

MONA OFFSHORE WIND PROJECT

Applicant's Response to the Examining Authority's Rule 17 Letter

Deadline: 2

Application Reference: EN010137

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27 August 2024

F01



Image of an offshore wind farm

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
F01	Submission at D2	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	27 Aug 2024

Prepared by:

Mona Offshore Wind Ltd.

Prepared for:

Mona Offshore Wind Ltd.

27 August 2024The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House, Temple Quay
Bristol, BS1 6PN

Dear Madam / Sir,

Planning Act 2008

The proposed Mona Offshore Wind Farm

PINS Reference: EN010137

Mona Offshore Wind Limited (the Applicant) encloses its response to the Examining Authority's Rule 17 letter issued on 15 August 2024.

Request for further information set out in the Examining Authority's Rule 17 letter

- 1.1.1.1 The Examining Authority noted in its Rule 17 Letter that "*Natural Resources Wales (NRW(A)) and the Joint Nature Conservation Committee (JNCC) have both identified errors in calculations, lack of necessary detail, and different methods and parameters used to that preferred by The Statutory Nature Conservation Bodies (SNCB) in the Applicant's Environmental Statement (ES) and Habitats Regulations Assessment (HRA) documentation*". In light of this, the Examining Authority has requested the following information from the Applicant to be provided as soon as possible but no later than Deadline 3 (30 September 2024):
- updated EIA and HRA documentation to address calculation errors and lack of detail identified by NRW(Advisory (A)) and JNCC (who are the SNCBs for the purposes of the Application).
 - an additional submission consisting of an assessment of effects on ornithological features (for both the Environmental Impact Assessment (EIA) and HRA) using the methods and parameters highlighted by NRW(A) and JNCC during pre-application consultation and in their relevant representations (RR-011 and RR-033, respectively) and written representations (REP1-056 and REP1-066/REP1-067, respectively). This additional submission should include an in-combination assessment using the SNCBs proposed methodology for gap-filling for historic projects.
- 1.1.1.2 The Applicant also notes the Examining Authority's request that NRW(A) and the JNCC confirm their position by Deadline 2 (27 August 2024) whether an adverse effect beyond reasonable scientific doubt cannot be ruled out for any European site as a result of the Mona Offshore Wind Project.
- 1.1.1.3 The Applicant has responded to each of these points below. A summary of the key actions being taken by the Applicant to address the matters outlined and details of the additional information that will be provide to the Examining Authority and the timescales for providing this information is presented in Appendix A.

Updates to the ES and HRA documentation to address errata

- 1.1.1.4 The Applicant acknowledges that NRW(A) and the JNCC have identified discrepancies within the Environmental Statement and HRA application materials in their relevant representations (RR-011 and RR-033, respectively) and written representations (REP1-056 and REP1-066/REP1-067, respectively).
- 1.1.1.5 As stated in the Applicant's Response to Relevant Representations (PDA-008), the discrepancies identified within the relevant representations were included in the Errata Sheet (REP1-044) submitted at Deadline 1. The Applicant acknowledged in paragraph 1.1.1.4 of the Errata Sheet (REP1-044) that whilst some of these discrepancies could affect the assessments within the Environmental Statement and HRA, none were considered to alter the conclusions drawn. Nonetheless, it was recognised that these discrepancies could make it challenging for stakeholders to confirm agreement on the scale of predicted impacts and the EIA and HRA conclusions. Appreciating the need for clarity in the application material, the Applicant has engaged with NRW(A) and the JNCC to determine the best course of action. As outlined in paragraph 1.1.1.4 of the Errata Sheet (REP1-044), the Applicant confirmed that updated versions (tracked and clean) of the offshore ornithology application material would be provided at Deadline 2 to address the errata presented in the Errata Sheet (REP1-044) submitted at Deadline 1.
- 1.1.1.6 The Applicant can confirm that the following application documents have been updated and submitted (as tracked and clean versions) at Deadline 2 to address the errata presented in the Errata Sheet (REP1-044) and any further discrepancies considered to be errata identified in NRW's and the JNCC's written representations (REP1-056 and REP1-066/REP1-067, respectively):
- Volume 2, Chapter 5: Offshore Ornithology (F2.5 F02)
 - Volume 6, Annex 5.2: Offshore Ornithology Displacement Technical Report (F6.5.2 F02)
 - Volume 6, Annex 5.3: Offshore Ornithology Collision Risk Modelling Technical Report (F6.5.3 F02)
 - Volume 6, Annex 5.5: Offshore Ornithology Apportioning Technical Report (F6.5.5 F02)
 - Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (F6.5.6 F02)
 - HRA Stage 1 Screening Report (E1.4 F02)
 - HRA Stage 2 Information to Support an Appropriate Assessment (ISAA) Part Three: Special Protection Areas (SPAs) and Ramsar Sites Assessments (E1.3 F02)
 - HRA Integrity Matrices (E1.5 F02)
- 1.1.1.7 The Applicant has also submitted, alongside the updated application documents outlined above, a Schedule of Changes to the Offshore Ornithology EIA and HRA Documents (S_D2_7). This document describes the changes made to the offshore ornithology EIA and HRA application materials including a summary of the change, details of where the change has been made, the reason for the change and how it corresponds to the errata identified in the Errata Sheet (REP1-044) submitted at Deadline 1.
- 1.1.1.8 The Applicant considers that these updates will facilitate the SNCBs, as well as other interested parties, understanding of the EIA and HRA application materials and confidence in the assessments and conclusions presented.

