

MONA OFFSHORE WIND PROJECT

Mona and Joint Nature Conservation Committee SoCG

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Image of an offshore wind farm

MONA OFFSHORE WIND PROJECT

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MONA OFFSHORE WIND PROJECT

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Glossary

Term	Meaning
Applicant	Mona Offshore Wind Limited.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Marine licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for a DCO to apply for a 'deemed' marine licence as part of the DCO process. In addition, licensable activities within 12nm of the Welsh coast require a separate marine licence from Natural Resource Wales (JNCC).
Mona Offshore Wind Project	The Mona Offshore Wind Project is comprised of both the generation assets, offshore and onshore transmission assets, and associated activities.
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects.

Acronyms

Acronym	Description
BDMPs	Biologically Defined Minimum Population Scales
CEA	Cumulative Effects Assessment
CRM	Collision Risk Modelling
DAS	Digital Aerial Surveys
DCO	Development Consent Order
dml	Deemed marine licence
EDR	Effective deterrent range
EIA	Environmental Impact Assessment
EWG	Expert Working Group
HRA	Habitat Regulation Assessment
JNCC	Joint Nature Conservation Committee
IEF	Important Ecological Features
ISAA	Information to Support Appropriate Assessment
LSE	Likely significant effect
MCZ	Marine Conservation Zones
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MPA	Marine Protected Area
MSP	Mean seasonal peak
NE	Natural England
NRW	Natural Resources Wales

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Acronym	Description
oMMMP	Outline Marine Mammal Mitigation Plan
OSP	Offshore Substation Platform
PEIR	Preliminary Environmental Information
PVA	Population Viability Analysis
SAC	Special Area of Conservation
SNCB	Statutory Nature Conservation Body
SoCG	Statement of Common Ground
SOSSMAT	Strategic Ornithological Support Services Migration Assessment Tool
SPA	Special Protection Area
T&D	Threatened and/or declining
UWSMS	Underwater Sound Management Strategy
UXO	Unexploded Ordnance
VHF	Very high frequency
ZOI	Zone of influence

Units

Unit	Description
dB	Decibel
kV	Kilovolts
μPa	Micro Pascal (10 ⁻⁶)

1 INITIAL STATEMENT OF COMMON GROUND BETWEEN MONA OFFSHORE WIND PROJECT AND THE JOINT NATURE CONSERVATION COMMITTEE

1.1 Introduction

1.1.1 Overview

1.1.1.1 This initial Statement of Common Ground (SoCG) has been prepared between Mona Offshore Wind Limited (hereafter referred to as ‘the Applicant’) and the Joint Nature Conservation Committee (JNCC), together the parties. The SoCG sets out the areas of agreement and disagreement between the parties in relation to the proposed Development Consent Order (DCO) application for the Mona Offshore Wind Project.

1.1.1.2 The need for a SoCG between the Applicant and JNCC is set out in section 1 of Appendix F of the Rule 6 letter that was issued by the Planning Inspectorate on 07 June 2024.

1.1.1.3 This document is intended to provide the Examining Authority with an overview of the level of common ground between the parties. The SoCG will identify where agreement has been reached, where differences lie and the reasons for disagreement or outstanding matters. The SoCG will also specify the actions needed to address the issues and will facilitate further discussion between the parties. The SoCG will be updated during the Mona Offshore Wind Project Examination and submitted at the Deadlines indicated in the Rule 6 letter.

1.1.1.4 The Applicant has engaged with JNCC on this SoCG for Deadline 1; however, it should be noted that the positions presented in Table 1.5 to Table 1.7 do not take account of those parts of the Applicant’s Response to Relevant Representations (PDA-008) which seek to address JNCC’s Relevant Representation (RR-033). The Applicant and JNCC acknowledge that additional work is required on the SoCG as the examination progresses, and additional matters may be included in future iterations in order to provide the Examining Authority with clarity on respective positions.

1.1.2 Mona Offshore Wind Project Elements under JNCC’s Remit

1.1.2.1 JNCC are statutory advisors to the UK Government and devolved administrations on issues relating to nature conservation in UK offshore waters (beyond the territorial limit). Our key areas of interest are birds, marine mammals and benthic receptors, as well as Marine Protected Areas, which may be impacted by the Mona Offshore Wind Project. These are detailed in Schedule 1 (Authorised Project), Part 1 (Authorised Development) and Schedule 14 (Marine Licence) of the Draft DCO F03 (PDA-003). All those elements of the Mona Offshore Wind Project comprising the offshore works outside 12 nm from shore may affect the interests of JNCC.

1.1.2.2 This SoCG covers the following topics of relevance to JNCC¹:

- Benthic subtidal ecology

¹ Fish and shellfish is outside JNCC’s remit, JNCC defer to NRW on matters relating directly to physical processes as agreed through the Evidence Plan process, see Technical Engagement Plan (APP-041).

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- Marine mammals
- Offshore ornithology

1.1.3 Overview of Mona Offshore Wind Project

1.1.3.1 Mona Offshore Wind Project is a proposed offshore wind farm located in the east Irish Sea. The Mona Offshore Wind Project will include both offshore and onshore infrastructure and consist of:

- **Mona Array Area:** This is where the wind turbines, Offshore Substation Platforms (OSPs), foundations (for both wind turbines and OSPs), inter-array cables, interconnector cables and offshore export cables will be located
- **Mona Offshore Cable Corridor and Access Areas:** The corridor located between the Mona Array Area and the landfall up to Mean High Water Springs (MHWS), in which the offshore export cables will be located and in which the intertidal access areas are located
- **Intertidal access areas:** The area from MHWS to Mean Low Water Springs (MLWS) which will be used for access to the beach and construction related activities
- **Landfall:** This is where the offshore export cables make contact with land and the transitional area where the offshore cabling connects to the onshore cabling
- **Mona Onshore Development Area:** The area in which the landfall, Mona Onshore Cable Corridor, Mona Onshore Substation, mitigation areas, temporary construction facilities (such as access roads and construction compounds), operational access to the Mona Onshore Substation and the connection to National Grid infrastructure will be located
- **Mona Onshore Substation:** This is where the new substation will be located, containing the components for transforming the power supplied from the offshore wind farm up to 400 kV
- **Mona 400 kV Grid Connection Cable Corridor:** The corridor from the Mona Onshore Substation to the National Grid substation.

1.1.4 Approach to SoCG

1.1.4.1 This initial SoCG will be progressed during examination phases of the Mona Offshore Wind Project. In accordance with discussions between the parties, the SoCG is focused on those issues raised by JNCC within its response to the Scoping Report, Section 42 consultation and as raised through the Evidence Plan Process that has underpinned the pre-application consultation between the parties. This initial SoCG also includes those issues raised by JNCC during the post-application phase (i.e. relevant representations and pre-examination meetings).

