



Written Representation
for the
Royal Society for the Protection of Birds
Response to Calculation Methods of Hornsea Four's Proposed
Compensation Measures for Features of the FFC SPA
and
Hornsea Four comments on RSPB Written Representation

Submitted for Deadline 4 (10 May 2022)

Planning Act 2008 (as amended)

In the matter of:

Application by Hornsea Project Four Limited for an Order
Granting Development Consent for the Hornsea Project Four Offshore Wind
Farm

Planning Inspectorate Ref: EN010098

RSPB Registration Identification Ref: 20029909

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1. Introduction

- 1.1. Below we set out the scope of the RSPB's submissions at Deadline 4.
- 1.2. This submission sets out the RSPB's selective responses to the following documents:
 - REP 1-063: G1.41 Calculation Methods of Hornsea Four's Proposed Compensation Measures for Features of the FFC SPA (non-bycatch related)
 - REP3-031: G3.3 Applicant's comments on other submissions received at Deadline 2 - Revision: 01, with specific reference to the Applicant's comments on the RSPB's various Written Representations made at Deadline 2. Lack of response to a comment by the Applicant should not be taken as agreement or disagreement.
- 1.3. In a separate Deadline 4 submission, Annex A, the RSPB has set out its comments on the documents related to bycatch matters submitted at Deadlines 1 and 2:
 - REP1-064: Deadline 1 Submission - G1.42 Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Gannet Bycatch Reduction: Ecological Evidence Revision: 1
 - REP1-063: Deadline 1 Submission - G1.41 Calculation Methods of Hornsea Four's Proposed Compensation Measures for Features of the Flamborough and Filey Coast (FFC) Special Protection Area (SPA): bycatch methods only
 - REP2-011: Deadline 2 Submission - B2.8.2 Volume B2, Annex 8.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Guillemot and Razorbill Bycatch Reduction: Roadmap (Clean) -Revision 03

Submissions planned for Deadline 5

- 1.4. The RSPB is in the process of reviewing the following documents submitted by the Applicant and it is its intention to submit comments on them at Deadline 5:
 - REP3-032: G3.4 Compensation measures for FFC SPA: Compensation Connectivity Note - Revision: 01;
 - REP3-034: G3.4.1 Compensation measures for FFC SPA: Ecological Connectivity of Compensation Measures Annex 1 - Revision: 01.

2. RSPB comments on REP1-063 Calculation Methods of Hornsea Four's Proposed Compensation Measures for Features of the FFC SPA

- 2.1. The RSPB has reviewed the Applicant's submission on calculation methods for its proposed compensation measures for features of the Flamborough and Filey Coast SPA (REP1-063). Below we set out our comments on matters other than bycatch matters. Comments on the latter can be found in section 3 of Annex A of the RSPB's Deadline 4 submissions.
- 2.2. The RSPB notes that for all the species assessed the predicted levels of mortality taken forward to the calculation of the level of compensation required are based on the Applicants own preferred approach to assessment which differs from that preferred by Natural England and the RSPB. It is crucial that for these calculations that mortality levels underpinned by the correct recommended parameters and methods are used. Any deviation from these preferred by the Applicant should be presented alongside the recommended methods
- 2.3. Notwithstanding the above comment on the suitability of the mortality values used in the calculations, the RSPB does not agree that the somewhat simplistic approach taken is the most appropriate. While the values for demographic rates used in the calculation, derived from Horswill and Robinson (2015¹), are correct, the approach used takes no consideration of demographic stochasticity, and that these rates are likely to vary through the lifetime of the project. It also is more appropriate, where available, to use recent colony specific demographic data. For example, the kittiwake productivity of the Flamborough and Filey Coast SPA have declined in recent years, and this approach would not take this into consideration
- 2.4. A preferred approach would be to run Population Viability Analysis for each species, incorporating demographic stochasticity. Our preferred approach to this PVA analysis would be to run as a metapopulation analysis, in order to account for the recruitment to and from the novel colonies and impact on the existing SPA populations.

¹ Horswill, C., & Robinson, R. A. (2015). Review of Seabird Demographic Rates and Density Dependence. JNCC Report no. 552.

3. RSPB response to the Applicant's comments on the RSPB's Written Representations

- 3.1. Below the RSPB has set out its response to selected comments by the Applicant on the RSPB's Written Representation documents submitted at Deadline 2 and contained in REP3-031: G3.3 Applicant's comments on other submissions received at Deadline 2 - Revision: 01.

Reference	RSPB Written Representation	Applicant's comments	RSPB response
Written Representations - RSPB comments on the revised Development Consent Order (DCO) and Deemed Marine Licences (DMLs) (REP2-082)			
	The RSPB suggested that future iterations of the draft DCO should include the full version of the draft Schedule on Ornithology Compensation Measures.	The Applicant refers to its response to HRA.1.24. The Applicant has provided a standalone document containing the without prejudice compensatory measures drafting for all species at G3.12 Without Prejudice Derogation Draft Development Consent Order Schedules of its deadline 3 submission.	The RSPB notes and welcomes the Applicant's response.
Responses to the (RSPB Written Representation (WRs) (REP2-089)			
1.12-1.15	The RSPB also repeats its requests made at the Preliminary Meeting that the Applicant provides a timetable for when it proposes to update key application documents related to offshore ornithology and compensation measures. This combined with the information on the scope of the new documents will enable the RSPB to plan its work to be able to respond appropriately in order to assist the examination and Examining Authority. Therefore, the RSPB has serious concerns over whether sufficient updated information will be available in a timely manner for it to be able to make constructive contributions to	The Applicant notes the RSPB concerns and has provided Examination Deliverables summary (G1.43) at Deadline 1 [REP1-065] and Deadline 2 [REP2-036 and REP2-037] setting out the documents that we intend to submit into examination. These are categorised according to key issue areas (e.g. ornithology), with the content specific to address and close out comments raised by stakeholders (e.g RSPB) and to answer questions from the ExA. The Applicant is doing all it can to address the comments and issues raised post-Application by RSPB and others as swiftly as possible. However, the Applicant considers that there is sufficient quality and detailed information within the Hornsea Four DCO Application as	The RSPB notes the Applicant's response.

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	ISH5 and ISH 6 at the end of April 2022.	supplemented by DL1 – DL3 submissions to make constructive progress on issues at ISH.	
4.8	<p>However, 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 whether there has been consideration of model performance. We understand, through our participation in the Expert Topic Groups, that Natural England also have a number of related concerns and anticipated that we would be involved in efforts to resolve them. However, there has been no further discussion with the RSPB around this issue. As this modelling is fundamental to the whole assessment, it is impossible to reach any conclusions with regard to significance of impacts on birds without reassurance that it has been done correctly. As such all the conclusions on AEOI given above can only be considered tentative.</p>	<p>The Applicant notes the RSPB's position on AEOI.</p> <p>The Applicant also notes RSPB's general acknowledgement that MRSea is a robust method subject to correct and transparent application. The Applicant is progressing discussions with Natural England and CREEM on the technical and methodological concerns raised and has provided updates to Examination at Deadline 3 to which the RSPB can comment (see Appendix A in G2.10: MRSea Baseline Sensitivity Report Gannet).</p>	<p>The RSPB responded to REP2-046 in its Deadline 3 submission (see paragraphs 2.13-2.14 of RSPB REP2-055).</p> <p>The RSPB welcomes the further analysis carried out by the Applicant to resolve the concerns raised by CREEM and Natural England with the original analysis. However we note that while this to some extent resolves some issues, discussions are still "progressing". It would have been preferable to have progressed these discussions prior to the examination. The further analysis is also only presented for a single species; full model re-runs should be carried out for the other species of interest.</p> <p>Furthermore, the RSPB is constrained in its ability to fully comment on the technical detail by not having seen the report on the Applicant's original modelling: Scott-Hayward, L.A.S. (2021). Statistical Review of Hornsea Project Four: Environmental Statement for Natural England. CREEM, University of St Andrews, as cited by the Applicant in G2.10 MRSea Baseline Sensitivity Report (Gannet) (revisions 1 (REP2-046) and 2 (REP3-029).</p>
4.9-4.11	<p>However, there are a number of concerns with how the Applicant has applied the above methods and a lack of clarity as to how data has been treated or consideration of model performance. Natural England also have a number of related concerns and have detailed them in their Relevant Reps (points 63-69, Appendix B, RR-029). These include:</p>	<p>The Applicant refers the RSPB to the updated G2.10 MRSea Baseline Sensitivity Report Gannet). Part 1 and Appendix A set out the methodology and model validation approach as agreed in consultation with Centre for Research into Ecological & Environmental Modelling (CREEM) and Natural England. Part 2 and 3 presents Confidence Intervals (CI) for model-based approaches (MRSea_v1 and</p>	<p>As stated above, the RSPB welcomes the re-run of the gannet model carried out under the guidance of CREEM. However, we have a concern with the manner in which the model has been run. It has been run to predict abundance for each calendar month, in other words an average within each month from the two surveys. While this approach is acceptable for collision impacts, it is contrary to SNCB advice on the assessment of displacement</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<ul style="list-style-type: none"> • There is no justification of why model based approach has been used. Such justification should include a comparison with the outputs of a design based approach: • There is insufficient detail in the methodology as to model validation • It is unclear how population and density estimates were derived (seemingly using different approaches) from the modelled surfaces. There is insufficient detail as to how populations and densities were apportioned to different behaviours • It is unclear how Confidence interval and Co-efficients of Variance (SD/mean or SE/mean) were estimated using model-based approaches for total populations, densities, apportioned behaviours and corrected apportioned behaviours. 	MRSea_v2) and design-based totals, densities and behaviours.	impacts ² , which recommends counts should be assessed as mean seasonal peaks, averaged over the years of survey. As such, for displacement impacts, we request that the MRSea model is run in line with SNCB advice.
4.13	The RSPB has outstanding issues with the manner in which the bio-seasons definitions from Furness (2015) have been defined for gannet and kittiwake, effectively excluding the	The Applicant's preferred method to assess gannet and kittiwake and the compilation of relevant bio-seasons for both species is supported from evidence from the site-specific survey data (APP-074). These data	While the RSPB agrees that there will be migrating adults passing through the array area outwith the migration-free breeding season, simply excluding these seasons from the assessment of breeding season mortality will result in an underestimate of mortality attributable to the Flamborough and Filey Coast SPA, as

