



# Hornsea Project Four

## G1.22 Statement of Common Ground between Hornsea Project Four and the Royal Society for the Protection of Birds: Offshore and Intertidal Ornithology, Derogation and Compensation

**Deadline: 1, Date: 08 March 2022**

**Document Reference: G1.22**

**Revision: 01**

**Prepared** Kaitlin Eames, Ørsted, March 2022  
**Checked** Lauren Kirkland, GoBe, March 2022  
**Accepted** Sarah Randal, Ørsted, March 2022  
**Approved** Julian Carolan, Ørsted, March 2022

G1.22  
Version A

## Revision History

Date	Version	Reason for issue
08/03/2022	A	Initial draft for the Royal Society for the Protection of Birds review. SoCG has been submitted to RSPB for comment and will be updated for Deadline 3.
	B	
	C	

## Signatories

<b>Signed</b>	[Insert signature]
<b>Name</b>	
<b>Position</b>	
<b>For</b>	Royal Society for the Protection of Birds

<b>Signed</b>	[Insert signature]
<b>Name</b>	
<b>Position</b>	
<b>For</b>	Orsted Hornsea Project Four Limited

## Table of Contents

1	Introduction.....	5
1.1	Reason for this document.....	5
1.2	Approach to SoCG.....	5
1.3	Application elements of interest to RSPB.....	5
1.4	Overview of Hornsea Four.....	6
2	Consultation.....	7
2.1	Summary of consultation with RSPB.....	7
3	Agreement Logs.....	13
3.1	Overview.....	13
3.2	Offshore and Intertidal Ornithology; and Derogation and Compensation.....	16
3.3	Other Documents and Plans.....	28
4	Summary.....	29

## List of Tables

Table 1: Summary of pre-application consultation with RSPB, in relation to offshore and intertidal ornithology and derogation and compensation. ....	7
Table 2: Relevant documents to this SoCG.....	13
Table 3: Position Status Key.....	14
Table 4: Agreement Log – Offshore and Intertidal Ornithology; and Derogation and Compensation. ....	16
Table 5: Agreement Log – Other Documents and Plans.....	28

## Glossary

Term	Definition
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Projects (NSIP).
Hornsea Project Four Offshore Wind Farm	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.
Orsted Hornsea Project Four Ltd	The Applicant for the proposed Hornsea Project Four Offshore Wind Farm Development Consent Order (DCO).

## Acronyms

Acronym	Definition
AEoI	Adverse Effect on Integrity
CRM	Collision Risk Modelling
DMLs	Deemed Marine Licences
DCO	Development Consent Order
ECC	Export Cable Corridor
EIA	Environmental Impact Assessment
EP	Evidence Plan
ES	Environmental Statement
FFC	Flamborough and Filey Coast
HRA	Habitats Regulations Assessment
HVAC	High Voltage Alternating Current
HVDC	High Voltage Direct Current
LAT	Lowest Astronomical Tide
LSE	Likely Significant Effect
MDS	Maximum Design Scenario
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MMO	Marine Management Organisation
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
PINS	The Planning Inspectorate
PVA	Population Viability Analysis
RIAA	Report to Inform Appropriate Assessment
RR	Relevant Representation
SNCB	Statutory Nature Conservation Body
SoCG	Statement of Common Ground
SPA	Special Protection Area

## 1 Introduction

### 1.1 Reason for this document

1.1.1.1 This Statement of Common Ground (SoCG) has been prepared between Orsted Hornsea Project Four Limited ('the Applicant') and The Royal Society for the Protection of Birds (RSPB) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Hornsea Project Four offshore wind farm (hereafter referred to as 'Hornsea Four').

1.1.1.2 This SoCG covers offshore and intertidal ornithology matters and derogation and compensation matters.

1.1.1.3 The need for a SoCG between the Applicant and RSPB is set out within the Rule 6 letter that was issued by the Planning Inspectorate (PINS) on 24<sup>th</sup> January 2022<sup>1</sup>.

1.1.1.4 Following detailed discussions undertaken through the Evidence Plan (EP) Process, the Applicant and RSPB have sought to progress a SoCG. It is the intention that this document will provide PINS and the Examining Authority (ExA) with a clear overview of the level of common and uncommon ground between both parties at Deadline 1 of the Hornsea Four DCO Examination. This document will facilitate further discussions between the Applicant and RSPB; the SoCG will be updated as discussions progress during the Hornsea Four DCO examination.

### 1.2 Approach to SoCG

1.2.1.1 The Applicant took the decision at an early stage to adopt a proportionate approach to Environmental Impact Assessment (EIA) for Hornsea Four which is detailed and integrated throughout the DCO application. This SoCG seeks to set out the agreements reached with RSPB on the proportionate approach to EIA in addition to other matters such as (but not limited to) the adequacy of baseline data collection, the assessment methodology and conclusions reached ([Section 3.7](#)).

1.2.1.2 The structure of this SoCG is as follows:

- [Section 1](#): Introduction;
- [Section 2](#): Consultation;
- [Section 3](#): Agreement Logs; and
- [Section 4](#): Summary.

### 1.3 Application elements of interest to RSPB

1.3.1.1 The elements of Hornsea Four which may affect the interests of RSPB are Work Numbers 1 to 10, covering both onshore and offshore works. These are detailed in Part 1 (Authorised Development) of Schedule 1 (Authorised Project) of the draft DCO ([C1.1: Draft DCO including DMLs](#)).