Clarification of the Applicant's HRA approach at application

- 1.1.1.9 The Applicant notes that NRW(A) and JNCC have made relevant representations (RR-011 and RR-033, respectively) and written representations (REP1-056; REP1-066/REP1-067, respectively) regarding their ability to follow the assessment approach presented in the HRA application materials. For example, NRW(A) (RR-011, page 6) stated that "*Whilst we consider that the likely significant effects from the project alone will not result in Adverse Effect on Site Integrity (AEoSI), the assessment and process of reaching the predicted*

impacts in the HRA Stage 1 Screening Report [APP-034] and HRA Stage 2 Information to Support an Appropriate Assessment (ISAA) Special Protection Areas (SPAs) and Ramsars [APP-033] is currently difficult to follow and unclear in places.”

- 1.1.1.10** The Applicant has responded to specific clarification points raised by NRW(A) and the JNCC in the Applicant’s Response to Relevant Representations (PDA-088; see rows RR-011.13 and RR-033.5) and the Applicant’s Response to Written Representations (S_D2_3; see rows REP1-056.71, REP1-056.73, REP1-066.78 and REP1-066.80). However, the Applicant appreciates the information supporting the HRA is distributed across several application documents. Noting this and the SNCBs’ representations, the Applicant considers it helpful to produce a clarification note which brings together the key assessment information, with clear signposting to the source of this information and where further supporting details can be found within the application documents. This clarification note will be submitted at Deadline 3.
- 1.1.1.11 The Applicant intends to engage with both NRW(A) and JNCC to seek further guidance on how best to present this information to provide clarity regarding the Applicant’s HRA approach.

Provision of additional information in accordance with the SNCBs advice

- 1.1.1.12 The Applicant notes that NRW(A) and JNCC have highlighted in their relevant representations (RR-011 and RR-033, respectively) and written representations (REP1-056; REP1-066/REP1-067, respectively) several instances where they do not consider the Applicant’s EIA and HRA to have been undertaken in accordance with their advice with respect to the methodologies and input parameters used. The Applicant has responded to specific points raised by NRW(A) and the JNCC in the Applicant’s Response to Relevant Representations (PDA-088; see rows RR-011.13 and RR-033.5) and the Applicant’s Response to Written Representations (S_D2_3; see rows REP1-056.89 - REP1-056.101, REP-066.2, REP1-066.39 - REP1-066.41).
- 1.1.1.13 The Applicant wishes to highlight that extensive consultation was undertaken with NRW, the JNCC and Natural England during the pre-application phase via the Evidence Plan Process (EPP), including on methodological approaches and input parameters to seek agreement on the Applicant’s approach where possible. This is detailed in the Technical Engagement Plan (APP-041) and Annex D of the Technical Engagement Plan Appendices Part 1 (A to E) (APP-042). Through these discussions, it was not possible to discuss and agree on all aspects of the methodologies. As such, the Applicant has sought to present the EIA and HRA assessments in accordance with the SNCBs’ advice alongside the Applicant’s preferred approach (based on an assessment of available evidence and those approaches used by other recently consented offshore wind farms) for determining impacts in the Environmental Statement and the HRA.
- 1.1.1.14 The Applicant considers that the only aspect of the EIA and HRA where this was not followed was in the presentation of apportioned impacts within the HRA using a range-based approach (i.e. considering a range of displacement and mortality scenarios within the assessment of displacement and 95% confidence intervals in the assessment of collision risk) which is the SNCBs recommended approach.
- 1.1.1.15 The Applicant considers the use of evidence-based single value estimates to be the most appropriate approach, and as such, this was used in the Stage 1 HRA Screening Report (APP-034 and the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033) to assess the most realistic but sufficiently precautionary impact. The approach taken by the Applicant (i.e. single value based approach) aligns with that accepted by the Secretary of State for other recent offshore wind farm development consent order applications (e.g. Awel y Môr). The Applicant, therefore, considers that the HRA presented is appropriate and robust for the level of risk presented to SPAs and Ramsar sites from the Mona Offshore Wind Project.