² Joint SNCB1 Interim Displacement Advice Note Advice on how to present assessment information on the extent and potential consequences of seabird displacement from Offshore Wind Farm (OWF) developments January 2017 (updated January 2022 to include reference to the Joint SNCB Interim Advice on the Treatment of Displacement for Red-Throated Diver)

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>early and later months of the season. This is caused by using the "migration-free" seasonal definition as opposed to full breeding season. For example, the kittiwake breeding season is defined as May to July, when evidence from colony monitoring shows birds are present April at least to August. While in the latter part of the season all birds will have fledged, individual birds will still be present with both young and adult birds coming back to the cliff. These are still SPA birds, and those most likely to be affected by impacts from the development.</p>	<p>provide evidence that substantial proportions of birds outside of the migration-free breeding season pass through the Hornsea Four array area. The presence of migrating adults at the beginning of the breeding season and immature birds towards the end of the breeding season would lead to an over-estimate of the mortality that would be attributable to the Flamborough and Filey Coast SPA.</p> <p>In relation to seasonal definitions please refer to G1.9 Applicant's comments on Relevant Representations (APDX:B-82, within RR-029) (REP1-038).</p>	<p>SPA birds are still present at the colony at this time, and still presumably using the array area with the associated risks</p>
4.14	<p>In order to assess the mortality that could arise from avian collision with turbine blades, the Applicant has used the stochastic version of the Band Collision Risk Model (sCRM) 47,48. This approach is welcomed by the RSPB. This method combines a series of parameters describing the turbine design and operation with estimates of a birds' size and behaviour to generate a predicted number of birds that would collide with a turbine over a given time period. The stochastic formulation was initially developed by Masden (2015) and then produced in an easier to use interface by McGregor et al, (2018).</p>	<p>Extensive consultation between the Applicant, the model developers (DMP Stats), Natural England and the RSPB was undertaken during the Evidence Plan (EP) process to resolve any concerns relating to the appropriateness of the sCRM, which resulted in agreement from all parties being reached on running the sCRM deterministically for use in assessing collision risk for Hornsea Four (OFF-ORN-2.21 & 2.26, as set out in Evidence Plan Logs which are appendices to the Hornsea Four Evidence Plan (B1.1.1: Evidence Plan (APP-130))). The rationale as to why the sCRM was not run stochastically related to there being no stochastic avoidance rates which SNCBs were confident in advocating for use within the model. The RSPB agreed with this conclusion</p>	<p>The RSPB is supportive of the sCRM, both using it in a stochastic or deterministic formulation. In our Written Representations we asked for an explanation to be put before the examination as to why the Applicant used the deterministic formulation, both to inform the Examining Authority and for clarity if precedent is established.</p> <p>The Applicant has now provided this explanation, and the RSPB remains content with the deterministic approach taken. However concerns remain that a full account of uncertainty and variability is not given by the deterministic approach.</p>

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	<p>The stochastic version allows for some account of uncertainty and variability in parameters to be made. However, the Applicant has used the model in such a manner that only deterministic outputs are provided, in other words, while this formulation allows for uncertainty and variability to be accounted for, the Applicant has not made use of this functionality, and therefore has not given a full account of uncertainty and variability. An explanation is required as to why they have taken this approach.</p>	<p>and stated in EP#8 "the RSPB would be happy if the sCRM was run deterministically</p>	
4.15-4.19	<p>For these reasons the Avoidance Rate used by the Applicant for gannet in the breeding season is likely to be too high, resulting in an underestimate of collision mortality.</p>	<p>For collision risk assessments the Applicant has followed the Joint SNCB Position Note (2014) to select an appropriate avoidance rate for gannet.</p>	<p>The RSPB maintains its position with regard to a higher breeding season avoidance rate for gannet. We also note that the Applicant recommends a lower displacement rate for gannet during the breeding season in G2.9 Gannet Displacement and Mortality Evidence Review - Revision: 01 which contradicts their position on avoidance rates, as displacement is analogous to macro-avoidance</p>
4.20-4.22	<p>In their assessment of displacement, the Applicant appears to have only used birds on the water, rather than including those flight. The legend to Table 2 in Volume A5 Annex 5.2 Offshore Ornithology Displacement Analysis (page 12, APP-075) clearly states: "Bio-season mean peak abundance and density estimates of key bird species for Hornsea Four disturbance and displacement assessment (sitting birds)" and 1.6.1.3 makes clear "for guillemot, razorbill and puffin only sitting birds</p>	<p>The Applicant has revised its displacement assessment of auks (see Section 1.4 and Tables 2-27) to include all birds (flying and sitting) as recommended to account for any possible barrier effects. The results are presented in A.5.5.2 Volume A5, Annex 5.2: Offshore Ornithology Displacement Analysis (REP2-003).</p>	<p>See para 2.7 in the RSPB's REP3-055 (which commented on the tracked version, REP2-002).</p>

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	<p>were included, given the species foraging behaviours". As such the assessment differs from standard methodology and is contrary to statutory advice. Without the full numbers of birds on the water and in flight put into the matrix, it is impossible to reach conclusions on the significance or otherwise of impacts arising from displacement and barrier effects</p>		
4.23	<p>Furthermore, in calculating displacement for guillemot, the Applicant has used weighted mean, rather than mean peak density of abundance during the non-breeding season. The Applicant claims this was agreed following consultation at the Evidence Plan meeting on 4th March 2021. The RSPB were unable to attend this meeting, but no detail is given in Table 5.4. "Consultation Responses" in Volume A2 Chapter 5 Offshore and Intertidal Ornithology (page 20, APP-017) of such an agreement and the statement is contrary to Natural England's Relevant Representations (RR-029), which state: "Natural England do not agree with the Applicant's approach to weighting the seasonal mean peak abundance estimate in the non-breeding season for guillemot."</p>	<p>In relation to assessment of guillemot in the non-breeding bio- season please refer to the Applicant's comments in response to Offshore Ornithology Relevant Representations (RR-029-APDX:B-50) and Section 1.4 of REP2-003.</p>	<p>The RSPB notes the Applicant's response in Offshore Ornithology Relevant Representations (RR-029-APDX:B-50) and Section 1.4 of REP2-003, but note that this does not specifically address the concerns raised by Natural England and the RSPB, particularly with regard to inadequate precaution in the weighted mean approach</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	While the RSPB agree that the high numbers of auks recorded in August and September may require a modified approach, the weighted mean approach is not suitably precautionary and is likely to underestimate the total number of impacted birds		
4.24	The RSPB has outstanding issues with the manner in which apportioning of predicted mortalities to relevant SPAs has been carried out. As a basis for apportioning adults, the Applicant has used theoretical generalised stable age structure derived from population models. The RSPB would prefer that these are presented alongside site specific data on the age of birds recorded during survey. The Applicant has acknowledged the importance of these data in section 3.4.9 of Volume A5 Annex 5.1 Offshore and Intertidal Ornithology Baseline Characterisation Report (page 21, APP-074) as follows: "consideration of whether any potential impact(s) might occur to an adult bird that is part of the breeding population of a specific colony or designated site (an SPA) or if it might occur to an immature bird that is not associated	In relation to age structure and apportionment please refer to the Applicant's comments in response to Offshore Ornithology Relevant Representations (RR-029-APDX:B-44) (REP1-038).	The RSPB agrees with the Applicant's comments in REP1-038 with regards to allocating age classes to birds surveyed by Digital Aerial Survey, and that it can be preferable to derive age class from the stable age structure from population models. However, this approach does not use site specific data and such data can be crucial in determining whether there is any local variation in distribution of different age classes, for example different age classes of gannet can have different levels of risk due to difference in distribution ³ . As such, we would prefer that the site specific age classification is presented <i>alongside</i> that derived from stable age structure models.