---

<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010098/EN010098-000901-Hornsea%204%20Rule%206%20letter.pdf>

## 1.4 Overview of Hornsea Four

1.4.1.1 Hornsea Four is an offshore wind farm which will be located approximately 69 km offshore the East Riding of Yorkshire in the Southern North Sea and will be the fourth project to be developed in the former Hornsea Zone. Hornsea Four will include both offshore and onshore infrastructure and consists of:

- **Hornsea Four array area:** This is where the offshore wind generating station will be located which will include the turbines, array cables, offshore accommodation platforms and a range of offshore substations as well as offshore interconnector cables and export cables;
- **Hornsea Four offshore export cable corridor:** This is where the permanent offshore electrical infrastructure (offshore export cables, as well as the High Voltage Alternating Current (HVAC) booster station (if required), will be located;
- **Hornsea Four intertidal area:** This is the area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS) through which all of the offshore export cables will be installed;
- **Hornsea Four onshore export cable corridor:** This is where the permanent onshore electrical cable infrastructure will be located; and
- **Hornsea Four onshore substation including energy balancing infrastructure:** This is where the permanent onshore electrical substation infrastructure (onshore High Voltage Direct Current (HVDC) converter/HVAC substation, energy balancing infrastructure and connections to the National Grid) will be located.

## 2 Consultation

### 2.1 Summary of consultation with RSPB

2.1.1.1 [Error! Reference source not found.](#) below summarises the consultation that the Applicant has undertaken with RSPB relevant to offshore and intertidal ornithology during the pre-application phase.

**Table 1: Summary of pre-application consultation with RSPB, in relation to offshore and intertidal ornithology and derogation and compensation.**

Date	Form of consultation	Statutory/Non Statutory	Summary
<b>Offshore and Intertidal Ornithology</b>			
13/09/2018	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 1</b></p> <p>Initial meeting to discuss the approach to the scoping report, the methods and scope of data collection and surveys, scope of EIA including assessment methodology, and preliminary discussion of key issues or areas of concern.</p> <p>Introduction to the project; introduction to the Technical Panel, the EEP process and the proportionate approach to EIA; and discussion on key position papers.</p>
15/10/2018	Consultation	Statutory	<b>Hornsea Four Scoping Report</b>
17/12/2018	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 2</b></p> <p>Project updates; review of scoping responses and the Habitats Regulations Assessment (HRA) screening report; and discussion of next steps in relation to seeking agreement with stakeholders on the data to be included in the PEIR and ES.</p>
07/02/2019	Meeting	Non Statutory	<p><b>Developable Area Approach (DAA) 1</b></p> <p>Presentation / discussion on Hornsea Four's development aspirations and discussion on ornithological constraints and potential reduction of the Agreement for Lease (AfL) area in line with key potential consent risks.</p>
10/04/2019	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 3</b></p> <p>Project updates; discussion on the proportionate approach to EIA; review of responses received through the Scoping Opinion and Habitats Regulations</p>

Date	Form of consultation	Statutory/Non Statutory	Summary
			Assessment (HRA) Screening Report consultation; discussion on next steps in relation to seeking agreement with key stakeholders on the data sources for baseline characterisation; and discussion on the next steps to agree appropriate methods for estimating potential impacts for the PEIR and ES.
11/06/2019	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 4</b></p> <p>Project updates; discussion of the scope of the PEIR and ES chapters; further discussion relating to agreement of baseline data, assessment methodology and the Impacts Register for Collision Risk Modelling (CRM) and displacement analysis; and summary of key areas of agreement and disagreement between the Applicant and Technical Panel members.</p>
13/08/2019	Consultation	Statutory	<p><b>Hornsea Four PEIR</b></p> <p>Published for statutory Section 42 consultation.</p>
23/09/2019	Consultation response	Statutory	<p><b>RSPB response to PEIR</b></p> <p>Providing comments on the PEIR.</p>
29/10/2019	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 5</b></p> <p>Project updates and updates to the project programme; review of Section 42 responses; next steps to agree the key species and assessment methods for the assessment of displacement and disturbance; discussion on sCRM Shiny App and 'worse case' scenarios and discussion on Population Viability Analysis (PVA) tools.</p>
12/11/2019	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 6</b></p> <p>Review of impact assessment methodology including values used to define value, sensitivity and importance, and the use of a matrix approach to determine significance; approach to the cumulative assessment including key data sources for displacement analysis, CRM and CEA tables; and discussion on barrier</p>



Date	Form of consultation	Statutory/Non Statutory	Summary
			effects and approach to the lighting impact assessment.
26/11/2019	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 7</b></p> <p>Discussion on designated sites screened in for assessment, and defining the designated features and assemblages of those sites screened in for assessment; and updates on species-specific work undertaken to inform the EIA.</p>
27/02/2020	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 8</b></p> <p>Project updates; discussions over additional camera analysis, CRM, cumulative effects assessment and species densities; and updates to foraging ranges based on the Woodward et al (2019) paper.</p>
21/04/2020	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 9</b></p> <p>Project updates and programme; additional camera analysis; species-specific data to inform populations and densities; and data sources for intertidal ornithology.</p>
09/06/2020	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 10</b></p> <p>Project updates, programme and derogation update; CRM and PVA assessments; and productivity , Mortality Rates and Seabird Populations.</p>
15/07/2020	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 11</b></p> <p>Presentation of revised offshore ornithology data, following changes to the Hornsea Four Order Limits; presentation of results from CRM and PVA workstreams; discussion on other ongoing offshore wind farm examinations; apportionment methodology for the Report to Inform Appropriate Assessment (RIAA); additional camera analysis; and HRA screening update.</p>
23/11/2020	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 13</b></p> <p>Review of Baseline and MRSea ES deliverables; discussion on the cumulative</p>