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- 1.1.1.16 Notwithstanding this, the Applicant intends to provide a technical note presenting apportioned displacement and collision impacts using a range-based approach for the Mona Offshore Wind Project alone, in accordance with the SNCBs' advice. This technical note will be submitted for examination at Deadline 3.
- 1.1.1.17 As outlined above, the Applicant intends to engage with both NRW(A) and the JNCC to seek further guidance on how best to present this information and the level of assessment required to give the SNCBs confidence that the HRA conclusions are robust.

Cumulative effects and in-combination assessment using the SNCBs' proposed methodology for gap-filling historical projects

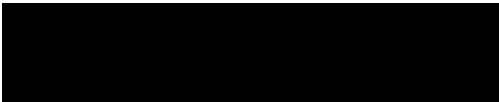
- 1.1.1.18 The Applicant maintains that the assessment approach presented in Volume 2, Chapter 5: Offshore ornithology (APP-057) and the in-combination assessment in the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033) is robust and includes sufficient detail to conclude beyond reasonable scientific doubt no significant effects and no adverse effect on integrity (AEoI) alone and in-combination.
- 1.1.1.19 However, noting the SNCBs' concerns raised pre- and post-application with respect to the potential contribution of historical projects to the offshore ornithology Cumulative Effects Assessments and in-combination assessment for the Mona Offshore Wind Project, the Applicant has undertaken a 'gap-filling' exercise in accordance with the SNCBs' advice (which is presented in Section D.6.13 of Appendix D of Technical Engagement Plan APP-042) to generate indicative estimates for currently unquantified impacts from historical projects. This information is intended to further facilitate the SNCBs' understanding of the total quantitative cumulative and in-combination impact for offshore ornithology and view with respect to the conclusions presented in Volume 2, Chapter 5: Offshore ornithology (APP-057) and the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033).
- 1.1.1.20 The Applicant is currently engaging with the SNCBs on the results of the gap-filling exercise for the Mona Offshore Wind Project and anticipates being able to submit information with respect to this at Deadline 3.

HRA Conclusions and Requirement for Derogation

- 1.1.1.21 The Applicant wishes to highlight that the HRA Stage 2 ISAA Part Three: SPA and Ramsar sites Assessments (APP-033) concludes no AEoI from the Mona Offshore Wind Project alone and in-combination with other plans and projects. None of the updates made to the HRA application materials provided at Deadline 2 have altered the overall conclusions drawn, nor does the Applicant anticipate that any of the additional information (including the results of the gap-filled historical project analysis) which is to be provided at Deadline 3 would affect the conclusions presented in the HRA. As such, the Applicant maintains that there is no AEoI from the Mona Offshore Wind Project alone or in-combination with other plans and projects beyond reasonable scientific doubt and that the assessments presented in the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033) are robust.
- 1.1.1.22 The Applicant also notes that there have been no concerns raised by the SNCBs pre- or post-application, indicating that the Mona Offshore Wind Project is likely to adversely impact the integrity of habitat sites (see Annex D of the Technical Engagement Plan Appendices Part 1 (A to E) (APP-042)). To the contrary, the Applicant highlights the quote from NRW's relevant representation presented in paragraph 1.1.1.9 above which states "*Whilst we consider that the likely significant effects from the project alone will not result in Adverse Effect on Site Integrity (AEoSI)...*" (RR-011, page 6).
- 1.1.1.23 On this basis, the Applicant does not consider there to be a requirement to submit a derogation case (on a without prejudice basis or otherwise) as part of the examination of the Mona Offshore Wind Project.

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- 1.1.1.24 As outlined above and evidenced in Appendix A, the Applicant has made considerable effort to provide further additional and updated information at Deadline 2. The Applicant's submissions at Deadline 2 are considered to address the vast majority of the SNCBs' concerns with respect to the offshore ornithology assessments. Whilst it is noted that several key documents will not be submitted for examination until Deadline 3, the Applicant wishes to reassure the Examining Authority that engagement with the SNCBs in respect of these is in progress and resolution of these matters is being sought as swiftly as possible.
- 1.1.1.25 The Applicant considers that the information provided at Deadlines 2 and 3 would provide a sufficient understanding of the potential impacts on habitat sites for the SNCBs to confirm their position with respect to the HRA conclusions for the Mona Offshore Wind Project.