³ Pollock, C. J., Lane, J. V., Buckingham, L., Garthe, S., Jeavons, R., Furness, R. W., & Hamer, K. C. (2021). Risks to different populations and age classes of gannets from impacts of offshore wind farms in the southern North Sea. *Marine Environmental Research*, 171, 105457.

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	<p>with the breeding population of a particular colony or SPA".</p> <p>The Applicant then goes on to highlight that "a detailed breakdown of seabird age classification" is presented. It is therefore not clear why this detailed breakdown has not been used in the assessment</p>		
4.25-4.27	<p>As such, it is wrong to disassociate the two metrics; aside from the question of comprehension, they are very similar, the only key difference is that CPGR does not include the length of time that the wind farm will be operational. This is crucial as there is considerable uncertainty surrounding most of the aspects of an assessment of the potential impacts of an offshore wind farm. However, the length of time that the development is operational is one of the few aspects not subject to this uncertainty as it is legally fixed. It is also a crucial consideration into the scale of impact. Therefore, the effect of using CPGR in isolation is to remove important contextual information, operational time, complicating the interpretation of impact, thereby increasing uncertainty and the need for precaution.</p>	<p>In relation to PVA modelling please refer to the Applicant's comments to G1.9 Applicant's comments on Relevant Representations (APDX:B-18, within RR-029) (REP1-038).</p> <p>The Applicant's is currently undertaking further analysis of the validity of the NE Seabird PVA tool (2019) and suitability of both outputs for assessment, the results of which will be shared at Deadline 4 and updated for Deadline 5 in the Ornithology Assessment Sensitivity Report.</p>	<p>The RSPB will welcome the presentation of the analysis of the suitability of the PVA output metrics, but note that these outputs have been independently assessed previously and found to be the most appropriate</p>
4.28	<p>Furthermore, the RSPB has run one of the PVA scenarios for gannet and found inconsistencies in the model</p>	<p>Without examining the input parameters used by the RSPB in the running of their own PVA results, the Applicant is unable to</p>	<p>The RSPB used exactly the same input parameters as the Applicant for their analysis. While the differences in outputs may be due to stochasticity, the RSPB would prefer to have had direct discussion</p>

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	<p>output reported by the Applicant (Table 3). Using the same Natural England PVA tool and following the PVA parameter log for Hornsea Four alone in the B2.2 Report to Inform Appropriate Assessment Part 11: Appendix H: Offshore Ornithology Flamborough and Filey Coast (FFC) Special Protection Area (SPA) Population Viability Analysis (Appendix C, Seabird PVA Tool Input Log; Hornsea Four alone gannet FFC SPA PVA log, page 53, APP-177) inconsistencies were found in both CPGR and the Reduction in Growth Rate. These inconsistencies are indicative of the impacts not having been adequately assessed by the applicant, either through such errors in the modelling process or by misrepresenting the output metrics.</p>	<p>comment on any discrepancies between the Applicant's and RSPB's results. The Applicant would like to point out however that this is a stochastic model and therefore variability in the results is inevitable when trying to replicate the modelling. Considering the very minor discrepancies between the Applicant's and RSPB's results (as set out in RSPB Table 3) this could simply be caused by the inherent variability in a stochastic model. The difference in the values provided by the RSPB do not represent significant differences indicative of the impacts not having been adequately assessed by the Applicant. Therefore, such differences are not considered to provide inconsistencies or errors in the modelling process or misrepresenting the output metrics.</p>	<p>and comparison with the Applicant around this issue. In relation to this, the RSPB notes that in its response to the RSPB's Relevant Representations on this same issue (see reference RR-033-H on page 614 of REP1-038) the Applicant stated:</p> <p>"The Applicant notes the RSPBs comment. The inability of RSPB to reproduce the Applicant's model outputs does not mean that the Applicant's model outputs are incorrect, nor does it follow that the impacts have not been adequately assessed.</p> <p>The Applicant shall seek clarification from the RSPB and provide any update to the PVA as deemed necessary."</p> <p>We note that, to date, the Applicant has not sought such clarification from the RSPB on this matter.</p>
6.6	<p>The Applicant has provided no evidence of a Northern Gannet colony establishing on an artificial structure, the evidence of such behaviour is limited to three case studies of Australasian gannets. Therefore, the RSPB considers the concept of artificial nesting structures is a wholly unproven compensation measure for Northern Gannets.</p>	<p>The Applicant has presented a detailed review of evidence, demonstrating the ecological efficacy of the compensation measures for Northern gannet within the ecological evidence report: B2.7.1 Compensation measures for FFC SPA: Offshore Artificial Nesting: Ecological Evidence (APP-187). The Applicant notes that within the RSPB's Relevant Representation response (RR-033-LL when referring to the initial response from the Applicant within their Comments on Relevant Representations and Deadline 1: G1.9) RSPB state: <i>The RSPB accepts that there</i></p>	<p>The Applicant has inadvertently conflated two different issues:</p> <ul style="list-style-type: none"> • Evidence of very limited Northern Gannets nesting or attempting to nest on artificial sites (which the RSPB acknowledged in its Relevant Representation); • Evidence of a Northern Gannet <u>colony becoming established</u> on an artificial structure and maintained on a long-term basis, which the RSPB considers unproven and which is highly relevant to the question of whether this is suitable as a compensation measure. <p>The difference between nesting attempts and colony establishment is significant and directly relevant to the evidence in support of artificial nesting structures as a compensation measure.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>are examples where northern gannets have nested or attempted to nest on artificial structures (see Table 5, and paragraphs 4.2.1.3 – 4.2.1.6 in B2.7.1 Compensation measures for FFC SPA Offshore Artificial Nesting Ecological Evidence).</p> <p>The Applicant would welcome clarification from RSPB on what appears to be a change in position.</p>	<p>Therefore the RSPB considers there is no need to clarify its position which is clear, internally consistent and has not changed.</p>
6.13	<p>RSPB make the following comments on its perceived uncertainties with artificial nesting structure compensation for kittiwake:</p> <ul style="list-style-type: none"> • Whether the selected location will have access to a good food supply to help secure good productivity over time; • Whether nesting habitat is a limiting factor for the breeding population of kittiwakes in the southern North Sea; and therefore • Whether artificial nesting structures will be colonised and whether these will be additional breeding adults, as opposed to existing breeding adults 	<p>As presented within the Applicant's B2.7.1 Compensation measures for FFC SPA: Offshore Artificial Nesting: Ecological Evidence (APP-187), there is a large body of evidence which exists to support the measure. The Applicant would like to direct the RSPB to the updated Roadmaps (Revision 3 of B2.7.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Kittiwake Offshore Artificial Nesting Roadmap (REP2-007) and B2.7.4: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Kittiwake Onshore Artificial Nesting Roadmap (REP2-009)) regarding further updates on site selection for the compensation measures.</p> <p>The Applicant is confident that the required compensation population can be readily</p>	<p>The Applicant's response to the recommendation of a metapopulation analysis does not address the example of such an approach. The recommended approach was developed by Dr. Julie Miller in her PhD thesis (Miller 2020)⁴ and presented in a paper to the Marine Alliance for Science and Technology Scotland Conference (Miller <i>et al</i> 2020)⁵. This approach is not, as the Applicant suggests, constrained by the need for mark/recapture data. In fact, the model does not require site-specific empirical estimates of count and key demographic rates for all colonies, rather it can be run by combining detailed study sites with other synoptic surveys, such as provided by the Seabird Monitoring Programme.</p> <p>The Applicant cites a separate paper by Miller <i>et al</i> (2019)⁶ to argue against meta-population analysis because of uncertainty. However this paper ran PVAs on two single colonies, and while it followed classic metapopulation theory was not, in itself, a meta-population analysis and made no comments with regard to the data needs for a metapopulation analysis.</p>

⁴ Miller, J.A.O. (2020) *Regulation and risk: developing models to assess the dynamism of seabird populations and their risk from anthropogenic mortality*. PhD thesis, University of Glasgow

⁵ Miller, J., Furness, R., Trinder, M & Matthiopoulos, J. 2020. - Estimating connectivity and vulnerability in a seabird metapopulation, Presentation to MASTS conference, 7th October 2020.

⁶ Miller, J. A., Furness, R. W., Trinder, M., & Matthiopoulos, J. (2019). The sensitivity of seabird populations to density-dependence, environmental stochasticity and anthropogenic mortality. *Journal of Applied Ecology*, 56(9), 2118-2130.