Date	Form of consultation	Statutory/Non Statutory	Summary
			and in-combination totals for other offshore wind farms; and presentation of updated PVA modelling results.
04/03/2021	Meeting	Non Statutory	<p><b>Offshore and Intertidal Ornithology Technical Panel Meeting 14</b></p> <p>Project updates including the reduction in the developable area and the change to the project programme; discussion on the auk habituation and displacement report and associated feedback; discussion on guillemot conclusions on AEol; and discussion on potential mitigation options. NOTE: RSPB were absent but were sent the invite with material attached.</p>
<b>Derogation and Compensation</b>			
24/06/2020	Online Hornsea Three and Four Compensation Workshop	Non Statutory	<p><b>Hornsea Four Workshop #1: Long list</b></p> <p>To introduce intention to produce 'without prejudice' derogation case. The applicant discussed and obtained feedback on the draft long-list of potential compensation measures presented. The applicant shared their approach to identifying compensation options and long-term implementation. Presenting details of Hornsea Fours' programme, including a delay to the DCO submission date to account for other project delays.</p>
11/08/2020	Online Hornsea Three and Four Compensation Workshop	Non Statutory	<p><b>Hornsea Four Workshop #1.1: Onshore nesting and prey availability</b></p> <p>Presentation and discussion of work completed to date on feasible compensation measures, namely artificial nest provision and prey availability research; this was predominately on options for Hornsea Three but informed Hornsea Four's case. Stakeholder responses to the measures were determined.</p>
25/08/2020	Online Workshop Compensation Measures	Non Statutory	<p><b>Online Compensation Measures Workshop</b></p>

Date	Form of consultation	Statutory/Non Statutory	Summary
			<p>More in-depth discussion of artificial nesting as compensation option for kittiwake. Agenda was focused primarily on Hornsea 3 but informed Hornsea Four's case. The applicant presented calculations to determine number of nest sites required, and also discussed suitable locations, securing sites, adaptive management and roadmap to delivery of the measure.</p>
08/09/2020	<p>Meeting Notes: joint Hornsea Three and Four agenda</p>	Non Statutory	<p>The Applicant obtained advice in relation to offshore fisheries management and the effectiveness of the proposed prey-related compensation. The Applicant discussed offshore fisheries management, with the position that it is legally inappropriate to pursue in the DCO and must be Government led. The effectiveness of prey-related compensation was discussed, with stakeholders reiterating their support for inclusion of prey availability.</p>
25/11/2020	<p>Online Workshop Compensation Measures</p>	Non Statutory	<p><b>Hornsea Four Workshop #1</b>                      This meeting provided feedback on the feasibility and preference for the measures presented, and introduced workstreams pursued for kittiwake, guillemot, razorbill and gannet. The Applicant presented on the PVA modelling, the use of EC Guidance (2018) criteria to identify feasible compensation measures and the feasibility and preferences for measures.</p>
20/01/2020	<p>Online Workshop Compensation Measures</p>	Non Statutory	<p><b>Hornsea Four Workshop #2</b>                      This meeting provided The Applicant the opportunity to discuss the proposed compensation measures and establish whether they are feasible (either alone or as part of a suite of measures). The Applicant presented on the offshore nesting, Guillemot and Razorbill Fisheries Bycatch and prey availability and seagrass restoration evidence bases and next steps.</p> <p>An update on prey available evidence was provided, as well as DMP and British</p>

Date	Form of consultation	Statutory/Non Statutory	Summary
			<p>True for Ornithology modelling progress to date.</p>
28/05/2020	Online Workshop Compensation Measures	Non Statutory	<p><b>Hornsea Four Workshop #3</b></p> <p>The Applicant provided an update on the compensation workstreams. The Applicant presented on kittiwake nesting census survey work of oil and gas platforms, as well as prey distribution work. Location and colonisation period of potential new or repurposed offshore nesting structures discussed, in addition to decommissioning of oil and gas structures.</p> <p>The Applicant presented on the results of bycatch reduction to date. Proposals for bycatch reduction trials were also discussed.</p> <p>The Applicant presented on predator eradication results: the shortlisting process and potential of the Channel Islands and Isles of Scilly.</p>
03/08/2020	Online Workshop Compensation Measures	Non Statutory	<p><b>Hornsea Four Workshop #4</b></p> <p>The Applicant provided an update on the progress of Hornsea Four evidence workstreams for compensation measures. Prior to the workshop, the Applicant submitted several compensation plans and requested comments on the. The outline structure of the Roadmaps was presented.</p> <p>The Applicant also presented on kittiwake population modelling to identify the population of first-time breeders available to recruit to new colonies and site selection work for offshore nesting structures and early-stage designs.</p> <p>The Applicant gauged views on the merit of the compensation measures.</p> <p>The Applicant presented an update on the bycatch reduction proposals, results of fisheries consultation, the details of proposed pilot study; predator eradication work including proposed</p>

Date	Form of consultation	Statutory/Non Statutory	Summary
			<p>locations for inclusion; and seagrass restoration proposals.</p> <p>The commitments as part of the HOW03 submission and HOW04 potential extension to the research regarding seabird prey resource were presented.</p>

## 3 Agreement Logs

### 3.1 Overview

3.1.1.1 The following sections of this SoCG set out the level of agreement between the parties for each relevant topic of the application (as identified in paragraph 1.3.1.1).

3.1.1.2 **Table 2** presents the list of documents that have informed the level of agreements presented in **Section 3.2 – 3.3**.