1.1.4.2 The structure of this initial SoCG is as follows:

- Section 1.1: Introduction
- Section 1.2: Summary
- Section 1.3: Summary of consultation
- Section 1.4: Agreements log

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1.2 Summary

1.2.1.1 This initial SoCG has outlined the consultation that has taken place between the parties during the pre-application and post-application phase of the Mona Offshore Wind Project. The agreement logs present the position reached on 07 August 2024 (Deadline 1).

1.2.2 Summary of Those Matters Agreed, Ongoing Points of Discussion and Not Agreed

1.2.2.1 Table 1.1 provides a summary of those matters agreed, an ongoing point of discussion or not agreed between the parties.

Table 1.1: Summary of areas agreed, ongoing points of discussion and not agreed between the parties.

Topic	Agreement status
Benthic subtidal ecology	Some items agreed, some ongoing points under discussion
Marine mammals	Some items agreed, some ongoing points under discussion, some items not agreed but not material
Offshore ornithology	Some items agreed, some ongoing points under discussion, some items not agreed but not material

1.3 Summary of Consultation

1.3.1.1 Table 1.2 below provides an overview of the consultation undertaken by the Applicant with JNCC during the pre-application phases of the Mona Offshore Wind Project.

1.3.1.2 Table 1.3 below provides a summary of the consultation undertaken by the Applicant with JNCC during the post-application phases of the Mona Offshore Wind Project.

Table 1.2: Summary of pre-application consultation with JNCC.

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
Scoping			
15 June 2022	Scoping Opinion	Statutory	<ul style="list-style-type: none"> Issue of Scoping Opinion (APP-194)
Statutory (Section 42) consultation			
04 June 2023	Statutory consultation	Statutory	<ul style="list-style-type: none"> Statutory consultation responses from JNCC are presented in Consultation Report Appendices – Part 3 (D.25-F) (APP-040).
Evidence Plan steering group			
16 November 2021	Meeting	Non-statutory	<ul style="list-style-type: none"> Introduce and gain feedback on Evidence Plan Identify key contacts and roles and responsibilities Discuss establishment of Expert Working Groups (EWGs) and key contacts for these.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
13 December 2021	Meeting	Non-statutory	<ul style="list-style-type: none"> • Introduce the cable route selection study • To procure high level feedback on the cable routing process • To identify any concerns.
20 July 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> • Approach to cable route selection • Likely Significant Effect (LSE) screening methodology • Opportunities to discuss points from the Scoping Opinion.
14 February 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • Habitat Regulation Assessment (HRA) Stage 1 Screening and Information to Support Appropriate Assessment (ISAA) methodology • Consultation on the Preliminary Environmental Information Report (PEIR) and building towards the SoCGs • Cable route site selection study updates • Engineering considerations towards Special Areas of Conservation (SACs).
29 June 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • HRA Stage 1 Screening and ISAA methodology • Section 42 responses • Agreement logs.
17 October 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • HRA Stage 1 Screening and ISAA methodology • Underwater Sound Management Strategy • Agreement logs.
Evidence Plan benthic ecology, fish and shellfish ecology and physical processes EWG			
17 February 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> • Introduce and gain feedback on Evidence Plan • Discuss stakeholder comments on the survey scopes to date and any further data required • Update on the progress of surveys and data analysis.
01 April 2022	Email	Non-statutory	<ul style="list-style-type: none"> • Provision of the benthic survey scope of works.
29 November 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> • Key project updates • Baseline characterisation and modelling approach • Initial outputs of impact assessment.
14 March 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • Baseline characterisation and initial outputs of impact assessment • Cumulative assessment approach and initial impact assessment approach to agreement.
11 July 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • Discussion of statutory consultation responses • Updated baselines • Agreement logs.
14 August 2023	Email	Non-statutory	<ul style="list-style-type: none"> • Provision of a technical note presenting the approach to physical processes modelling for the application.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
12 October 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> To present the updates to the benthic ecology baseline characterisation to address statutory consultation responses. Physical processes and fish and shellfish ecology were not discussed.
07 December 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> Presentation of the final impact assessment, mitigation measures and progress to agreement.

Evidence Plan marine mammal EWG

17 February 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> Introduce and gain feedback on Evidence Plan Discuss stakeholder comments on the survey scopes to date (i.e. prior to Evidence Plan) and any further data required Update on the progress of surveys and data analysis.
19 July 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> Agree the marine mammal study areas Approach to baseline characterisation Approach to the Environmental Impact Assessment (EIA), including impact scoping.
17 November 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> Baseline characterisation Approach to the underwater sound assessment and population modelling approach.
09 February 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> Updated baseline characterisation Underwater sound modelling outputs Cumulative assessment.
26 June 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> To present the updated assessment and to discuss statutory consultation responses.
03 August 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> To present the updated assessment and to discuss statutory consultation responses.
10 October 2023	Email	Non-statutory	<ul style="list-style-type: none"> Provision of technical note with approach to addressing outstanding items for agreement.
05 December 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> Final impact assessment Final mitigation and monitoring requirements Progress to agreement.

Evidence Plan offshore ornithology EWG

18 February 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> Introduce and gain feedback on Evidence Plan Discuss stakeholder comments on the survey scopes to date (i.e. prior to Evidence Plan) and any further data required Update on the progress of surveys and data analysis.
27 May 2022	Email	Non-statutory	<ul style="list-style-type: none"> Provision of technical notes outlining the Applicants approach to the offshore ornithology baseline characterisation, displacement and Collision Risk Modelling (CRM) technical reports.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
13 July 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> • Agree the approach to baseline characterisation, cumulative study area to agree the approach to EIA, including impact scoping • Presentation of the interim baseline characterisation and discuss and agree the approach to data analyses, including relevant modelling techniques and parameters.
30 November 2022	Meeting	Non-statutory	<ul style="list-style-type: none"> • To agree key receptor species and to present the interim assessment of impacts • Relevant regional populations and protected sites/qualifying interests for assessment • Approach to HRA Stage 1 screening.
23 February 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • To agree key receptor species and to present the interim assessment of impacts • Relevant regional populations and protected sites/qualifying interests for assessment and approach to HRA Stage 1 screening • Discuss and agree scope of cumulative impact assessment and transboundary considerations • To discuss and agree population assessment approaches and thresholds for LSE and integrity
05 May 2023	Email	Non-statutory	<ul style="list-style-type: none"> • Provision of the updated methodology for offshore ornithology HRA Stage 1 screening and the ISAA.
30 June 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • Update to baseline characterisation for complete baseline data set • Amendments to previously agreed approaches • Statutory consultation responses.
10 July 2023	Email	Non-statutory	<ul style="list-style-type: none"> • Provision of the technical note presenting the power analysis undertaken at the request of the EWG.
19 October 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • Presentation of updated baseline characterisation • Impact assessment for the Environmental Statement.
23 November 2023	Email	Non-statutory	<ul style="list-style-type: none"> • Provision of the technical note outlining the Applicants position regarding using species specific avoidance rates from Ozsanlav-Harris <i>et al.</i> (2023). • Provision of the technical note outlining the final updated methodology for offshore ornithology HRA Stage 1 screening and the ISAA
29 November 2023	Email	Non-statutory	<ul style="list-style-type: none"> • Provision of the technical note outlining the Applicants position regarding calculating the regional breeding population.
08 December 2023	Meeting	Non-statutory	<ul style="list-style-type: none"> • Presentation of final impact assessment • Comments on draft Environmental Statement • Final mitigation and monitoring requirements.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
26 January 2024	Email	Non-statutory	<ul style="list-style-type: none"> Joint response from the Mona, Morgan Generation and Morecambe Generation Projects to the 'Proposed methodology for 'gap-filling' the Irish Sea R4 cumulative & in-combination assessments' advice from Natural England (NE).