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>choosing to redistribute themselves;</p> <ul style="list-style-type: none"> • Whether and over what timescale any new colony will achieve the target population and recruitment of breeding adults into the Eastern Atlantic biogeographic population and thereby to provide benefit to the kittiwake SPA network, including the FFC SPA; • Whether the selected location will be exposed to additional pressures e.g. collision risk from current and planned offshore wind farms. <p>In order to address these uncertainties, we recommend that a meta-population analysis is carried out to clarify the dynamics between potential purpose-built artificial nest sites and SPA and other colony populations. Due to immigration from other colonies being required for recruitment into the artificial colonies, conventional population analysis, which are based on closed populations, are not suitable. A method for the theoretical quantification of connectivity between colonies has been described by Miller (2020) and Miller</p>	<p>delivered at both a new or repurposed offshore structure with the use of optimal kittiwake nesting habitat design and measures (such as decoys and play back of kittiwake calls) to encourage colonisation and recruitment, if required.</p> <p>The Applicant has proposed the provision of additional artificial nesting opportunities for kittiwakes within the specified search zones to enhance productivity and therefore be effective as a compensatory measure to meet Habitats Regulations requirements. The establishment of breeding colonies at the structure would produce young that would become part of the wider biogeographic population of kittiwake as part of the east Atlantic breeding population of the species. This population includes individuals from the Flamborough and Filey Coast SPA (Stroud et al., 2016), with the proposed compensation measures to be undertaken within this populations breeding and migratory range. This approach was agreed by the SoS for the recent decision for East Anglia One North and East Anglia Two, where the implementation of artificial nest structures in each case were found to ensure the overall coherence of the national site network (i.e. at a wider biogeographic scale).</p> <p>The suggested meta-population analysis relies on Bayesian state- space models fitted to population time series. The work of Miller (2020) & Miller <i>et al.</i> (2019) may present a</p>	<p>Furthermore, the metapopulation approach has been specifically recommended by the Offshore Wind Strategic Research and Monitoring Forum⁷ as an achievable research objective, with the advantage of there being an existing modelling framework (the Miller model).</p>

⁷ <https://hub.jncc.gov.uk/assets/c563bfa5-8177-4dc0-bcb3-4aeafef24b59>

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	<p>et al (2020) for the Shetland meta-population of kittiwake, and a similar method for a regional metapopulation of East Atlantic would elucidate the feasibility of the establishment of the colonies. Furthermore, it would investigate the consequences of such colony establishment on the populations of other colonies, in particular that of the FFC SPA. There is additional complexity due to the number of emerging proposals for artificial nesting structures as compensation from other wind farm developers.</p>	<p>theoretical approach to assess meta-population dynamics, however, these rely on fitting models to existing data (e.g. long term mark-recapture datasets). Various parameters need to be accurately known for the target population and a number of assumptions need to be made to run these models. Miller et al. (2019) admit that there is a large uncertainty in these models and that "in the absence of empirical rates of connectivity, precaution remains with the assumption of a closed-system". Considering these uncertainties in the connectivity rates between SPA colonies and new artificial nesting structures, the Applicant considers it unfeasible to undertake such work in relation to the request posed by RSPB.</p> <p>The Applicant believes that the uncertainties mentioned (e.g. whether nesting habitat is a limiting factor for the breeding population; whether artificial nesting structures will be colonised and over what timescale any new colony will achieve the target population) cannot be robustly analysed using the methods stated above.</p> <p>The Applicant has already provided a response to a number of the uncertainties mentioned above in their responses in their Relevant Representations at Deadline 1 (including RR-029-APDX:C-B, RR-029-APDX:C-P).</p> <p>The Applicant is cognisant of compensation measures for kittiwake being delivered by</p>	