**Table 2: Relevant documents to this SoCG.**

Document Title
<a href="#">Offshore Environmental Assessment</a>
A2.5 ES Volume A2 Chapter 5 Offshore and Intertidal Ornithology
A2.5.1 Offshore and Intertidal Ornithology Chapter Schedule of Change
<a href="#">Offshore Annexes</a>
A5.5.1 ES Volume A5 Annex 5.1 Offshore and Intertidal Ornithology Baseline Characterisation Report
A5.5.2 ES Volume A5 Annex 5.2 Offshore Ornithology Displacement Analysis
A5.5.3 ES Volume A5 Annex 5.3 Offshore Ornithology Collision Risk Modelling
A5.5.4 ES Volume A5 Annex 5.4 Offshore Ornithology Population Viability Analysis
A5.5.5 ES Volume A5 Annex 5.5 Offshore Ornithology Migratory Birds Report
A5.5.5.1 Offshore Ornithology Migratory Birds Report Schedule of Change
A5.5.6 ES Volume A5 Annex 5.6 Offshore Ornithology MRSea Report
<a href="#">Compensation Environmental Impact Assessment Methodology Annexes</a>
A4.6.1 ES Volume A4 Annex 6.1 Compensation Project Description.
A4.6.2 ES Volume A4 Annex 6.2 Compensation Location Plans.
A4.6.3 ES Volume A4 Annex 6.3 Compensation Impacts Register.
A4.6.4 ES Volume A4 Annex 6.4 Compensation Commitments Register.
A4.6.5 ES Volume A4 Annex 6.5 Compensation EIA Annex Part 1.
A4.6.5 ES Volume A4 Annex 6.5 Compensation EIA Annex Part 2.
A4.6.5 ES Volume A4 Annex 6.5 Compensation EIA Annex Part 3.
A4.6.5 ES Volume A4 Annex 6.5 Compensation EIA Annex Part 4.
A4.6.5 ES Volume A4 Annex 6.5 Compensation EIA Annex Part 5.
A4.6.5 ES Volume A4 Annex 6.5 Compensation EIA Annex Part 6.
<a href="#">Report to Inform Appropriate Assessment (RIAA)</a>

## Document Title

B2.2 RP Volume B2 Chapter 2 Report to Inform Appropriate Assessment

## Derogation

B2.4 RP Volume B2 Chapter 4 Summary Statement.

B2.5 RP Volume B2 Chapter 5 Without Prejudice Derogation Case.

B2.6 RP Volume B2 Chapter 6 Compensation measures for FFC SPA Overview.

B2.6.1 RP Volume B2 Annex 6.1 Compensation measures for FFC SPA Compensation Criteria.

B2.6.2 RP Volume B2 Annex 6.2 Compensation measures for FFC SPA Prey Resource Evidence.

B2.7 RP Volume B2 Chapter 7 FFC SPA Gannet and Kittiwake Compensation Plan.

B2.7.1 RP Volume B2 Annex 7. 1 Compensation measures for FFC SPA Offshore Artificial Nesting Ecological Evidence.

B2.7.2 RP Volume B2 Annex 7.2 Compensation measures for FFC SPA Offshore Artificial Nesting Roadmap.

B2.7.3 RP Volume B2 Annex 7.3 Compensation measures for FFC SPA Onshore Artificial Nesting Ecological Evidence.

B2.7.4 RP Volume B2 Annex 7.4 Compensation measures for FFC SPA Onshore Artificial Nesting Roadmap.

B2.7.5 RP Volume B2 Annex 7.5 Compensation measures for FFC SPA Artificial Nesting Site Selection and Design.

B2.7.6 RP Volume B2 Annex 7.6 Outline Gannet and Kittiwake Implementation and Monitoring Plan.

B2.8 RP Volume B2 Chapter 8 FFC SPA Gannet Guillemot and Razorbill Compensation Plan.

B2.8.1 RP Volume B2 Annex 8.1 Compensation measures for FFC SPA Bycatch Reduction Ecological Evidence.

B2.8.2 RP Volume B2 Annex 8.2 Compensation measures for FFC SPA Bycatch Reduction Roadmap.

B2.8.3 RP Volume B2 Annex 8.3 Compensation measures for FFC SPA Predator Eradication Ecological Evidence.

B2.8.4 RP Volume B2 Annex 8.4 Compensation measures for FFC SPA Predator Eradication Roadmap.

B2.8.5 RP Volume B2 Annex 8.5 Compensation measures for FFC SPA Fish Habitat Enhancement Ecological Evidence

B2.8.6 RP Volume B2 Annex 8.6 Compensation measures for FFC SPA Fish Habitat Enhancement Roadmap

B2.8.7 RP Volume B2 Annex 8.7 Outline Gannet Guillemot and Razorbill Implementation and Monitoring Plan

B2.9 RP Volume B2 Chapter 9 Record of Consultation

B2.10 RP Volume B2 Chapter 10 Without Prejudice Derogation Funding Statement

## Pre Examination Documents

G1.5 Kittiwake AEoI Conclusion Position Paper

3.1.1.3 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion', the colour coding system set out in [Table 3](#) below is used within the 'position' column of the following sections of this document.

**Table 3: Position Status Key.**

Position Status	Position Colour Coding
<b>Agreed</b> The matter is considered to be agreed between the parties	Agreed
<b>Not Agreed – no material impact</b> The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or RSPB is not considered to result in a material impact to the assessment conclusions.	Not Agreed – no material impact
<b>Not Agreed</b> The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or RSPB is considered to result in a materially different impact to the assessment conclusions.	Not Agreed

Position Status	Position Colour Coding
<p><b>Ongoing point of discussion</b></p> <p>The matter is neither 'agreed' nor 'not agreed' and is a matter where further discussion is required between the parties (e.g where documents are yet to be shared with RSPB).</p>	Ongoing point of discussion

DRAFT

## 3.2 Offshore and Intertidal Ornithology; and Derogation and Compensation

Table 4: Agreement Log – Offshore and Intertidal Ornithology; and Derogation and Compensation.

