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Dyddiad/Date: 10/12/2024

Er sylw / For the attention of: [REDACTED]

Annwyl / [REDACTED],

**PROPOSED MORGAN OFFSHORE WINDFARM**

**PLANNING INSPECTORATE REFERENCE: EN010136**

**EIN CYFEIRNOD / OUR REFERENCE: 20049491**

**RE: NATURAL RESOURCES WALES' DEADLINE 4 SUBMISSIONS**

Thank you for your Rule 8 letter, dated 12 September 2024, requesting Natural Resources Wales' (NRW) comments regarding the above.

Please find below NRW's Deadline 4 submissions which comprises advice on the submissions produced by the Applicant and received at Deadline 3 on 12 November 2023 and responses to the Examining Authority (ExA) actions arising from Issue Specific Hearing 2.

The documents that we have reviewed for Deadline 4 include:

- REP3-018, S\_D3\_9 – Inclusion of Awel y Mor in Cumulative Assessments – Clarification Note.
- REP3-019, S\_D3\_10 – Review of Cumulative Effects Assessment and In-Combination Assessment: Offshore Ornithology.
- REP3-020, S\_D3\_11 – Kittiwake Apportioning Clarification Note.

We have provided advice specifically on marine ornithology considering the Applicant's Deadline 3 submissions. Where we have not provided explicit advice, it can be taken that we have no further comments to make at this stage and that the ExA should refer to our previous submissions on those matters.

These representations should be read in conjunction with advice previously provided into the examination.

NRW continues to engage extensively and proactively with the Applicant throughout the examination in order to resolve outstanding matters.

The comments provided in this submission, comprise NRW's response as a Statutory Party under the Planning Act 2008 and Infrastructure Planning (Interested Parties) Regulations 2015 and as an 'Interested Party' under S102(1) of the Planning Act 2008.

Our comments are made without prejudice to any further comments we may wish to make in relation to this application and examination whether in relation to the Environmental Statement (ES) and associated documents, provisions of the draft Development Consent Order ('DCO') and its Requirements, or other evidence and documents provided by bpENBW ('the Applicant'), the ExA or other Interested Parties.

Should further clarity be required, we will be pleased to answer these further through the Examining Authority questions and / or a Rule 17 request(s).

Please do not hesitate to contact [REDACTED] [REDACTED] and/or [REDACTED] [REDACTED] ([marine.advice@cyfoethnaturiolcymru.gov.uk](mailto:marine.advice@cyfoethnaturiolcymru.gov.uk)) should you require further advice or information regarding these representations.

Yn gywir / Yours sincerely,

[REDACTED]

[REDACTED]  
**Marine Services Manager**  
**Natural Resources Wales**

[CONTINUED]

## 1. Marine Ornithology Comments on Deadline 3 Submissions

1. NRW welcomes these clarification documents. However, we note that these generally equate to further stress testing of the Applicant's preferred approaches. NRW had a productive meeting with the Applicant on 28/11/2024, where outstanding issues and potential approaches to addressing these were discussed. Following this meeting, we understand that the Applicant is going to provide outputs following a full approach as advised by the Statutory Nature Conservation Bodies (SNCBs) in a future submission.
2. **REP3-018:** NRW welcomes that the Applicant has provided clarification on which Band model options (i.e. Option 2 or 3) were utilised for the large gull species from the Awel Y Mor project included in the in-combination assessments. NRW welcomes that the Applicant has provided a comparison of figures between the preferred approach versus the SNCB advised approach for the Band model options. Whilst the conclusions are unlikely to be materially changed irrespective of approach taken, NRW continue to advise that herring gull figures are updated to present Option 2 figures clearly and concisely as the SNCB preferred approach [paragraph 22, REP1-056].
3. **REP3-018:** As noted in NRW's Relevant and Written Representations [RR-027, REP1-056], NRW will base conclusions on levels of significance to Welsh sites using the predicted impacts based on our advised collision risk modelling (CRM) input parameters (including flight speeds and avoidance rates). Therefore, NRW welcome that the Applicant has clearly indicated which outputs are from the SNCB advised avoidance rates and which are the Applicant's.
4. **REP3-019:** NRW notes that the Applicant has provided a comparison table of predicted annual displacement impacts broken down by species, between available figures from Morecambe Generation Assets' application and Preliminary Environmental Information Report (PEIR). NRW welcomes that the Applicant's assessments will be updated with the latest available figures at Deadline 4. NRW continue to recommend that any updated figures should be incorporated into a single, coherent ES.
5. **REP3-020:** NRW continue to advise that the use of age-specific survival rates from Horswill and Robinson (2015) for kittiwake to calculate the proportion of different age classes (i.e. the approach taken for Hornsea Project 2) is not applied and that the SNCB preferred method of using the site-specific digital aerial survey (DAS) data proportions of adults, or the more precautionary approach of assuming all birds are adults, is followed. The reasons for this advice are set out in our Relevant and Written Representations [RR-027 and REP1-056], and in our Deadline 3 submission [REP3-050; REP1-056.28-REP1-056.30]. In summary, the issue remains that there is uncertainty around the appropriateness of the approach for use at the Morgan Generation Assets site which is located in the Irish Sea.

## 2. Response to Hearing Action Point 21A of ISH2

6. **Marine Ornithology:** NRW cannot rule out an adverse effect on site integrity (AEoSI) for features of Welsh designated sites until all of our comments on methodology and Cumulative Effects Assessment (CEA) have been addressed and we have had the opportunity to fully review the information that will be provided by the Applicant at Deadline 4. NRW is actively engaging with the Applicant on this and has an agreed way to address these points. We anticipate that the remaining issues are capable of being resolved before the close of Examination, and therefore derogation and compensation may not be required. This is subject to a full and comprehensive review of submissions made by the Applicant at Deadline 4.
7. **Marine Mammals:** NRW confirms that for sites within NRW's remit, and from a Marine Mammal Perspective, an Adverse Effect on Site Integrity on all European Sites from the project alone and in-combination with other plans or projects can likely be excluded. This is on the proviso that the Underwater Sound Management Strategy (UWSMS), Marine Mammal Mitigation Protocol (MMMP) and other post-consent mitigation is secured.