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>other projects. However, the Applicant notes that not all other developers have secured locations for their compensation.</p>	
6.15	<p>We refer the Examining Authority to our generic comments in section 5 on both the lead-in times for compensation and the lifetime of compensation measures in relation to damage.</p> <p>Therefore, we do not accept the Applicant's proposals of a nesting structure being in place for a minimum of 2 breeding seasons (new structure) or 1 breeding season (repurposed structure) prior to operation of the wind farm. Like Natural England, we consider these lead-in times are very short, do not recognise basic kittiwake breeding ecology (they do not breed until they are 4+ years old), and fail to acknowledge that it is highly unlikely that the compensation will be delivering at the scale required before the impacts occur or during any period of colony establishment. In this respect, we further agree with Natural England's comments on timing (page 9, Appendix C, RR-033) that implementation before impact is not the same as delivering of the functional compensation before impact (see Table 4 above). Determining what comprises</p>	<p>The Applicant has carefully considered the ecological evidence, technical delivery and held discussions with Natural England in recognition of Natural England's concerns regarding the commitment to allow for one breeding season prior to operation if there is an existing colony or two years if there is no existing colony.</p> <p>The Applicant has considered Natural England's comment regarding lead-in timescales for artificial nesting and as set out in Response RR-029-APDX:A-22 of the Applicant's Comment on Relevant Representations at Deadline 1 (reference G1.9) with the Applicant now making a commitment to implement the nesting structure three breeding seasons ahead of operation of the windfarm.</p> <p>The Applicant would like to direct the RSPB to the updated Roadmaps submitted at Deadlines 1 and 2 (for example Revision 3 of B2.7.2 Volume B2, Annex 7.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Kittiwake Offshore Artificial Nesting Roadmap (REP2-007) and B2.7.4 Volume B2, Annex 7.4: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Kittiwake Onshore Artificial Nesting Roadmap (REP2-009)).</p>	<p>The RSPB refers to its comments on this issue at paragraph 5.26-5.27 of its REP2-089.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	functional compensation is related to agreement on detailed compensation objectives and how success should be measured, which in turn will be related to relevant breeding ecology metrics.	<p>The updated Roadmaps present a high-level programme (Table 1 of the document) which is applicable to the implementation and delivery of the onshore/ offshore artificial nesting compensation measures (repurposed and new in relation to offshore).</p> <p>The timing of implementation of an artificial nesting structure is provisional as the timeframe for Examination, consent award, reaching final investment decision (FID) and Contracts for Difference Allocation Round, have not yet been set. The programme has been carefully considered to ensure timely delivery of the compensation measure with the Applicant committing to the implementation of a single structure at least three kittiwake breeding seasons ahead of operation.</p> <p>The relevant documents (including the DCO) have been updated accordingly to reflect this. Please see Deadline 2 Submission - An updated version of the draft Development Consent Order (dDCO) (tracked) (REP2-060).</p>	
6.19	The RSPB does not accept that bycatch reduction can be described as a compensation measure, primary or otherwise, and considers this proposal is experimental research.	<p>The updated Roadmaps submitted at Deadline 2 (e.g. Revision 3 of B2.8.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Guillemot and Razorbill Bycatch Reduction: Roadmap (REP2-011)) set out the implementation studies and bycatch reduction selection phase which is being undertaken to select the most appropriate bycatch reduction method.</p> <p>Preliminary findings from the implementation studies are promising, with an initial</p>	<p>The RSPB refers to its comments on the updated roadmap which form part of its Deadline 4 submission (see the "RSPB's Comments on the Applicant's Bycatch reduction documents submitted at Deadlines 1 and 2").</p> <p>The RSPB notes the Applicant's response in respect of its preliminary findings. However, we consider it premature of the Applicant to make any definitive statements (e.g. <u>will reduce</u> the number mortalities) on the success or otherwise of the 2021/22 trial, pending a full write-up and submission for review by Interested Parties of detailed methods, findings and preliminary conclusions. The Applicant admits that it is yet to fully analyse and</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>reduction in bycatch of auks identified from the bycatch reduction selection phase. The significance of the bycatch reduction will be fully analysed following completion of the bycatch reduction selection phase.</p> <p>Bycatch reduction as compensation will reduce the number of mortalities of guillemot and razorbill within an active commercial fishery in a known bycatch hotspot.</p> <p>The Applicant has demonstrated through the package of compensation measures that the compensation is viable, effective and can be readily secured and delivered.</p>	<p>determine the significance of the trial and these are among the first ever in-fishery trials of these devices – so there is not a body of previous scientific research upon which to base claims of viability and efficacy.</p> <p>Therefore, the RSPB does not accept at this stage that the Applicant has demonstrated “Bycatch reduction as compensation will reduce the number of mortalities of guillemot and razorbill within an active commercial fishery in a known bycatch hotspot.”</p> <p>The RSPB’s position on bycatch reduction as a form of compensation is set out Annex B to the RSPB’s Written Representations (REP2-092). Notwithstanding that, we seek to engage productively with the Applicant.</p>
6.21	<p>The Applicant is proposing gillnet bycatch reduction measures, yet there are currently no recommended technical measures for gillnet bycatch mitigation. The measures that are proposed and trialed are unproven and fail to meet the ACAP Best Practice Seabird Bycatch Mitigation Criteria and Definition.</p>	<p>The Applicant has provided a full and detailed response within RR-033-GG within the Relevant Representations at Deadline 1. The Applicant acknowledges the concerns raised by RSPB regarding the uncertainties around success of a bycatch reduction technique.</p> <p>To address these uncertainties, the Applicant has begun the bycatch reduction selection phase (commenced in November 2021) to identify the success rate of the Looming Eyes Buoy (LEB) within the same fisheries which bycatch reduction has been evidenced to be highest risk for guillemot and razorbill (within the English Channel) (see bycatch risk mapping in Section 7 of B2.8.1.</p> <p>Compensation measures for FFC SPA: Bycatch Reduction: Ecological Evidence (APP-194)).</p>	<p>During consultation with the Applicant the RSPB supported research and trials based on what seemed promising at the time. This indeed included LEB, which had not yet been tested in situ, but also included other approaches such as gear-switching and spatio-temporal measures. It also included very general support for the broad-brush locations of target fisheries indicated by the Applicant at the May 2021 workshop (and other meetings) given the limited evidence base available. Similarly, broad brush geographic areas only were described in the Applicant’s August 2021 pre-application consultation on its compensation measures (from the Thames round to Devon). Our response to that consultation reaffirms the limited evidence base on the nature, scale and location of bycatch affecting guillemots and razorbills in UK waters (see RSPB paragraph 3.17 on page 23 in APP-166). However, the Applicant has yet to provide specific details on the precise geographic locations of the fisheries where its trials are taking place. We await further details on this and the findings of its trial when the Applicant submits its “Bycatch Reduction Implementation Study 2021/2022 Summary” at Deadline 5.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>The Applicant notes previous agreement of the target fishery and location by Natural England and RSPB during Hornsea Compensation Workshop (28th May 2021). Technology for the bycatch reduction technology selection phase was based on the most readily available technology which has been developed by the RSPB (see Rouxel et al., 2021). The RSPB during consultation with the Applicant supported the use of LEB with the Applicants technology selection phase. The Applicant is aware of the ACAP guidance mentioned by the RSPB (full reference; ACAP (2014) Best Practice Seabird Bycatch Mitigation Criteria and Definition. In: ACAP Eighth Meeting of the Advisory Committee. AC8 Doc 12 Rev 1, Punta del Este, Uruguay). The guidance is in relation to the deployment of a technology rather than the selection phase, which is the level the Applicant is currently operating at. A number of the ACAP best practice criteria have already been met by the Applicant at this stage. For example, the Applicant has followed the correct design approach for the selection phase (such as comparing the performance of candidate mitigation technologies to a control of no deterrent, where possible or to status quo in the fishery, yields definitive results) which provide a robust foundation for data collection.</p> <p>It is important to note that bycatch experts employed the by the RSPBs sister organisation BirdLife International and Natural England have been supportive of the</p>	<p>The RSPB has been supportive of the proposed approach to the technology selection phase but have also made it clear that data transparency and peer-review is necessary for potential trials and results to be considered by the scientific community. To date, and in the absence of such actions, the measure is still unproven to reduce bycatch. It is important to highlight that supporting this approach and study is different from agreeing that the LEB can be considered as compensation. These are separate discussions.</p> <p>We consider the Applicant's interpretation, that ACAP guidance relates to the deployment of a technology rather than the selection of technology, to be incorrect. The ACAP guidance is also about the <u>development</u> of potential bycatch reduction measures. The process of how measures are developed is important in determining whether they can be considered best practice or not. For LEBs, or any proposed measures, to become best practice data needs to be transparently shared, so it can be analysed by the scientific community to meet ACAPs thresholds. This is not to say that LEBs cannot be best practice, but only once the underpinning research is peer- reviewed and proven. To date LEBs are unproven.</p> <p>We consider the below necessary for the Applicant's development of potential bycatch measures to be considered as ACAP best practice:</p> <ul style="list-style-type: none"> • All methodology, results and analyses are made available for peer review; • Trials are conducted over multiple years; • The trials are replicable. <p>The referenced RSPB trials have taken place (and are continuing) over multiple years and the data will be made available for peer review.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>proposed approach to the technology selection phase and in recent discussions supportive by the study design (such as location, fisher acceptance and inclusion, monitoring and paired net approach) undertaken by the Applicant. Furthermore, the RSPB is also currently trialling the same technology (LEB) within an active commercial fishery in the SW of England and has plans to use the technology in a further project in Iceland.</p> <p>In summary, the Applicant has followed and exceeded previous attempts by other organisations of best practice in order to provide stakeholder confidence to the technology selected. More importantly, the Applicant is ensuring as best as is possible that the technology selection phase will deliver a reduction technology which will meet the ACAP criteria.</p>	<p>The RSPB would like to clarify that we are not a sister organisation of Birdlife, we are BirdLife in the UK, and the BirdLife Marine Programme is hosted by the RSPB.</p>
6.24	<p>If the proposed bycatch mitigation measures were proven effective per se, based on our considerable experience in this field we are concerned about the achievability of uptake and implementation over a period of more than 35 years. This places a significant burden of proof on the Applicant to demonstrate how such sustained uptake will be achieved. This needs to be confirmed and guaranteed before the end of the examination so that it can scrutinised by the Examining Authority and interested parties.</p>	<p>The Applicant has provided detail previously within its Comments on Relevant Representations at Deadline 1: G1.9 response RR-033-GG. The Applicant would be interested to receive from the RSPB evidence, data and reports detailing their considerable efforts in this field. For the avoidance of doubt, we assume the term "field" means bycatch technology selection and implementation.</p> <p>Proof of uptake by fishers and implementation within an active gillnet fishery will be provided by means of detailed monitoring, by using a dual camera system to record all bycatch during fishing trips. This is</p>	<p>The Applicant states it would be interested to receive evidence, data and reports detailing the RSPB's considerable efforts in this field. Below we provide a brief summary in addition to the information already provided in our Deadline 2 submissions.</p> <p>The RSPB has hosted and managed the BirdLife International Marine Programme (formerly the Global Seabird Programme) on behalf of the global Birdlife Partnership since 2004. We have attended ACAP as an observer since the inception Meeting of the Parties in 2004 and formal members of the Seabird Bycatch Working Group since its first meeting in 2007, supporting the development of best practice mitigation through our expertise. This has been underpinned by extensive involvement in testing and developing mitigation in commercial fisheries, primarily through</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>in line with suggestions by the RSPB in their D2 submissions, Annex B – <i>“The RSPB would recommend avoiding self-reporting in preference of Remote Electronic Monitoring with cameras or at least some form of automated/electronic monitoring”</i>.</p> <p>The Applicant has an excellent relationship with the fishing industry which as a result has led to all fishers included within the bycatch technology selection phase agreeing to have vessels installed with dual camera monitoring system. A concurrent trial is being undertaken by RSPB & BirdLife International which is also using the LEB and within the SW of England. The RSPB & BirdLife International are relying on a bycatch self-reporting system for this trial and therefore the Applicant's monitoring goes above and beyond current practice. The Applicant will continue to build on this already strong relationship with the fishers during the technology selection phase to ensure long-term implementation of the measure. It is important to note that the Applicant is also undertaking predator eradication to benefit both species (guillemot and razorbill) which will be delivered as a</p>	<p>the Albatross Task Force, including (note: the linked articles are examples only and not exhaustive):</p> <ul style="list-style-type: none"> • line weighting trials in pelagic longline fisheries⁸ • bird-scaring lines, night-setting and line weighting in demersal longline fisheries⁹ • bird-scaring line use in trawl fisheries¹⁰ • <u>Hookpods</u>¹¹ <p>Since 2014, the Programme has been at the forefront of trialling gillnet mitigation including:</p> <ul style="list-style-type: none"> • High-contrast panels & lights¹² • Looming-eyes buoys¹³ • Gear-switching & time-area closures¹⁴. <p>As a UK-based conservation organisation, the RSPB is almost uniquely qualified to provide inputs on this issue.</p> <p>While we recognise the high value of the Applicant's methodology in their bycatch research project, the lack of transparency and data sharing with other stakeholders – including the RSPB - to assess the effectiveness of the measure in a peer-reviewed way, is problematic, as it is not open to appropriate scientific scrutiny.</p> <p>Long- term implementation</p> <p>The RSPB remains concerned about precisely how the Applicant will achieve the long-term implementation of the measures. Whilst</p>

⁸ <https://www.sciencedirect.com/science/article/abs/pii/S0165783612002524>, <https://zslpublications.onlinelibrary.wiley.com/doi/full/10.1111/acv.12472>)

⁹ <https://www.cambridge.org/core/journals/oryx/article/seabird-mortality-in-the-namibian-demersal-longline-fishery-and-recommendations-for-best-practice-mitigation-measures/AFB08753C43C575959323DBBCE247E43>

¹⁰ <https://link.springer.com/article/10.1007/s00300-015-1747-3>; https://www.sadstia.co.za/assets/uploads/BLSA_Maree-et-al.-2014-Trawl-Paper.pdf