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
<b>Offshore and Intertidal Ornithology</b>				
<b>Environmental Impact Assessment</b>				
RSPB-ORN-OFF-01	Baseline Environment	Sufficient survey data (24 months of site-specific aerial digital survey data) has been collected to define the baseline inform the assessment.	RSPB are in agreement that 24 months of survey data is sufficient for baseline characterisation.	Agreed Evidence Plan (EP) Log: OFF-ORN-1.8
		The reliance on aerial digital survey data from two cameras (approximately 10% coverage of the survey area) is a sufficient survey dataset that is appropriate to inform the assessment.	RSPB agree that there was no material difference between the baseline results of the 2 vs 4 camera analysis and are therefore content with the use of 10% coverage for baseline characterisation.	Agreed EP Log: OFF-ORN-1.5 and 1.19
		The aerial digital video survey methodology implemented for the offshore ornithological surveys is appropriate for characterising the baseline.	The RSPB is content that this is a robust method if used correctly and transparently.	Agreed EP Log: OFF-ORN-1.8
		The methods and techniques used to analyse offshore ornithological data are appropriate for characterising bird distributions and estimating populations, attribution and apportionment of unidentified birds, correction of availability bias and consideration of biological seasons.	There are a number of concerns with how the Applicant has applied the methods and a lack of clarity as to how data has been treated or consideration of model performance.	Ongoing point of discussion
		Through consultation with the RSPB prior to the PEIR and following their Section 42 responses a method was developed and agreed to estimate red-throated diver densities within the Hornsea Four Export Cable Corridor. This included a 'benchmark' approach being applied to seabird densities from the predicted density maps and the underlying dataset of the SeaMaST project (Seabird Mapping and Sensitivity Tool) described in Bradbury et al. (2014) as the most appropriate dataset for this.	RSPB agree that the 'benchmark' assessment method is appropriate for calculating red-throated diver density within the ECC.	Agreed EP Log: OFF-ORN-1.11 and 2.25



ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		The migratory seabird and non-seabird population estimates detailed in Appendix C of <a href="#">Volume A5, Annex 5.5: Offshore Ornithology Migratory Birds Report</a> is appropriate to inform the assessment.	The RSPB agree with the assessment of migratory seabird and non-seabirds.	Agreed
	Assessment Methodology (General)	The list of offshore and intertidal ornithology receptors and the potential impacts on them assessed are appropriate for all phases of development.	The RSPB agree with the receptors identified for impact assessment. However, the RSPB has outstanding issues with the baseline data and manner in which impacts have been assessed.	Ongoing point of discussion
		The impact assessment methodologies used for the EIA provide an appropriate approach to assessing potential impacts of Hornsea Four.	While the overarching issues of baseline data and population modelling mean that the assessment is inadequate, and therefore insufficient for a robust assessment and proper understanding of the likely impacts of the scheme.	Ongoing point of discussion
		The maximum design scenarios (MDS) for impacts on offshore and intertidal receptors is clearly defined and are representative of the likely Worst Case Scenarios (WCS) and appropriate to be used in the assessment.	The RSPB agree that the MDS is clearly defined. However, the RSPB has outstanding issues with the baseline data and manner in which impacts have been assessed.	Ongoing point of discussion
	Assessment Methodology (Construction Impacts)	The methods of assessing disturbance and displacement during construction activities within the array area and 2 km buffer (being treated as half the predicted values of the operational and maintenance phase) is appropriate for the purposes of assessing the risks of displacement of gannet, guillemot, razorbill and puffin in relation to Hornsea Four.	The RSPB has outstanding issues with manner in which displacement impacts have been considered, for example, the analysis only considers auks recorded on the water and not those in flight.	Ongoing point of discussion
			While major methodological concerns remain, progress towards resolving a number of issues was made during the pre-application discussions for this project.	Ongoing point of discussion

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		The methods of assessing disturbance and displacement during construction activities within the ECC (associated with export cable laying), within an area out to 2 km from cable laying vessel, is appropriate for the purposes of assessing the risks of displacement of red-throated diver in relation to Hornsea Four.	RSPB agree that the 'benchmark' assessment method and approach to ECC construction phase assessment.	Agreed EP Log: OFF-ORN-1.11, 2.12 and 2.25
	Assessment Methodology (Operation Impacts)	The methods of assessing disturbance and displacement during the operation and maintenance phase for gannet of between 60-80% is appropriate for the purposes of assessing the risks in relation to Hornsea Four.	The RSPB agree with the focus of gannet displacement being based on 60-80% displacement rate, in conjunction with full matrices being presented alongside.	Agreed
		The methods of assessing displacement consequent mortality during the operation and maintenance phase for gannet of up to 1% is appropriate for the purposes of assessing the risks in relation to Hornsea Four.	RSPB continue to have significant concerns relating to the project's displacement impacts including their assessment.	Not Agreed – material impact
		The methods of assessing disturbance and displacement during the operation and maintenance phase for auk species (guillemot, razorbill and puffin) of 50% is appropriate for the purposes of assessing the risks in relation to Hornsea Four.	RSPB continue to have significant concerns relating to the project's displacement impacts including their assessment.	Not Agreed – material impact
		The methods of assessing displacement consequent mortality during the operation and maintenance phase for auk species (guillemot, razorbill and puffin) of up to 1% is appropriate for the purposes of assessing the risks in relation to Hornsea Four.	RSPB continue to have significant concerns relating to the project's displacement impacts including their assessment.	Not Agreed – material impact
		The methods of assessing collision risk for key seabirds including gannet, kittiwake, great black-backed gull, lesser black-backed gulls and herring gull are appropriate and have been applied accurately.	The RSPB do not agree with the use of a 98.9% avoidance rate for gannet collision risk assessment.	Not Agreed –
		The methods of assessing collision risk on migratory seabirds and non-seabirds are appropriate and have been applied accurately.	The RSPB agree with the assessment of migratory seabird and non-seabirds.	Agreed
		The methods of assessing indirect effects are appropriate and have been applied accurately.	TBC	Ongoing point of discussion