Table 1.3: Summary of post-application consultation with JNCC.

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
23 April 2024	Meeting (Marine mammal EWG07)	Non-statutory	<ul style="list-style-type: none"> Initial feedback on the outline UWSMS (APP-202)
10 July 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss initial draft of SoCG

1.4 Agreement log

1.4.1.1 This section of the SoCG sets out the level of agreement between the parties. For each matter the status is identified as being either agreed, not agreed or an ongoing point of discussion, according to the criteria set out in Table 1.4 below.

Table 1.4: Position definitions and colour coding.

Position and colour coding	Definition of position
Agreed	The matter is considered to be agreed between the parties.
Ongoing point of discussion	The matter is neither agreed or not agreed, and is a matter where further discussion is required between the parties.
Not agreed, but not material	The matter is not considered to be agreed between the parties, but is not deemed material.
Not agreed	The matter is not considered to be agreed between the parties.

1.4.1.2 Table 1.5 to Table 1.7 sets out the level of agreement between the parties for each relevant component of the application (as identified in section 1.1.2).

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1.4.2 Benthic subtidal ecology

Table 1.5: Agreement Log between the parties on benthic subtidal ecology.

Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
EIA				
JNCC.BE.1	Consultation	The Applicant has undertaken adequate consultation with JNCC on potential impacts on benthic subtidal ecology.	JNCC are of the opinion that adequate consultation on potential impacts on benthic subtidal ecology was undertaken pre-application.	Agreed
JNCC.BE.2	Consultation	The EIA has had due regard to matters raised by JNCC through statutory and non-statutory consultation on potential impacts on benthic subtidal ecology.	As set out later in this SoCG, JNCC has concerns with the content of the EIA, and is not currently in a position to agree that "due regard" has been had to all matters raised in pre-application consultation.	Ongoing point of discussion
JNCC.BE.3	Policy and planning	The Application has identified and considered all plans and policies relevant to benthic subtidal ecology, within JNCC's remit.	Agreed	Agreed
JNCC.BE.4	Surveys	Broad approach to benthic ecology site-specific surveys.	Agreed	Agreed
JNCC.BE.5	Baseline environment	Sufficient site-specific and desktop data has been collated to appropriately characterise the baseline benthic subtidal ecology environment to inform the EIA.	Agreed	Agreed
JNCC.BE.6	Baseline environment	Agreement on the baseline characterisation for benthic subtidal ecology.	Agreed	Agreed
JNCC.BE.7	Scoping	Agreement to the scoping of impacts for the EIA for benthic subtidal ecology.	Agreed	Agreed
JNCC.BE.8	Study area	The EIA study area is appropriate for the receptors and impacts assessed.	As per the descriptions detailed in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054), Section 2.4.3 Study area, JNCC are content that the regional benthic subtidal ecology study area that was defined is appropriate. However, throughout the Environmental Statement	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
			<p>and DCO documentation there is little distinction between inshore and offshore, distinguished by the 12nm/territorial waters limit. Given the remit of Statutory Nature Conservation Bodies (SNCBs, i.e. JNCC and Natural Resources Wales (NRW)) is divided based on this factor it would be helpful to have impacts broken down into these remits to allow JNCC to accurately assess potential impacts. In particular, it would have been useful to have this delineation identified on all the maps provided and for benthic habitats that span the offshore and inshore.</p>	
JNCC.BE.9	Project design envelope	The EIA chapter as identified, described and assessed the maximum design scenario for the EIA.	<p>Not agreed for the following reasons:</p> <p>It is not clear if any remediation (i.e. rock dump for protection) will be carried out.</p> <p>Decommissioning operations have not been fully considered for gravity-based infrastructure or the full removal of all cables.</p> <p>Drill arisings from drilling of pin piles will create cuttings piles. A maximum seabed impact area should be calculated for these as cutting piles will impact the local environment and should be considered in more detail.</p> <p>Values for the maximum seabed area (total foundations and scour protection for all foundations) were found to be incorrect.</p> <p>Wording in relation to cable decommissioning was found to be inconsistent.</p>	Ongoing point of discussion
JNCC.BE.10	Assessment methodology	The sensitivity of benthic subtidal ecology receptors has been correctly identified and sufficiently described within the EIA.	<p>Not agreed. For example, we would not agree with a reduction in the sensitivity of the seapens and burrowing megafauna communities from 'High' to 'Medium'. We acknowledge that seapens have not been recorded within the site-specific surveys to date but seapens do not have to be present to define this OSPAR Threatened and/or declining (T&D) habitat, as also acknowledged within this</p>	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
			section. For this reasoning, it would not be appropriate to reduce the sensitivity to 'Medium' and it should remain as 'High'.	
JNCC.BE.11	Assessment methodology	The list of projects screened into the Cumulative Effects Assessment (CEA) in the EIA is appropriate.	JNCC is satisfied with the list of projects that have been screened in.	Agreed
JNCC.BE.12	Assessment of the effects from the project alone – effects on Marine Conservation Zones (MCZ) beyond 12nm	On the basis that there is no direct overlap with features of MCZs, there will be no risk of hindering conservation objectives of any MCZs with benthic subtidal features.	JNCC agree that any offshore sites designated for benthic habitats fall outside of the Zone of influence (ZOI) and therefore do not require further assessment.	Agreed
JNCC.BE.13	Assessment of the effects from the project alone – benthic subtidal ecology beyond 12nm	There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone.	<p>Not currently agreed for the following reasons:</p> <p>The magnitude of impact has been assessed too low, incorrect assumptions of feature sensitivity has been applied to the seapens and burrowing megafauna communities Important Ecological Features (IEF), and the subsequent adverse significance has been under-represented. JNCC do not agree with a low magnitude of impact, considering over two million square meters (paragraph 2.9.5.7 of Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054)) of seabed will be permanently impacted/changed.</p> <p>JNCC do not agree with the suggestion that the permanent presence of cable and scour protection should be considered as permanent habitat alteration rather than permanent habitat loss. The permanent introduction of hard substrates into a soft sediment environment would be a permanent habitat loss that leads to a regime shift of that habitat (i.e. a permanent habitat alteration). It should therefore be considered as permanent habitat loss. This should be taken into account when re-assessing the magnitude of impact.</p>	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
			<p>JNCC recognise that settlement and subsequent recruitment on clean artificial structures is very complex. It should not be expected that colonisation will consist entirely of already present flora and fauna. Opportunistic colonisation will occur from flora and fauna that would not normally be recorded in the area due to the clean artificial surfaces allowing for opportunistic settlement. This has the potential to alter subsequent settlement and recruitment that can lead to a different final community composition. Additionally, temporal variation will also determine the final community composition.</p>	
<p>JNCC.BE.14</p>	<p>Assessment of the effects from the project cumulatively with other projects</p>	<p>There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project cumulatively with other plans and projects.</p>	<p>Not currently agreed. The magnitude of impact has been assessed too low, incorrect assumptions of feature sensitivity has been applied to the seapens and burrowing megafauna communities Important Ecological Features (IEF), and the subsequent adverse significance has been under-represented. JNCC do not agree with a low magnitude of impact, considering over two million square meters (Section 2.9.5.7 of Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054)) of seabed will be permanently impacted/changed.</p>	<p>Ongoing point of discussion</p>
<p>JNCC.BE.15</p>	<p>Mitigation</p>	<p>The mitigation measures and conditions outlined in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054), Mitigation and Monitoring schedule (APP-196) are appropriate and will ensure significant effects are avoided.</p>	<p>JNCC does not agree on the Applicant's assessment of the effects on benthic subtidal ecology (alone or in combination with other plans and projects – see JNCC.BE.13 and JNCC.BE.14 above). As the Applicant's mitigation measures, conditions and monitoring schedule are derived from its assessment of effects, JNCC does not agree that these proposals are appropriate and sufficient to ensure that significant effects on benthic subtidal ecology are avoided.</p> <p>If agreement can be reached on the scale and nature of the potential effects, JNCC will comment on the mitigation proposals put forward by the Applicant at that time, including further scrutiny of</p>	<p>Ongoing point of discussion</p>