¹¹ <https://zslpublications.onlinelibrary.wiley.com/doi/full/10.1111/acv.12388>

¹² <https://www.sciencedirect.com/science/article/pii/S2351989419300514>

¹³ <https://royalsocietypublishing.org/doi/10.1098/rsos.210225>

¹⁴ <https://www.tandfonline.com/doi/full/10.1080/23308249.2021.1988051>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		suite of measures. Both measures are scalable and flexible which provides resilience to the Applicant's compensation package.	we acknowledge the positive steps to secure strong relationships with fishers, this has involved compensation being paid to participating fishers. To have confidence in implementation there needs to be further details on how any compensation will be funded, over what timescale and what happens if any compensation payments stop.
6.30	The RSPB recognises that predator eradication or island restoration (IR) offers some potential to benefit guillemots and razorbills. However, we consider it premature to describe IR as a primary compensation measure for these two auk species.	<p>The Applicant confirms that we are proposing predator eradication and not island restoration, which is a term used only by RSPB. The Applicant brings this to the attention of the ExA as the two terms are not synonymous and to ensure the avoidance of doubt.</p> <p>The Applicant has presented a detailed review of evidence, demonstrating the ecological efficacy of the compensation measures and resilience measure for each seabird species with the ecological evidence report (B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence (APP-196)).</p>	<p>We note the Applicant's comment in relation to the terms "island restoration" and "predator eradication". While the RSPB expresses a preference for the term "island restoration" over "predator eradication", in the current context and that of our comments, we consider the two terms are synonymous and we have used them as such. This is based on what we consider are the essential components for a "predator eradication" scheme to act as a compensation measure. We have set this out in more detail in Annex C (REP2-093) of our main Written Representation. In that document section 3, in particular paragraph 3.7, identifies the prerequisites in more detail but they include a predator eradication programme based on the following:</p> <ul style="list-style-type: none"> • A full-scale Feasibility Study conforming with the Manual of the UK Rodent Eradication Best Practice Toolkit; supported by • Detailed biosecurity and emergency response plans to manage the risk of reinvasion for the entire lifetime of the scheme. <p>The underlying purpose of the Applicant's proposals is to deploy predator eradication measures to remove completely INNS predators from one or more selected islands such that the islands are placed in a condition suitable to allow populations of the named breeding seabirds i.e. guillemot and razorbill, to be restored. However, predator eradication alone is not enough to guarantee success. As we outline above, biosecurity and emergency response plans are essential to manage any ongoing risk of reinvasion in order to continue to provide the conditions for successful seabird breeding. The Applicant has acknowledged this in its latest iteration of its roadmap (REP2-012, version 3) where it states the following at paragraph 6.1.1.2:</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
			<p>“Biosecurity measures will be in-line with the current RSPB Biosecurity for LIFE 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 will aim to replicate the RSPB Biosecurity for LIFE project in conjunction with the OOEG, including the RSPB who have significant experience in island biosecurity.”</p> <p>Therefore, without further explanation from the Applicant we are uncertain what distinction it is attempting to draw between “island restoration” and “predator eradication” in this context. We would welcome clarification from the Applicant as to what it considers the difference is as this may point to critical issues that have not yet been set out to the Examining Authority and Interested Parties. An explanation may be forthcoming in the Applicant’s promised “Predator Eradication Implementation Studies Update” at Deadline 5.</p>
6.32	<p>A full-scale Feasibility Study carried out by a suitable eradication expert contractor to international best practice standards in order to firmly establish that the removal of Invasive Non-Native Species (INNS) for each island to be restored is feasible. This must be assessed against the 7 feasibility criteria set out in Table 1 on page 18 of the Manual of the UK Rodent Eradication Best Practice Toolkit (2018). This will include but is not limited to detailed assessments of the selected islands regarding:</p>	<p>The Applicant is aware of the potential complexity associated with predator eradication and has undertaken a detailed review of predator eradication (presented within B2.8.3 Compensation measures for FFC SPA: Predator Eradication: Ecological Evidence (APP-196)).</p> <p>The Applicant has already undertaken site visits to the Isles of Scilly and Guernsey (including Herm and Sark) (August 2021) and is working with the Alderney Wildlife Trust to identify, at an early stage, potential issues and solutions which would increase the success of eradication.</p>	<p>The RSPB commented on REP1-061 (Island Suitability Assessment) at Deadline 3 (see REP3-055).</p> <p>The RSPB will await full detail on the Feasibility Study promised for Deadline 5 as part of its promised “Predator Eradication Implementation Studies Update” before commenting further. The RSPB welcomes the Applicant’s statement that it has employed international eradication experts to undertake this work and that they will follow the Manual of the UK Rodent Eradication Best Practice Toolkit.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<ul style="list-style-type: none"> • the presence/absence of the beneficiary seabird species and its historic and current population status; • Habitat suitability survey to determine the extent of unoccupied but suitable habitat available to the beneficiary seabird species; • Up to date survey to establish the presence of INNS of concern, on both target islands and areas from where they could reinvade; • A good understanding of the vulnerability of the beneficiary seabird species to the INNS to be targeted for removal on the selected islands and evidence to show how they will benefit from the IR proposal; • Detailed biosecurity and emergency response plans, based on a proper understanding of the risk of reinvasion by the target INNS and to be funded in perpetuity; • Evidence that full community support for the IR scheme (eradication, biosecurity and emergency response) has been obtained; • Evidence that relevant landowner/occupier consents have been obtained; 	<p>The Applicant has furthermore employed international eradication experts to undertake a detailed implementation study (as described within Revision 3 of B2.8.4 Compensation measures for FFC SPA: Predator Eradication: Roadmap (REP2-013)) of Herm, The Humps, Jethou, Sark and the surrounding islands and islets. Due to the expertise and experience of the team undertaking the work, the approach set out within the Manual of the UK Rodent eradication Best Practice Toolkit (2018) will be followed.</p> <p>Further detail is provided by the Applicant in RR-033-BB of G1.9: Applicant's comments on Relevant Representations Revision (REP1-038) at Deadline 1.</p>	