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		The methods of assessing barrier effects are appropriate and have been applied accurately.	TBC	Ongoing point of discussion
	Assessment Methodology (Cumulative Impacts)	The plans and projects considered within the cumulative assessment are appropriate.	The RSPB agree with the projects included within the cumulative assessments.	Agreed.
		The abundance (displacement) values for all other plans and projects considered within the cumulative displacement assessment are appropriate for gannet and auk species (razorbill, guillemot and puffin).	We continue to have significant concerns relating to the project's in-combination and cumulative collision risk and displacement impacts including their assessment.	Not Agreed
		The collision mortality values for all other plans and projects considered within the cumulative collision risk assessment are appropriate for gannet, kittiwake, great black-backed gull, lesser black-backed gull and herring gull.	We continue to have significant concerns relating to the project's in-combination and cumulative collision risk and displacement impacts including their assessment.	Not Agreed
	Outcomes of the EIA	The conclusions of the assessment of impacts for construction, operation and decommissioning phases are appropriate and agreed that no impacts of greater than minor adverse significance are predicted.	While the overarching issues of baseline data and population modelling mean that the assessment is inadequate, and therefore insufficient for a robust assessment and proper understanding of the likely impacts of the scheme	Not Agreed
		The conclusions of the assessment of impacts for operation and maintenance phases are appropriate and agreed that no impacts of greater than minor adverse significance are predicted.	TBC	Ongoing point of discussion
		The conclusions of the assessment of cumulative construction and decommissioning impacts appropriate and agreed that no impacts of greater than minor adverse significance are predicted.	TBC	Ongoing point of discussion
		The conclusions of the assessment of cumulative operation and maintenance impacts appropriate and agreed that no	TBC	Ongoing point of discussion

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		impacts of greater than minor adverse significance are predicted.		
		Given the impacts of the project, the proposed Commitments outlined in <a href="#">Volume A4, Annex 5.2: Commitments Register</a> are appropriate.	TBC	Ongoing point of discussion
<b>Report to Inform Appropriate Assessment</b>				
	Screening	The RIAA has identified all relevant features of the designated sites that may be sensitive to changes as a result of the proposed activities.	The RSPB agree that all relevant features of designated sites where a LSE may occur have been identified.	Agreed.
		The RIAA has identified all relevant transboundary designated sites that may be sensitive to changes as a result of the proposed activities.	The RSPB agree that all relevant transboundary designated sites have been identified.	Agreed
	Assessment Methodology	The apportioning approach is appropriate.	The RSPB has outstanding issues with the manner in which apportioning of predicted mortalities to relevant SPAs has been carried out.	Ongoing point of discussion
		The breeding seasons as defined in the RIAA are appropriate for the assessment.	The RSPB has outstanding issues with manner in which the bio-seasons have been defined, for example the kittiwake breeding season is defined as May to July, when evidence from colony monitoring shows birds are present April to September.	Ongoing point of discussion
	PVA	The PVA has been undertaken in an appropriate manner.	Despite advice from both Natural England and the RSPB the Applicant has only presented outputs for the Counterfactual of Population Growth (CFOPG), RSPB consider that the Counterfactual of Population Size (CFOPS) also needs to be presented and assessed.	Ongoing point of discussion
		The PVA has been undertaken in an appropriate manner and the approach is robust providing sound results and analysis.	RSPB have run PVA scenarios using the same methods (the Natural	Ongoing point of discussion

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
			England PVA tool) and parameters, as provided by the Applicant, and found inconsistencies in the model outputs reported by the Applicant. These inconsistencies are indicative of the impacts not having been adequately assessed.	
	Outcomes of the RIAA	Conclusion of no AEol at any transboundary sites is appropriate, either alone or in-combination as a result of as a result of the proposed activities.	TBC	Agreed
		Conclusion of no AEol at any sites is appropriate, either alone or in-combination as a result of the proposed activities (except at Flamborough and Filey Coast (FFC) Special Protection Area (SPA)).	TBC	Ongoing point of discussion
		Conclusion of no AEol at FFC SPA is appropriate in relation to Hornsea Four alone, for any relevant features (including designated features of gannet, kittiwake, guillemot, razorbill), as a result of the proposed activities.	As this modelling is fundamental to the whole assessment, it is impossible to reach any conclusions with regard to significance of impacts without reassurance that it has been done correctly. As such all the conclusions on AEol given above can only be considered tentative.	Ongoing point of discussion
		Conclusion of no AEol at FFC SPA is appropriate in relation to Hornsea Four alone, for any relevant features (including named species within the designated seabird assemblage of herring gull and puffin and the seabird assemblage itself), as a result of the proposed activities.	As this modelling is fundamental to the whole assessment, it is impossible to reach any conclusions with regard to significance of impacts without reassurance that it has been done correctly. As such all the conclusions on AEol given above can only be considered tentative.	Ongoing point of discussion
		There is potential for an AEol on kittiwake at the FFC SPA from Hornsea Four in-combination with other projects.		Agreed