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
			the proposals to secure mitigation through the provisions of the DCO and associated agreements and commitments.	
HRA				
JNCC.BE.16	Screening	Agreement to the screening of impacts for the HRA for benthic subtidal ecology.	No sites designated for Annex I habitats occur in the offshore area (past 12 nm) of the Mona project. The nearest site with Annex I features is estimated to be 75 km away. JNCC therefore have no further comments to make. Any inshore (within 12 nm) matters will be addressed by NRW.	n/a
JNCC.BE.17	Study area	The HRA study area is appropriate for the receptors, sites and impacts assessed.		
JNCC.BE.18	Baseline environment	No Annex I habitat features of the Menai Strait and Conwy Bay SAC are present in the overlap with the Mona Offshore Cable Corridor.		
JNCC.BE.19	Assessment methodology	The list of projects screened into the in-combination assessment in the HRA is appropriate.		
JNCC.BE.20	Assessment methodology	All European sites with benthic subtidal ecology features that have the potential for LSE have been identified within the HRA Stage 1 screening and considered in the Stage 2 ISAA.		
JNCC.BE.21	Assessment methodology	The approach used for determining LSE on European sites with Annex I habitats and features is appropriate.		
JNCC.BE.22	Outcomes of the ISAA	There will be no adverse effect on integrity of SACs with benthic subtidal features for the Mona Offshore Wind Project alone.		
JNCC.BE.23	Outcomes of the ISAA	There will be no adverse effect on integrity of SACs with benthic subtidal features for the Mona Offshore Wind Project cumulatively with other plans and projects.		

Draft DCO

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.BE.24	Monitoring requirements / conditions	The mitigation and monitoring outlined in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054) and the Mitigation and Monitoring schedule (APP-196) are suitable for the purposes of the DCO application.	<p>JNCC does not agree on the Applicant's assessment of the effects on benthic subtidal ecology (alone or in combination with other plans and projects – see JNCC.BE.13 and JNCC.BE.14 above). As the Applicant's mitigation measures, conditions and monitoring schedule are derived from its assessment of effects, JNCC does not agree that these proposals are appropriate and sufficient to ensure that significant effects on benthic subtidal ecology are avoided.</p> <p>If agreement can be reached on the scale and nature of the potential effects, JNCC will comment on the mitigation proposals put forward by the Applicant at that time, including further scrutiny of the proposals to secure mitigation through the provisions of the DCO and associated agreements and commitments.</p>	Ongoing point of discussion

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1.4.3 Marine mammals

Table 1.6: Agreement Log between the parties on marine mammals.

Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
EIA				
JNCC.MM.1	Consultation	The Applicant has undertaken adequate consultation with JNCC on potential impacts on marine mammals.	The level of consultation has been led by the applicant but has allowed discussion of key elements to support completion of their impact assessment although some potential impacts were discussed within the group. However, good progress has been made on a number of areas with some discussions still ongoing. Consequently, we agree that adequate consultation with JNCC has occurred pre-application submission.	Agreed
JNCC.MM.2	Consultation	The EIA has had due regard to matters raised by JNCC through statutory and non-statutory consultation on potential impacts on marine mammals.	As set out later in this SoCG, JNCC has concerns with the content of the EIA, and is not currently in a position to agree that "due regard" has been had to all matters raised in pre-application consultation.	Ongoing point of discussion
JNCC.MM.3	Policy and planning	The Application has identified and considered all plans and policies relevant to marine mammals, within JNCC's remit.	Agreed. The applicant has identified plans and policies relevant to marine mammals.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.4	Surveys	Agreement on aerial surveys with respect to marine mammals, in particular the use of an appropriate buffer around the Mona Array Area.	<p>JNCC raised an issue at the PEIR stage regarding the buffer around the Mona Array Area. We questioned why the buffer did not extend evenly around the Array Area, with a 7 to 16.5 km stated. This was not addressed within the Environmental Statement.</p> <p>These surveys began before commencement of the EWG and once consulted, JNCC did not agree with the aerial survey methodology with respect marine mammals (MM-EWG01 in Appendix C.2 of the Technical Engagement Plan Appendices A-E (APP-042)). However, it was later agreed with the EWG (MM-EWG02 in Appendix C.3 of the Technical Engagement Plan Appendices A-E (APP-042)) these surveys would not be the primary data source when characterising marine mammals in the project area, making agreement with this point not material.</p>	Not agreed, but not material
JNCC.MM.5	Baseline environment	Agreement on the baseline characterisation for marine mammals.	<p>JNCC agreed that digital aerial surveys (DAS) should not be the primary data source for marine mammal characterisation due to the issues associated with observing marine mammals at sea, and agreed the baseline was to be supplemented with other data sources, which were agreed for each species being assessed with the EWG.</p> <p>See the Marine mammals EWG agreement log (as per section C.8 of the Technical Engagement Plan Appendices A-E (APP-042)).</p>	Agreed
JNCC.MM.6	Scoping	Agreement to the scoping of impacts for the EIA for marine mammals.	JNCC agree with the scoping of impacts for the EIA for marine mammals.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.7	Study area	The EIA study area is appropriate for the receptors and impacts assessed.	JNCC agree with the use of the harbour porpoise Celtic and Irish Sea management unit as an appropriate study area for dolphins and minke whale (in addition to porpoise). (MM-EWG02 in Appendix C.3 of the Technical Engagement Plan Appendices A-E (APP-042))	Agreed
JNCC.MM.8	Project design envelope	The EIA chapter as identified, described and assessed the maximum design scenario for the EIA.	Agreed	Agreed
JNCC.MM.9	Project design envelope	UXO clearance has been included in the Application to capture the full suite of potential impacts from the Mona Offshore Wind Project.	JNCC agree with the inclusion of this activity in the impact assessment for the reason given, however advise that UXO clearance is not included as a licenced activity in the DCO/marine licence (particularly high order clearance) due to the lack of information available at this stage and the resulting over precaution that must be incorporated into the impact assessment. See JNCC's Relevant Representation (RR-033.42, 52, 56 & 62) presented in the Applicant's Response to Relevant Representations (PDA-008).	Ongoing point of discussion
JNCC.MM.10	Assessment methodology	The sensitivity of marine mammal receptors has been correctly identified and sufficiently described within the EIA.	This is still to be discussed by JNCC, and as such are currently unable to give a conclusion on this matter.	Ongoing point of discussion
JNCC.MM.11	Assessment methodology	Agreement on approach to underwater sound modelling and approach to assessment of underwater sound impacts.	JNCC continue to disagree with the inclusion of UXO clearance as a licensed activity (see JNCC's Written Representations Section 2 submitted at Deadline 1 and Relevant Representation (RR-033.42, 52, 56 & 62) presented in the Applicant's Response to Relevant Representations (PDA-008)). We are therefore currently unable to give a conclusion on this matter.	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.12	Assessment methodology	Agreement of scoping of species to be included within the assessments.	JNCC agree with the proposed species to be included within the impact assessment, which was discussed and agreed with the marine mammals EWG (see Section C.8 of the Technical Engagement Plan Appendices A-E (APP-042)).	Agreed
JNCC.MM.13	Assessment methodology	Agreement on approach to densities and reference populations.	JNCC agree with the proposed density and reference populations to be used for the purpose of impact assessment, as discussed with the Marine mammals EWG (see Section C.8 of the Technical Engagement Plan Appendices A-E (APP-042)).	Agreed
JNCC.MM.14	Assessment methodology	The list of projects screened into the CEA in the EIA is appropriate.	JNCC agree this list reflects projects currently known about in respect offshore waters however defer to NRW Advisory regarding whether all projects in territorial waters have been accounted for.	Agreed
JNCC.MM.15	Assessment of the effects from the project alone	Other than unexploded ordnance (UXO) impacts, there will be no significant effects on marine mammal receptors in EIA terms for the Mona Offshore Wind Project alone.	Without mitigation, JNCC do not agree that impacts to marine mammals from impact piling will be non-significant in EIA terms, JNCC are still to agree to the Outline Marine Mammal Mitigation Plan (oMMMP) (APP-207) provided with the application, which will inform our final advice on this. This advice will include further scrutiny of the proposals to secure mitigation and monitoring through the provisions of the DCO and associated agreements and commitments. Please refer to JNCC's Relevant Representation (RR-003.42, 52, 56 & 62) presented in the Applicant's Response to Relevant Representations (PDA-008) for further detail.	Ongoing point of discussion