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<ul style="list-style-type: none"> Evidence that relevant legal consents to carry out IR have been obtained where required. 		
6.42-6.50	<p>6.42 In addition to the points made above the RSPB also wishes to highlight the additional concern regarding some of the proposed compensation measures being outside the UK as set out in the Applicant's Hornsea Project Four: Derogation Information: Predator Eradication: Roadmap (Volume B2, Annex 8.4: Compensation measures for FFC SPA: Predator Eradication: Roadmap, APP-197).</p> <p>6.43. Also, we understand that more information will be produced, the draft DCO provisions included within the Predictor Eradication Roadmap (APP-197) include (on pages 18 and 19):</p> <p>Gannet Guillemot and Razorbill Compensation Measures based on the strategy for gannet, guillemot and razorbill compensation set out in the gannet guillemot and razorbill compensation plan and to include:</p> <p>a) in the event that the undertaker must implement predator eradication and/or predator control measures</p> <p>i. details of locatons [sic] where compensation measures will be deployed;</p>	<p>The Applicant has produced a Connectivity Note (Compensation measures for FFC SPA: Compensation Connectivity Note G3.4 and the Annex G3.4.1) for Deadline 3 which demonstrates connectivity of non-UK sites with the national site network in detail . Please also see the updates to the predator eradication roadmap document, particularly in relation to the advancement of the Applicant's implementation study and updated DCO wording (Revision 3 of B2.8.4 Volume B2, Annex 8.4: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Predator Eradication: Roadmap (REP2-013) & Deadline 2 Submission - An updated version of the draft Development Consent Order (dDCO) (Tracked) (REP2-060)).</p> <p>In relation to point (1) the Applicant has demonstrated the deliverability of these measures via the following documents:</p> <ul style="list-style-type: none"> B2.8: Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Gannet, Guillemot and Razorbill Compensation Plan (APP-193); Deadline 2 Submission - B2.8.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Guillemot and Razorbill Bycatch Reduction: 	<p>Whilst we appreciate the helpful updated roadmap helping to guide us to where the relevant documents are, concerns and comments made within our Written Representations (paras 6.42-50) remain.</p> <p>Although the Applicant makes reference to other UK consenting bodies being required for aspect of OWF applications (specifically referring to the artificial nesting structures that required local planning authority consent) with respect, we believe it has missed our concern – namely certainty that consent can and will be granted and therefore confidence to be able to rely on it.</p> <p>We appreciate the importance of the SoS having a means by which to take action and restrict the operations (as included within REP3-041 Without Prejudice Derogation Draft Development Consent Order Schedules, Schedule 16) should the compensation not work, but where there has not been certainty (ecologically or legally) recent delays and extended Examination processes have resulted. We therefore are strongly recommending that without the certainty both in terms of ability to secure the land required and any consents needed as well as the ecological effectiveness of the compensation measures being proposed, the SoS cannot and should not rely on these measures.</p> <p>In our view “a restriction on the operation of the wind turbine generators” is not enough for the Habitats Regulations to be complied with as well as our concerns discussed above and below about the ecological effectiveness of the compensation measures with again full details being delayed until after the DCO has been granted, with the DCO still only committing the Applicant to producing compensation plans before construction starts not the implementation of actual measures. For kittiwakes we do</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>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;</p> <p>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;</p> <p>6.44. The Applicant (on page 20) explains following questions being raised as to whether it is possible for a Generator to secure compensation measures outside England and the UK Continental Shelf, that, "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.</p>	<p>Roadmap (Clean) - Revision: 03 (REP2-011); and</p> <ul style="list-style-type: none"> • Deadline 2 Submission - B2.8.4: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Predator Eradication: Roadmap (Clean) - Revision: 03 (REP2-013). <p>In relation to point (2) it is important to note that the Applicant is not seeking to obtain planning consent or land rights to deliver the compensatory measures via the DCO. The question of "jurisdiction" of the Secretary of State or the MMO is not therefore relevant. The draft provisions set out in the roadmap, which can be included in the Order made by the Secretary of State if he cannot rule out AEoI, contain a restriction on the operation of the wind turbine generators (which are the subject of the DCO application and within the remit of the Secretary of State) until the predator eradication measure has been carried out. The fact that the predator eradication measure may be carried out in a location outside of the UK (but with connectivity to the national site network) has no bearing on the ability of the Secretary of State to enforce this provision against the Applicant. It is not necessary for the Secretary of State (or the MMO) to also be responsible for permitting or property rights over the area in which the compensation measures are located. A parallel can be drawn with artificial nest structures for kittiwake (accepted on five</p>	<p>acknowledge (notwithstanding our concerns over the reduced lead-in times compared to other OWFs) that Part 2, para 1(c) states "an implementation timetable for delivery of the artificial nesting structure, such timetable to ensure that the structure is in place to allow for at least three full kittiwake breeding seasons 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 1st April in each year and ended on 31st August;"</p> <p>And the same for gannet (Part 4, para 1(a)) with two breeding seasons for guillemot and razorbill (Part 5, para 1(a)).</p> <p>[As an aside, we welcome recognition in the draft schedule that the kittiwake breeding season extends from 1 April to 31 August each year. However, we consider any such breeding seasons should be species specific. Therefore, it would be inappropriate to apply the same breeding season to gannet (Part 4, para 1(a)(iii)): instead this should be 1 March to 30 September each year.]</p> <p>But for the fish habitat enhancement (Part 3) operations are only restricted until arrangements for the implementation have been put in place not the measures themselves. Although we note there is a more robust restriction for the bycatch reduction measure with it needing to be in place one year prior to operation (Part 4, para 1(b). Further discussion on the latter is required following submission of the promised "Bycatch Reduction Implementation Study 2021/2022 Summary" at Deadline 5, especially given concerns set out in our Written Representations and elsewhere in this document (e.g. see comments against references 6.19, 6.21 and 6.24 above) with regard the current lack of evidence on level of bycatch of guillemot and razorbill and the efficacy of the proposed bycatch reduction measure.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>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.”</p> <p>6.45 The Applicant also seems to be relying on sites chosen e.g. at Alderney and Herm, being protected (page 20, paragraph 11.1.1.2, APP-197):</p> <p>“...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</p>	<p>DCOs to date). The Secretary of State is not responsible for permitting the structures (this will be the local planning authority onshore or the MMO offshore). Property rights are granted by private landowners or The Crown Estate. Responsibility for permitting or granting land rights has no bearing on the ability of the Secretary of State to secure the compensatory measures, and if it were ever necessary, to enforce the provisions of the DCO against the relevant undertaker.</p>	<p>However, it is vital that Applicants ensure full details are provided since NSIP Examinations are supposed to be front loaded to avoid delays being caused post Examination and pre determination. Yet again we find ourselves considering an application that did not contain crucial information when made with some new (but not all) information coming after the deadline for written representations, meaning we were not able to comment in full and in our view frustrating the process and making consideration harder for the Examiners.</p> <p>Although the requirement for “adaptive management” (with more measures needed should current compensation proposals prove to be ineffective several years after operation has been allowed to commence) is welcomed, we do query whether anything more can be put in place if compensation measures prove ineffective, for example the shutting down of the turbines.</p> <p>We will have to respond further in light of the new information provided at Deadline 3 (REP3-032 and REP3-034) by Deadline 5 i.e. 20 June 2022 due to limited resources to be able to review and comment properly on the substantive new information submitted.</p> <p>In addition we request a response to the following point made in para 6.48, the RSPB's Written reps, namely</p> <p>“6.48....it is not entirely clear whether the provision of compensation outside the UK could properly be made a requirement of the DCO or deemed marine licence condition since outside the Secretary of State and/or the MMO's jurisdiction. More critically, perhaps, is how any failure to fulfil DCO requirements could be enforced....”</p> <p>Again, we appreciate the phasing of requirements with a focus being on compensation plans to be finalised, consulted on and then approved (or not) by the SoS. However, we are not sure a</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>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.”</p> <p>6.46. Although we appreciate both the Ramsar site protections and the relevant Guernsey policy, these in our view are not sufficient on their own to overcome concerns with these measures being fully secured and if necessary subject to enforcement measures. We also appreciate that the use of Grampian conditions - i.e. conditions requiring something to be done outside of the boundaries of the application site - are well precedented for planning permissions and therefore we may not have an issue, in principle.</p> <p>6.47. However we believe there are two key points which would need to be considered:</p> <p>(1) whether the Examiner and the Secretary of State can be satisfied that these compensation measures would/could be delivered and</p> <p>(2) how the requirements would be enforced if not delivered or effective?</p>		<p>response to the key point of compensation measures being outside the UK and how any failure to fulfil those requirements could be enforced has been provided by the Applicant.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>6.48. In respect of point (2) above, it is not entirely clear whether the provision of compensation outside the UK could properly be made a requirement of the DCO or deemed marine licence condition since outside the Secretary of State and/or the MMO's jurisdiction. More critically, perhaps, is how any failure to fulfil DCO requirements could be enforced. It may be possible that enforcement measures included the operation of the application (not just commencement of use) be stopped until measures were put in place and/or effective, since the commencement and the operation of application is within UK jurisdiction.</p> <p>6.49. In respect of point (1), assuming that the matters raised above can be satisfactorily addressed, the question remains as to certainty of delivery and enabling the Examiners and the Secretary of State to have confidence in the measures proposed. The Applicant must demonstrate their ability to secure the necessary interest or rights in the land likely to be required for the compensation, provide detail on what consents might be required in order to carry out the measures and provide evidence that those consents would</p>		

Reference	RSPB Written Representation	Applicant's comments	RSPB response
	<p>be forthcoming – in order for confidence to be had in these measures.</p> <p>6.50. Currently the only information made available is lacking in these details and therefore as matters currently stand we do not believe confidence can be had in these, not matter what enforcement action may be included within the draft DCO.</p>		
Section 7		<p>The Applicant has created a separate document for the Schedules relating to compensation (G3.12 Without Prejudice Derogation Draft Development Consent Order Schedules) submitted at Deadline 3, as requested at Issue Specific Hearing 1. The Applicant refers to the responses 6.13, 6.32 and 6.42 – 6.50. regarding further details and deliverability of the compensation measures.</p>	<p>The RSPB notes and welcomes the Applicant's response.</p>
RSPB Deadline 2 Submission - Responses to Examining Authority's First Written Questions (ExQ1)			
HRA 1.10	Offshore ornithology modelling	<p>Following additional consultation on the use of MRSea for Hornsea Four with Natural England and the developer of the model (Lindesay Scott-Haywood) the Applicant provided an update at Deadline 2 on the comments received on the modelling (G2.10 MRSea Baseline Sensitivity Report (Gannet) (REP-046)). A further, more detailed testing of the MRSea model and subsequent re-run of the model following receipt of additional guidance on the use of MRSea is contained within Part 2 and 3 and Appendix A of G2.10</p>	<p>See responses to references 4.8 and 4.9-4.11 above.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>MRSea Baseline Sensitivity Report Gannet (REP2-046), submitted at Deadline 3.</p> <p>Following consultation on the revised MRSea (MRSea_v2) Report, the Applicant will seek agreement on the most appropriate data set to use to inform any revised assessments for Hornsea Four following consultation with Natural England ahead of Issue Specific Hearing (ISH) 3. Any updates to the assessments will be presented to Examination at Deadline 4 in the Ornithology Assessment Sensitivity Report. The Applicant also intends to provide updated PVA (Applicant and SNCB positions) for those species concerned, once the final data set is agreed as appropriate to inform any revised assessments (at Deadline 4 and updated for Deadline 5 in the Ornithology Assessment Sensitivity Report).</p>	
HRA 1.15	Comparison with Sula Sgeir gannet colony	<p>The Applicant reviewed the PVA report on the Sula Sgeir gannet population (Trinder, 2016) in order to understand the effects of chick harvesting rates on the population level of gannets at Sula Sgeir, off the Scottish coastline. Between 2004 – 2014 the gannetry at Sula Sgeir increased by an average rate of 2.2% per annum despite an annual harvest of up to 2,000 chicks. This is 0.7% lower than the national average Scottish gannet population annual growth rate, as to be expected when considering the harvesting occurring. For reference the recent annual average growth rate of the FFC SPA calculated from the period of 2008 – 2017 is over 8%, significantly higher than that of Sula Sgeir and Scottish national average, suggesting the overall</p>	<p>The RSPB will respond to this point when the further PVA analysis by the Applicant has been presented (see 4.25-4.27 above)</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>health and stability of the colony is significantly greater than Sula Sgeir and it is therefore logical to assume the FFC SPA would have greater resilience to any impacts. Using the national average survival rates for gannet, as used within the compensation calculations, the likelihood of gannet surviving to adulthood is roughly ~26%. These survival rates also match that used within the PVA modelling by Trinder (2016). Trinder (2016) modelled additional harvesting rates of up to an additional 2,000 chicks per annum (this is on top of the current harvesting rate of 2,000 chicks per annum), which when considering the likelihood of a chick reaching adulthood is ~26% equates to an effective harvesting rate of up to 1,040 breeding adults per annum. The results of the modelling predicted that population growth rate remained positive when considering a harvesting rate of between 2,000 (current rate; ~520 breeding adults) to 3,000 chicks (~780 breeding adults). At harvest levels above 3,500 (~910 breeding adults and above), the majority of simulations still predicted positive growth for the colony. These results provide evidence of the resilience of gannetries and strong evidence that when considering the combined in-combination impacts of collision risk and displacement predicted for the FFC SPA of ~480 breeding adults (when considering a 80% displacement rate and 1% mortality for all projects), this predicted impacted would</p>	

