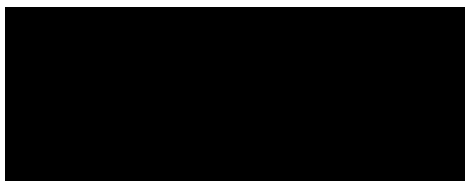
In the event that Ørsted is unable to complete the full PEP, for any reason, ACLMS reserves the right to make use of any operational plan and methodologies developed during Ørsted's involvement in the PEP.

ACLMS further reserves the right to consult with and take advice from other third parties as part of any PEP.

It is acknowledged that this letter shall accompany the full Development Consent Order application for the Hornsea Project Four, for examination by the Planning Inspectorate; and as part of this application shall be placed on public record.

In stating the above conditions for collaboration with Ørsted, ACLMS is acting on behalf of the States of Guernsey in its role as manager and monitor of risks and opportunities to the natural environment to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations. Note that the scope of ACLMS's role extends only to the islands of Guernsey, Herm & Jethou and does not include the islands of Sark or Alderney.

Yours sincerely



Andy McCutcheon
Principal Environment Services Officer
Agriculture, Countryside and Land Management Services
(ACLMS)