JNCC.MM.16	Assessment of the effects from the project cumulatively with other projects	Other than piling and UXO impacts, there will be no significant effects on marine mammal receptors in EIA terms for the Mona Offshore Wind Project cumulatively.	This is still to be discussed by JNCC, and as such are currently unable to give a conclusion on this matter.	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.17	Assessment of the effects from the project alone	For UXO impacts, although a significant effect (injury) on harbour porpoise is predicted any such effects will be managed and avoided through measures set out in the outline MMMP and outline UWSMS, which will be agreed with stakeholders post consent.	At present JNCC do not agree with this position as there is currently insufficient information on what UXOs will require clearing and how they will be cleared to provide confidence the measures proposed in the oMMMP (APP-207) will be sufficient to reduce risk. Because of the lack of information available at this stage of the project, JNCC recommend this activity is not included in the DCO/deemed marine licence(dML).	Ongoing point of discussion
JNCC.MM.18	Assessment of the effects from the project cumulatively with other projects	For piling impacts, although a significant cumulative effect (in EIA terms) is predicted on bottlenose dolphin, any such effects will be managed and avoided through measures set out in the Outline Marine Mammal Mitigation Protocol (MMMP) (APP-207) and the outline UWSMS, which will be agreed with stakeholders post consent.	Insufficient information is currently provided in the oMMMP (APP-207) provided with the application to provide confidence that predicted impacts from piling can be managed or avoided. Also, JNCC will need to be satisfied that any agreed mitigation is secured through the provisions of the DCO and associated agreements and commitments.	Ongoing point of discussion
JNCC.MM.19	Assessment of the effects from the project cumulatively with other projects	For UXO impacts, although a significant effect (injury) on harbour porpoise is predicted any such effects will be managed and avoided through measures set out in the outline MMMP and outline UWSMS, which will be agreed with stakeholders post consent.	At present JNCC do not agree with this position as there is currently insufficient information on what UXOs will require clearing and how they will be cleared to provide confidence the measures proposed in the oMMMP (APP-207) will be sufficient to reduce risk. Because of the lack of information available at this stage of the project, JNCC recommend this activity is not included in the DCO/dML.	Ongoing point of discussion
JNCC.MM.20	Mitigation	The mitigation measures and conditions outlined in the Volume 2, Chapter 4: Marine mammals (APP-056) and the Mitigation and Monitoring schedule (APP-196) are appropriate and will ensure significant effects are avoided.	JNCC are yet to agree with the measures discussed in the oMMMP (APP-207) and await the Applicant's response to our Relevant Representation (RR-033). JNCC will carry out further scrutiny of the DCO and associated agreements and commitments to establish whether the proposed mitigation will be adequately secured and delivered.	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
HRA				
JNCC.MM.21	Screening	Agreement to the screening of impacts for the HRA for marine mammals.	JNCC agreed with the use of harbour porpoise and bottlenose dolphin management units to screen projects into the HRA (MM-EWG02 in Appendix C.3 of the Technical Engagement Plan Appendices A-E (APP-042)).	Agreed
JNCC.MM.22	Study area	The HRA study area is appropriate for the receptors, sites and impacts assessed.	Agreed.	Agreed
JNCC.MM.23	Assessment methodology	All European sites with marine mammal features that have the potential for LSE have been identified within the HRA Stage 1 screening and considered in the Stage 2 ISAA.	JNCC noted (in our Relevant Representation RR-033.50 as presented in the Applicant's Response to Relevant Representations (PDA-008)) that one harbour porpoise SAC had been omitted however, as we do not anticipate an LSE on this site from the project due to distance, overall, we agree with this position.	Agreed
JNCC.MM.24	Assessment methodology	The approach used for determining LSE on European sites with Annex II marine mammals as features is appropriate and that all the relevant sites have been identified.	Agreed.	Agreed
JNCC.MM.25	Assessment methodology	Agreement on the use of the area-based approach for HRA based on Effective Deterrent Range (EDR) and 143 dB threshold.	JNCC agree with the use of EDRs in the HRA, alongside an unweighted noise threshold of 143 dB re 1 µPa (or 103 dB re 1 µPa VHF-weighted). Source: Marine mammals EWG agreement log (as per section C.8 of the Technical Engagement Plan Appendices A-E (APP-042)).	Agreed
JNCC.MM.26	Assessment methodology	The list of projects screened into the in-combination assessment in the HRA is appropriate.	JNCC agree this list reflects projects currently known about in respect offshore waters however defer to NRW Advisory regarding whether all projects in territorial waters have been accounted for.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.27	Outcomes of the ISAA (Mona Offshore Wind Project alone)	There will be no adverse effect on integrity for SACs designated for marine mammal features for any impacts for the Mona Offshore Wind Project alone.	JNCC are yet to review the Applicant's response to our Relevant Representation (RR-033) on the oMMMP (APP-207), which will inform our final advice on this matter. This will include further scrutiny of the proposals to secure mitigation through the provisions of the DCO and associated agreements and commitments. In line with JNCCs offshore remit, our advice will be limited to harbour porpoise SACs. We defer to NRW and NE regarding MPAs in territorial waters.	Ongoing point of discussion
JNCC.MM.28	Outcomes of the ISAA (Mona Offshore Wind Project alongside other projects and plans)	There will be no adverse effect on integrity for SACs designated for marine mammal features for any impacts for the Mona Offshore Wind Project with cumulative projects and plans.	JNCC are yet to review the Applicant's response to our Relevant Representation (RR-033) on the oMMMP (APP-207), which will inform our final advice on this matter. This will include further scrutiny of the proposals to secure mitigation through the provisions of the DCO and associated agreements and commitments. Any agreement will also be based on the information currently available on other plans and projects. In line with JNCCs offshore remit, our advice will be limited to harbour porpoise SACs. We defer to NRW and NE regarding MPAs in territorial waters.	Ongoing point of discussion