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		<p>Conclusion of no AEol at FFC SPA is appropriate in relation to from Hornsea Four in-combination with other projects, for the designated features of gannet, kittiwake, guillemot, razorbill , as a result of the proposed activities.</p>	<p>As this modelling is fundamental to the whole assessment, it is impossible to reach any conclusions with regard to significance of impacts without reassurance that it has been done correctly. As such all the conclusions on AEOI given above can only be considered tentative.</p>	<p>Ongoing point of discussion</p>
		<p>Conclusion of an AEol at FFC SPA is appropriate in relation to from Hornsea Four in-combination with other projects, for the designated feature of kittiwake, as a result of the proposed activities.</p>	<p>As this modelling is fundamental to the whole assessment, it is impossible to reach any conclusions with regard to significance of impacts without reassurance that it has been done correctly. As such all the conclusions on AEOI given above can only be considered tentative.</p>	<p>Ongoing point of discussion</p>
		<p>Conclusion of no AEol at FFC SPA is appropriate in relation to from Hornsea Four in-combination with other projects, for named species within the designated seabird assemblage of herring gull and puffin and the seabird assemblage itself, as a result of the proposed activities.</p>	<p>As this modelling is fundamental to the whole assessment, it is impossible to reach any conclusions with regard to significance of impacts without reassurance that it has been done correctly. As such all the conclusions on AEOI given above can only be considered tentative.</p>	<p>Ongoing point of discussion</p>
<b>Draft DCO and Deemed Marine Licences</b>				
		<p>The wording of the following requirements and conditions pertaining to offshore and intertidal ornithology are appropriate and adequate:</p> <ul style="list-style-type: none"> <li>• Part 2 - Condition 13(1)(d)(v) of DCO Schedules 11 and 12 with reference to a Vessel Management Plan;</li> <li>• Part 3 - DCO Requirement 2(2)(c) and DCO Schedule 11, Part 2 - Condition 1(2)(c) with reference to the lowest</li> </ul>	<p>TBC</p>	<p>Ongoing point of discussion</p>

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		<p>point of the rotating blade (42.43m Lowest Astronomical Tide (LAT));</p> <ul style="list-style-type: none"> <li>Part 2 - Condition 13(1)(k) of DCO Schedule 11 with reference to an Ornithological Monitoring Plan.</li> </ul>		
<b>Derogation and Compensation Measures</b>				
	Derogation	<p>There is potential for an AEol on kittiwake at the FFC SPA from Hornsea Four in-combination with other projects. Therefore, a derogation case has been provided including compensation.</p>	<p>RSPB considers that an adverse effect on the integrity (AEol) on the following qualifying features of the Flamborough and Filey Coast Special Protection Area (SPA) cannot be ruled out.</p>	Ongoing point of discussion
		<p>The RIAA concludes no AEol for all other species and all other sites and therefore, the derogation case is presented 'without prejudice'.</p>	<p>RSPB disagree with this and view all conclusions on AEol as tentative.</p>	Ongoing point of discussion
	Compensation Measures	<p>Compensation measures have been presented in the DCO submission 'without prejudice' for gannet, guillemot and razorbill. Compensation measures are presented for kittiwake due to the conclusion of an AEol in combination with other plans and projects. The DCO submission includes the ecological evidence reports for all measures which demonstrate the ecological efficacy of all the measures. The compensation plans and roadmaps demonstrate how the suite of compensation measures will be effective, viable and can be secured and delivered to ensure the coherence of the UK national site network is maintained.</p>	<p>The Applicant has failed to put forward detailed and location specific compensation measures for any impacted species. Neither have any been secured. It is therefore not possible at this stage for the RSPB to assess any of the compensation measures properly and provide advice to the Examining Authority on whether each has a reasonable guarantee of success in meeting specific, agreed compensation objectives.</p>	Ongoing point of discussion
	Compensation Measures – Predator eradication	<p>Annex 1.37 – Non Statutory Targeted Compensation Measures Consultation Responses (pages 25-30) Further updates on the feasibility study progress and securing MOUs will be submitted to the Examination. The Applicant's <a href="#">B2.8.4 Compensation measures for FFC SPA: Predator Eradication: Roadmap</a> presents letters of comfort from the</p>	<p>A full-scale feasibility study is essential to understand whether the chosen locations are suitable from a technical perspective and whether that eradication will benefit the sea seabird species.</p>	Ongoing point of discussion

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		<p>Alderney Wildlife Trust and the States of Guernsey in support of a predator eradication as compensation for Hornsea Four. States of Alderney and States of Guernsey are the landowners of the islands/islets where the rat eradication would be undertaken and permission has already been granted to Alderney Wildlife Trust to undertake predator eradication.</p>	<p>None of this work has been submitted. Therefore, it is not possible to properly evaluate the Applicant's proposals at this stage and we are concerned that they do not demonstrate a good understanding of the requirements to achieve successful INNS eradication.</p>	
		<p>The Applicant has employed international eradication and island restoration experts to undertake a detailed feasibility study (as described within <b>B2.8.4 Compensation measures for FFC SPA: Predator Eradication: Roadmap</b>) of Herm, The Humps, Jethou, Sark and the surrounding islands and islets.</p> <p>The eradication feasibility assessment will include consideration of:</p> <ul style="list-style-type: none"> <li>• Technical feasibility;</li> <li>• Sustainability;</li> <li>• Social acceptability;</li> <li>• Political and legal acceptability;</li> <li>• Environmental acceptability;</li> <li>• Capacity; and</li> <li>• Affordability.</li> </ul> <p>This will include biosecurity.</p>	<p>Such a study must include detailed biosecurity and emergency response plans, based on a proper understanding of the risk of reinvasion by the target INNS.</p>	Ongoing point of discussion
			<p>Securing the support of affected human communities is a prerequisite.</p>	Ongoing point of discussion
		<p>Predator control was suggested by the applicant for some of the shortlisted islands being considered for island eradication and or control as a compensation measure. Islands where control was being considered was in relation to small islands</p>	<p>The Applicant is now including "predator control" under the umbrella term of "predator eradication". This is not acceptable as the two are fundamentally different.</p>	Ongoing point of discussion



ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		<p>and islets along the south Devon coast and certain locations within the Isle of Scilly archipelago.</p> <p>Due to a lack of information available in support of delivering compensation for guillemot and razorbill (via predator control/ eradication) on the south coast of Devon and within the Isles of Scilly, the Applicant is no longer pursuing either location. Potential sites within the Channel Islands are being considered further on a full eradication and biosecurity measures basis.</p>	<p>We do not consider a "control" approach acceptable in conservation and compensation terms unless there is overwhelming benefit (for the seabird species) to be had, which has not been shown for any of the four areas identified.</p>	
		<p>The islands focused upon are being considered on a full eradication and biosecurity measures basis.</p>	<p>Control operations may hinder a future eradication attempt at a site. Many of the islets hinted at in the list of possible locations will be at high risk of reinvasion given their proximity to potential sources of INNS, thereby rendering them unfeasible from an island eradication point of view.</p>	<p>Ongoing point of discussion</p>
		<p>Since the submission of the DCO documents, it has been publicly announced that Rathlin Island has secured funding. Therefore, Rathlin Island will no longer be considered as part of the shortlist by the Applicant. The Applicant is undertaking feasibility studies on islands in the Bailiwick of Guernsey only.</p>	<p>Rathlin Island should be removed as a possible location for island restoration as there are already funded partnership projects occurring there.</p>	<p>Ongoing point of discussion</p>
		<p>Table 15 of the HRA Compensation Measures Part 1 document.</p>	<p>The Applicant has failed to include grey seal in the screening for the Isles of Scilly Complex SAC. This raises concerns on the Applicant's HRA exercise.</p>	<p>Ongoing point of discussion</p>
	<p>Compensation Measures – bycatch mitigation trial</p>	<p>The Roadmaps have set out the feasibility studies and bycatch reduction selection phase for the compensation measures. Preliminary findings from the feasibility studies appear promising, with an initial reduction in bycatch of auks</p>	<p>We consider this proposal is best described as experimental research and cannot yet be considered as a</p>	<p>Ongoing point of discussion</p>

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
		identified from the bycatch reduction selection phase and initial findings in the predator eradication being even more promising than expected at this stage. The significance of the bycatch reduction will be fully analysed following completion of the bycatch reduction selection phase.	compensation measure, primary or otherwise.	
		Further updates on the bycatch reduction selection phase will be submitted to the Examination, the approach has been set out in the <a href="#">B2.8.2 Volume B2, Annex 8.2: Compensation measures for FFC SPA: Bycatch Reduction: Roadmap</a> .	The Applicant has provided no detailed proposal to assess. Therefore, at this stage, the RSPB does not consider this is currently a viable compensation proposal.	Ongoing point of discussion
	Compensation Measures – onshore nesting platforms	The search zone for Hornsea Four onshore nesting is wider than that of Hornsea Three extending further North to allow more flexibility and choice in the search for suitable land and the Applicant has received expressions interest from a number of landowners.	More detailed discussions and proposals are required in respect of onshore nesting structures, in particular the areas of search suggested by the Applicant given the known challenges in identifying and securing locations. This is especially the case in Suffolk where several proposed offshore wind farm projects are competing with each other.	Ongoing point of discussion
			There remain significant unknowns at this stage in respect of the proposed artificial nesting structures for kittiwakes that need to be resolve.	
		The evidence presented on the use of artificial nesting structures by gannet is provided in <a href="#">B2.7.3 Compensation measures for FFC SPA: Onshore Artificial Nesting: Ecological Evidence</a> .	The RSPB considers the concept of artificial nesting structures is a wholly unproven compensation measure for northern gannets.	Ongoing point of discussion
	Compensation Measures – offshore nesting platforms	There is substantial evidence of artificial nesting structures being effective and are a viable compensation measure as presented in <a href="#">B2.7.1 Compensation measures for FFC SPA: Offshore Artificial Nesting: Ecological Evidence</a> .	In our comments on the August 2021 consultation, the RSPB agreed that artificial nesting structures are a possible compensation measure for kittiwake but with such substantial	Ongoing point of discussion

ID	Topic	Hornsea Fours Position	RSPB's Position	Position Summary
			caveats that we considered they are unproven as a compensation measure. That remains the RSPB's position.	
	Compensation Measures – fish habitat enhancement	The fish habitat enhancement (seagrass restoration) is a resilience measure and will be used to support the full suite of proposed compensation measures for the target seabirds species, kittiwake, guillemot, razorbill and gannet. There is substantial evidence of seagrass acting as a nursery for fish species (see <a href="#">B2.8.5 Compensation measures for FFC SPA: Fish Habitat Enhancement: Ecological Evidence</a> ).	The RSPB remains of the view expressed during the August 2021 consultation that it cannot yet be considered even a supportive measure.	Ongoing point of discussion
<b>Other Matters</b>				
			TBC	Ongoing point of discussion

DRAFT

### 3.3 Other Documents and Plans

Table 5: Agreement Log – Other Documents and Plans.

ID	Hornsea Fours Position	RSPB's Position	Position Summary
<b>Outline Ornithological Monitoring Plan</b>			
	F2.19 <b>Outline Ornithological Monitoring Plan</b> provides an appropriate framework to agree monitoring with Statutory Nature Conservation Bodies (SNCBs) and the MMO prior to construction.		Ongoing point of discussion

DRAFT

## 4 Summary

- 4.1.1.1 This SoCG has outlined the consultation that has taken place between the Applicant and RSPB during the pre-application and Examination phase (to date). The agreement logs present the position reached at the point of submission of this SoCG to PINS in relation to offshore and intertidal ornithology.
- 4.1.1.2 This SoCG will be updated as discussions progress and made available to PINS as requested through the DCO examination phase.

DRAFT