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		not lead to an AEoI for the gannet feature of the FFC SPA.	
RSPB Deadline 2 Submission - Annex B Derogation case: Bycatch reduction (REP2-092)			
N/A	N/A	<p>The Applicant has undertaken a significant amount of work to advance the industry and scientific understanding of gillnet bycatch and reduction methods. The Applicant's bycatch reduction technology selection phase is the most advanced study undertaken to date to understand potential bycatch reduction method by using the most advanced technology (LEB and SeaScope dual camera monitoring system) and developing an impeccable relationship with the fishing industry (which has resulted in all vessels agreeing to having a continuous dual camera system installed on their vessel).</p> <p>The RSPB did not consider the Applicant's Deadline 1 submissions (G1.42: Gannet Bycatch Reduction & Evidence Review (REP1-064) and B2.8.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Guillemot and Razorbill Bycatch Reduction: Roadmap (REP2-011)) within their Annex B submission which provide an update and clarity to a number of points. Both documents highlight the significant advancement which has been made on the gannet derogation case where the Applicant is actively consulting fishers and the wider fishing industry to understand the scale of gannet bycatch. Additionally, the Applicant has organised and held numerous meetings with Birdlife International bycatch</p>	<p>Whilst we welcome the Applicant's research and experimental trials, without access to the full results there is no option available for peer review. Without peer review there can be little advancement of any scientific understanding of gillnet bycatch and reduction methods.</p> <p>We welcome the positive relationship the Applicant has developed with the fishing industry and look forward to seeing the species bycatch records from the continuous dual camera system. We would like clarification from the Applicant on how long the fishers have agreed to have dual cameras on board, and what technical and financial support is expected: for example who is going to review the camera footage, will this form the monitoring system?</p> <p>See our response to REP1-064 and REP2-011 in our separate Deadline 4 submission (see the "RSPB's Comments on the Applicant's Bycatch reduction documents submitted at Deadlines 1 and 2").</p> <p>Whilst we support a better understanding of the nature and scale of gannet bycatch. The Applicant draws on anecdotes from fishers as evidence for establishing the bycatch risk to gannet. Whilst we recognize the importance of engaging with the fishing industry this form of evidence cannot be relied upon as a robust data source. Indeed, any anecdotal findings should be independently checked.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>experts and RSPB to discuss bycatch generally, with a particular focus on gannet to increase their understanding based on the experience held by BirdLife International. Furthermore, the Roadmap (B2.8.2: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Guillemot and Razorbill Bycatch Reduction: Roadmap (REP2-011)) provides an update on all aspects of the bycatch reduction compensation measure.</p> <p>A number of the points raised by the RSPB within 'Annex B' have been responded to elsewhere within this Deadline 3 response by the Applicant. For example, the Applicant's Response 6.21 highlights how the Applicant is already meeting best practice criteria relevant to the current phase of the implementation of a bycatch reduction method.</p> <p>Annex B of RSPB's response draws on perceived errors in location and timing. However, the Applicant notes previous agreement of the target fishery, location and timing by Natural England and RSPB during Hornsea Compensation Workshop (28th May 2021). This was further supported by Natural England during its most recent response (EN010098-001251-Natural-England – Responses to comments on RRs) where it was stated "Natural England agree with the reasoning for the identified locations for auks". The Applicant has followed best practice (i.e. that set out within Bradbury <i>et al.</i>, 2017) in order to determine bycatch</p>	

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>locations and has consulted with regional IFCA's and academia to obtain a current understanding on fishing practices in the North East (in proximity to Flamborough and Filey Coast SPA) and other coastal areas of England. This information has been incorporated into the Applicant's submission. It is worth noting that the core document (B2.8.1 Volume B2, Annex 8.1: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Bycatch Reduction: Ecological Evidence (APP-194)) which forms the basis of the RSPB Annex B response was extremely well received by Natural England who provided supportive feedback during compensation workshops (such as the workshop held 14//02/2022) and within written feedback (such as Natural England's response to the Hornsea Four Compensation Workshop 3 (18/06/2021)).</p>	
RSPB Deadline 2 Submission - Annex C Derogation case: Predator eradication (REP2-093)			
N/A	N/A	<p>The RSPB did not consider the Applicant's Deadline 1 submissions (G1.33: Predator Eradication Island Suitability Assessment: Bailiwick of Guernsey (REP1-061) and B2.8.4: Compensation measures for Flamborough and Filey Coast (FFC) Special Protection Area (SPA): Predator Eradication: Roadmap (REP2-013) within their Annex C RSPB submission which provide an update and clarity to a number of points. Both documents highlight the significant advancement which has been made in relation to progressing predator eradication as a compensation measure for the benefit of</p>	<p>The RSPB submitted its comments on REP1-061 (Island Suitability Assessment) at Deadline 3 (see REP3-055). The RSPB will review the Feasibility Study report when it is submitted at Deadline 5 at which point we will consider the evidence presented, including in relation to habitats used by guillemot and razorbill, historic evidence in relation to the current and former presence of guillemot and razorbill on each island, and the evidence for the presence or otherwise of black and brown rat on each island.</p> <p>The RSPB thanks the Applicant for pointing it to REP3-032 and REP3-034 Compensation measures for FFC SPA: Compensation Connectivity Note. The RSPB is reviewing this document and will respond at Deadline 5.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>guillemot and razorbill. The Applicant also suggests the following G3.4 Connectivity Note: Compensation measures for FFC SPA: Compensation Connectivity Note (which will be submitted by the Applicant at Deadline 3) is read alongside the other updated submissions listed above.</p> <p>A number of the points raised by the RSPB within 'Annex C' have been responded to elsewhere within this response at Deadline 3.. For example, the Applicant's Response 6.32 within the Deadline 3 submission highlights how the Applicant has employed international eradication experts to undertake a detailed implementation study of Herm, The Humps, Jethou, Sark and the surrounding islands and islets, which will follow the approach set out within the Manual of the UK Rodent eradication Best Practice Toolkit (2018) (as described within Revision 3 of B2.8.4 Compensation measures for FFC SPA: Predator Eradication: Roadmap (REP2-013) and was also detailed within Revision 2 submitted at Deadline 1). The Applicant is also working closely with Alderney Wildlife Trust to develop a detailed understanding of the scale of rat presence across the islands and islets of Alderney. It is worth noting that the work undertaken to date in relation to the Applicant's implementation study has been welcomed and supported by Natural England during its most recent response (EN010098-001251-Natural-England – Responses to comments on</p>	<p>The RSPB has replied to the Applicant's Response 6.32 above.</p>

Reference	RSPB Written Representation	Applicant's comments	RSPB response
		<p>RRs) where it was stated "Natural England welcomes that evidence on the abundance and species of predators present at potential sites is being collected (RR-029-APDX:C-84)". The Applicant is pleased to see that the RSPB agree rats (both brown rat and black rat) are identified as a risk to the population of guillemot and razorbill. However, the Applicant would like to point out that due to the low lying and high accessible nesting habitat used by guillemot across the Channel Islands (in the absence of large amounts of inaccessible cliff habitat), the species is likely to have the same vulnerability to rat predation as razorbill. It is important to note that all locations being considered by the Applicant support both black or brown rat, and current or historic populations of guillemot and razorbill.</p> <p>Additionally, all landowners and managers for the locations being considered have provided letters of comfort (i.e. the Alderney Wildlife Trust and the States of Guernsey) in support of a predator eradication as compensation for Hornsea Four.</p>	