Other Documents and Plans

JNCC.MM.29	Monitoring requirements / conditions	The mitigation and monitoring outlined in Volume 2, Chapter 4: Marine mammals (APP-056) and the Mitigation and Monitoring schedule (APP-196) are suitable for the purposes of the DCO application.	JNCC are still to review the Applicant's response to our Relevant Representation RR-003.43, 55, 57, 59-60 on this plan as presented in the Applicant's Response to Relevant Representations (PDA-008). JNCC will also carry out further scrutiny of the proposals to secure monitoring through the provisions of the DCO and associated agreements and commitments.	Ongoing point of discussion
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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.30	Monitoring requirements / conditions	Outline Underwater Sound Management Strategy	JNCC agree with the principle of this strategy however we are still to review the Applicant's response to our Relevant Representation RR-033.53-58 on this plan as presented in the Applicant's Response to Relevant Representations (PDA-008).	Ongoing point of discussion

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1.4.4 Offshore ornithology

Table 1.7: Agreement Log between the parties on offshore ornithology.

Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
EIA				
JNCC.OO.1	Consultation	The Applicant has undertaken adequate consultation with JNCC on potential impacts on offshore ornithology.	Good progress was made through the EWG during the pre-application process, with broad agreement on most areas. We therefore agree that adequate consultation with JNCC occurred through that period. However, JNCC was not consulted on some of the approaches to assessments presented in the application, which differed from those agreed through the EWG process, and on which JNCC was not consulted on prior to application submission. Therefore JNCC does not currently agree this matter.	Ongoing point of discussion
JNCC.OO.2	Consultation	The EIA has had due regard to matters raised by JNCC through statutory and non-statutory consultation on potential impacts on offshore ornithology.	As set out later in this SoCG, JNCC has concerns with the content of the EIA, and is not currently in a position to agree that "due regard" has been had to all matters raised in pre-application consultation.	Ongoing point of discussion
JNCC.OO.3	Policy and planning	The Application has identified and considered all plans and policies relevant to offshore ornithology, within JNCC's remit.	Agreed	Agreed
JNCC.OO.4	Surveys	Agreement on broad approach to site specific digital aerial surveys.	JNCC welcome the power analysis work that has been undertaken for Mona/Morgan of using baseline survey data to ensure an appropriate level of survey coverage and data analysis has been achieved. JNCC are in agreement that the surveys conducted are fit for purpose in terms of baseline characterisation for consideration in EIA and HRA.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.5	Scoping	Agreement to the scoping of impacts for the EIA for offshore ornithology.	JNCC agree with the scoping of impacts for the EIA for offshore ornithology.	Agreed
JNCC.OO.6	Baseline environment	Agreement on the baseline characterisation for the Mona Offshore Cable Corridor using desktop data sources only.	JNCC agree with the approach to begin the assessment on export cable corridor using desktop data sources, with the understanding that an assessment will be made of the suitability of the data as the sole source of information, and consideration of the requirement for further survey based on the outcomes of the initial desktop data investigation.	Agreed
JNCC.OO.7	Baseline environment	Agreement on the baseline characterisation for offshore ornithology.	JNCC agree with the approach to baseline characterisation as set out in the Morgan Mona baseline characterisation technical paper and as discussed in the EWG meeting on 13th July 2022.	Agreed
JNCC.OO.8	Study area	The EIA study area is appropriate for the receptors and impacts assessed.	The approach to the study area as described in Section 5.3.4 of Volume 2, Chapter 5: Offshore ornithology (APP-057) is agreed. However, see comment JNCC.OO.16 regarding the approach to estimating regional breeding populations.	Not agreed but not material
JNCC.OO.9	Project design envelope	The EIA chapter as identified, described and assessed the maximum design scenario for the EIA.	JNCC agree that Table 5.21 of Volume 2, Chapter 5: Offshore ornithology (APP-057) sets out the Maximum Design Scenario and that this scenario is assessed.	Agreed
JNCC.OO.10	Assessment methodology	The sensitivity of offshore ornithology receptors has been correctly identified and sufficiently described within the EIA.	JNCC agree the sensitivity of offshore ornithology receptors have been correctly identified and sufficiently described in Table 5.12 of Volume 2, Chapter 5: Offshore ornithology (APP-057).	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.11	Assessment methodology	Agreement on the approach to displacement assessment methodology.	JNCC currently does not agree. A range of displacement rates have been provided in the ES, but only specific values taken through to determine whether a population viability analysis (PVA) is needed, instead of presenting the full range of potential displacement and mortality rates, and determining the need for PVA where any of these would cause baseline mortality to increase by 1% or greater, as agreed during the EWG process.	Ongoing point of discussion
JNCC.OO.12	Assessment methodology	Agreement on the approach to collision risk assessment methodology.	JNCC currently does not agree. The Applicant agreed to run CRM based on both Applicant's preferred parameters and SNCB recommended parameters (e.g. avoidance rates - EWG Meeting 7.). However, the Applicant has then used the mortality arising from their preferred option to determine the need for PVA, rather than PVA being triggered should any combination of CRM parameters cause baseline mortality to increase by 1% or greater.	Ongoing point of discussion
JNCC.OO.13	Assessment methodology	Agreement on the approach to migratory bird collision risk assessment methodology.	JNCC agree with the use of the Strategic Ornithological Support Services Migration Assessment Tool (SOSSMAT) for scoping migratory waterbirds.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.14	Assessment methodology	Agreement on the approach to apportioning assessment methodology.	<p>JNCC currently disagrees with several aspects of the apportioning methods used in both breeding and non-breeding seasons. For example, the use of age class structure for kittiwake and a lack of information or explanation on the treatment of immature birds in the non-breeding season.</p> <p>Additionally, incorrect foraging ranges appear to have been applied to Atlantic puffin, common guillemot, and razorbill.</p> <p>These may have implications for the subsequent assessment, such as the need for apportioning of impacts, and LSE screening and the confidence that can be placed in the conclusions of the assessment.</p> <p>See JNCC Relevant Representation (RR-033) for full details.</p>	Ongoing point of discussion
JNCC.OO.15	Assessment methodology	Agreement on the approach to PVA and that PVAs have been undertaken where appropriate.	<p>JNCC does not agree with the approach to PVA. JNCC's position is that where baseline mortality is exceeded by 1% from either the Applicant's or the relevant SNCB's preferred parameterisation of CRM, this would be taken through to PVA (as advised at EWG Meeting 7 (Appendix D.8 of the Technical Engagement Plan Appendices (APP-042)). This also applies to displacement (see 'Joint SNCB Interim Displacement Advice Note' Section 12 'Matrix Approach'). This approach has not been followed in Volume 2, Chapter 5: Offshore ornithology (APP-057) and HRA Stage 1 Screening Report (APP-034).</p> <p>Additionally, the predicted population growth for great black-backed gull is far in excess of that actually experienced, suggesting parameterisation of PVA isn't reflective of reality, reducing confidence that can be placed on the outputs of the PVA.</p>	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.16	Assessment methodology	Agreement on approach to estimating regional breeding populations.	JNCC advice has been to define the breeding season region (and hence reference population) on the Biologically Defined Minimum Population Scales (BDMPS). However, the Applicant's approach has been to define the reference population by foraging range. At the EWG07 meeting, JNCC and the Applicant agreed to disagree on this matter (See D.8 of Technical Engagement Plan Appendices A-E (APP-042)).	Not agreed but not material
JNCC.OO.17	Assessment methodology – estimating seasonal impacts	Agreement on approach to estimating seasonal impacts.	<p>JNCC currently does not agree with the Applicant's approach to estimating impacted seasonal populations. For some species it would appear, though it is unclear, that impacts for a particular month which is within two BDMPS seasons have been split between the two seasons.</p> <p>Additionally, the incorrect Mean Seasonal Peak (MSP) abundance appears to have been calculated for Atlantic puffin in the non-breeding season. Comparing Volume 6, Annex 5.1: Offshore Ornithology Baseline Characterisation Technical Report (APP-091), Volume 6, Annex 5.2: Offshore Ornithology Displacement Technical Report (APP-092), and Volume 2, Chapter 5: Offshore ornithology (APP-057), suggests that the MSP was 22 for Atlantic puffin during the non-breeding season. Therefore, the predicted displacement mortalities during both the non-breeding season and annually may be incorrect. Errors in MSP abundance calculations may have been made for other species.</p> <p>These may then have implications for the subsequent assessment, such as the need for apportioning of impacts, and LSE screening and the confidence that can be placed in the conclusions of the assessment.</p>	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.18	Assessment methodology	The list of projects screened into the CEA in the EIA is appropriate.	JNCC agrees with the projects screened into the EIA cumulative assessment.	Agreed
JNCC.OO.19	Assessment of the effects from the project alone	There will be no significant effects on offshore ornithology receptors in EIA terms for the Mona Offshore Wind Project alone.	<p>JNCC currently disagrees. See our Relevant Representation for detailed comments (RR-033), but in summary our view is that there is a lack of transparency on how aspects of the assessments have been conducted, where input parameters have originated, and there are also errors throughout the assessments that need to be addressed. This, and our comments above on approaches to various aspects of environmental assessment, lead us to the view that the assessments (both EIA and HRA) are not sufficiently robust for conclusions on significance to be drawn.</p> <p>We await the results of revised assessments to be presented during the Examination process, but also recommend that application documents (i.e. the ES, HRA and associated documents) are updated to avoid future projects not being able to readily identify the final impact totals for their cumulative and in-combination assessments.</p>	Ongoing point of discussion
JNCC.OO.20	Assessment of the effects from the project cumulatively with other projects	There will be no significant effects on ornithology receptors in EIA terms for the Mona Offshore Wind Project cumulatively with other plans and projects.	JNCC currently disagrees. See comment above (JNCC.OO.19).	Ongoing point of discussion
JNCC.OO.21	Assessment of the effects from the project cumulatively with other projects	Agreement on approach to cumulative assessment for projects where impact quantification is unavailable.	JNCC currently do not agree. Advice was given during the EWG process, including a paper by NE on a methodology for quantifying impacts from other projects, which was not followed.	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.22	Mitigation	The Offshore EMP will include a timing restriction of no offshore export cable installation during the period 01 November to 31 March within the Liverpool Bay SPA.	JNCC agree to this approach.	Agreed
JNCC.OO.23	Mitigation	Trenchless techniques at the Mona landfall will not be included in the timing restriction of no offshore export cable installation during the period 01 November to 31 March within the Liverpool Bay SPA but vessel movements will be managed to minimise effects on features of Liverpool Bay SPA via the Measures to Minimise Impacts to Marine Mammals and Rafting Birds.	<p>JNCC currently does not agree. Our position in the project agreement log is <i>'No justification is given for the need to do this during winter. It is also not clear what "vessel movements" actually means. For instance, how many and long will these vessels be in the SPA? More information is required before JNCC can fully agree to this approach.'</i></p> <p>We welcome suggestions to minimise impacts to marine mammals and rafting birds. However, as it currently stands it is unclear what measures relate to which activity or receptor, and when the measures are or are not applied. Statements within the Measures to Minimise Impacts to Marine Mammals and Rafting Birds (APP-203) appear to be contradictory. For example, there appears to be a restriction on cable installation during winter (section 1.3.1.1), and routes will be pre-selected to avoid locations where birds are known to aggregate (section 1.3.1.2), but also an exception that measures don't apply when laying cables in known areas of bird aggregations (section 1.4.1.1). In addition, Table 1.1 appears to suggest that JNCC have deferred to NRW on the topic of vessel movement at the landfall, but we do not have the same recollection of this position.</p>	Ongoing point of discussion

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.24	Mitigation	The mitigation measures and conditions outlined in the Volume 2, Chapter 5: Offshore ornithology (APP-057) and Mitigation and Monitoring schedule (APP-196) are appropriate and will ensure significant effects are avoided.	JNCC cannot currently agree to any proposed mitigation measures until we have confidence in the assessments and predicted magnitude of impact. JNCC will also carry out further scrutiny of the proposals to secure and deliver necessary mitigation through the provisions of the DCO and associated agreements and commitments.	Ongoing point of discussion
HRA				
JNCC.OO.25	Screening	Agreement to the screening of impacts for the HRA for offshore ornithology.	JNCC agree with the screened impacts.	Agreed
JNCC.OO.26	Screening	Agreement on the approach to identification of sites and features in the HRA Stage 1 Screening.	JNCC agree on this approach.	Agreed
JNCC.OO.27	Study area	The HRA study area is appropriate for the receptors, sites and impacts assessed.	JNCC currently do not agree and await clarification from the Applicant on the method employed to apportion impacts on SPAs in the non-breeding season.	Ongoing point of discussion
JNCC.OO.28	Assessment methodology	All European sites with offshore ornithology features that have the potential for LSE have been identified within the HRA Stage 1 screening and considered in the Stage 2 ISAA.	JNCC currently do not agree. In our Relevant Representations we highlighted misinterpretation of our advice re. foraging ranges for Atlantic puffin. Table 1.8 of the HRA screening report gives the distance between Mona & Skomer, Skokholm and the Seas off Pembrokeshire SPA (221.6 km). Atlantic puffin foraging range is 265.4 km. In addition, the non-breeding Mean Seasonal Peak value for Atlantic puffin has been incorrectly calculated. These errors mean Atlantic puffin has not been properly considered at the LSE screening stage.	Ongoing point of discussion
JNCC.OO.29	Assessment methodology	The list of projects screened into the in-combination assessment in the HRA is appropriate.	Agreed	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.30	Screening	Agreement on approach to HRA Stage 1 Screening using outputs for CRM, displacement assessment and associated apportioning.	<p>We accept the approach to LSE screening and Appropriate Assessment in this case. In our view, no relevant site features have been screened out of Appropriate Assessment that should not have been.</p> <p>However, it should be noted that the LSE test is a course filter, as per our advice given during pre-application meetings, our response to the Section 42 PEIR, and as summarised in Table 1.2 of the HRA Stage 1 Screening report. The screening presented in this application has gone beyond an assessment of whether an impact pathway has the potential to compromise the ability of the site to meet its conservation objectives, and has additionally examined the magnitude of impact, as apportioned to each relevant MPA, and whether this would represent an LSE. Applying such an approach risks undermining the step-wise systematic approach to HRA, and potentially inappropriately screening out features and site from Appropriate Assessment.</p>	Agreed
JNCC.OO.31	Outcomes of the ISAA (Mona Offshore Wind Project alone)	There will be no adverse effect on integrity for SPAs designated for offshore ornithology features for any impacts for the Mona Offshore Wind Project alone.	JNCC currently disagrees. See comments to JNCC.OO.19.	Ongoing point of discussion

MONA OFFSHORE WIND PROJECT

Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.32	Assessment of the effects from the project in-combination with other plans and projects post-HRA Stage 1 screening		<p>JNCC currently does not agree.</p> <p>In our Relevant Representation (RR-033.38 as presented in the Applicant's Response to Relevant Representations (PDA-008)), we highlighted that the threshold of using 0.05% baseline mortality from the project alone to screen whether impacts should be considered in-combination was not raised by the Applicant during EWG meetings or subsequently, and therefore JNCC has not agreed to this approach.</p> <p>Additionally, advice was given to the Applicant during the EWG process on an approach to in-combination assessment for projects where impact quantification is unavailable (including a paper by NE on a methodology for quantifying impacts from previous projects), which was not followed.</p>	Ongoing point of discussion
JNCC.OO.33	Outcomes of the ISAA (Mona Offshore Wind Project alongside other projects and plans)	There will be no adverse effect on integrity for SPAs designated for offshore ornithology features for any impacts for the Mona Offshore Wind Project in-combination with other projects and plans.	JNCC currently disagrees as it cannot be ascertained that there will be no adverse effects on integrity, as the assessments undertaken are not sufficiently robust to support such a conclusion. See comments to JNCC.OO.19.	Ongoing point of discussion
JNCC.OO.34	Consultation	The HRA has had due regard to matters raised by JNCC through statutory and non-statutory consultation on potential impacts on offshore ornithology.	As set out later in this SoCG, JNCC has concerns with the content of the HRA, and is not currently in a position to agree that "due regard" has been had to all matters raised in pre-application consultation.	Ongoing point of discussion
Draft DCO				
JNCC.OO.35	Monitoring requirements / conditions	The mitigation and monitoring outlined in Volume 2, Chapter 5: Offshore ornithology (APP-057) and the Mitigation and Monitoring schedule (APP-196) are suitable for the purposes of the DCO application.	JNCC cannot currently agree to any proposed mitigation measures until we have confidence in the assessments and predicted magnitude of impact. See comments to JNCC.OO.19.	Ongoing point of discussion