Yours faithfully,



Paul Carter
Mona Consents Lead

Appendix A: Summary of key actions being undertaken by the Applicant to address the SNCBs principal concerns related to offshore ornithology.

Item no.	SNCB concern	References in the Applicant's Response to Written Representations (S_D2 3.1 and S_D2_3.3)	Action / Deadline	Further information
1	Errors and discrepancies in the application documents	REP1-056.1, REP1-056.3, REP1-056.64 to REP1-056.69 REP1-066.6 to REP1-066.11 REP1-067.2	Addressed in updated application documents submitted at D2	Volume 2, Chapter 5: Offshore ornithology (F2.5 F02), Volume 6, Annex 5.2: Offshore Ornithology Displacement Technical Report (F6.5.2 F02), Volume 6, Annex 5.3: Offshore Ornithology Collision Risk Modelling Technical Report (F6.5.3 F02), Volume 6, Annex 5.5: Offshore Ornithology Apportioning Technical Report (F6.5.5 F02), Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (F6.5.8 F02), HRA Stage 1 Screening Report (E1.4 F02), HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (E1.3 F02) and HRA Integrity Matrices (E1.5 F02) have been updated to address the errata presented in the Errata Sheet (REP1-044) at Deadline 1 and any further discrepancies considered to be errata identified in NRW's and the JNCC's written representations (REP1-056; REP1-066/REP1-067, respectively).
2	Discrepancies between seasonal definitions presented across the documents, errors in seasonal collision totals, errors and discrepancies in the seasonal peak estimates.	REP1-056.42 to REP1-056.52, REP1-056.73 REP1-066.27 to REP1-066.35, REP1-066.38	Addressed in updated application documents submitted at D2	Discrepancies in the seasonal definitions for Atlantic puffin, Manx Shearwater, great-black backed gull, northern gannet and black-legged kittiwake and the subsequent changes in abundance and collisions estimates have been amended in updates to Volume 2, Chapter 5: Offshore Ornithology (APP-057), Volume 2, Annex 5.2: Offshore Ornithology Displacement Technical Report (APP-092), Volume 2, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (APP-096), HRA Stage 1 Screening Report (APP-034) and the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033).

Item no.	SNCB concern	References in the Applicant's Response to Written Representations (S_D2 3.1 and S_D2_3.3)	Action / Deadline	Further information
3	Apportionment of impacts - age-class apportioning errors	REP1-056.74 to REP1-056.81 REP1-066.53- REP1-066.54	Addressed in updated application documents submitted at Deadline 2	The breeding season age-class apportioning for black-legged kittiwake has been updated to use site-specific data only. This, in turn, has led to subsequent updates in the HRA Stage 1 Screening Report (APP-034) and HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033). Volume 6, Annex 5.5: Offshore Ornithology Apportioning Technical Report (APP-095) has been updated to amend the presentation of the apportioning method during the non-breeding season and to present the age-class apportioning percentages during the breeding and non-breeding season, which were applied in the HRA Stage 1 Screening Report (APP-034).
4	Consideration of sabbaticals	REP1-056.82 to REP1-056.87 REP1-066.55	Addressed in updated application documents submitted at Deadline 2	Clarification on the consideration of sabbaticals has been provided in an update to Volume 6, Annex 5.5: Offshore Ornithology Apportioning Technical Report (APP-095).
5	Foraging ranges for common guillemot and razorbill	REP1-066.37	Addressed in updated application documents submitted at Deadline 2	The foraging ranges for common guillemot and razorbill have been updated in the HRA Stage 1 Screening Report (APP-034).
6	Black-legged kittiwake age classes	REP1-056.75 REP1-066.52	Addressed in updated application documents submitted at Deadline 2	Volume 6, Annex 5.5: Offshore Ornithology Apportioning Report (APP-095) has been updated to amend the age-class apportionment during the breeding season to 95.23% for black-legged kittiwake.
7	Population viability analysis	REP1-066.60 to REP1-066.64	Addressed in updated application documents submitted at Deadline 2	The Applicant has provided an updated PVA for the cumulative impact on common guillemot and great black backed gull (Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (APP-096)).

Item no.	SNCB concern	References in the Applicant's Response to Written Representations (S_D2 3.1 and S_D2_3.3)	Action / Deadline	Further information
8	Concerns specifically related to Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA	REP1-056.73 REP1-066.78	Addressed in updated application documents submitted at Deadline 2	The Applicant has updated the HRA Stage 1 Screening Report (APP-034) and HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033) to correct for errata associated with the Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA. Multiple changes have been made within the resubmitted documents.
9	Unknown impacts for historical projects within the cumulative effects assessment and in-combination assessment	REP1-056.59 to REP1-056.63 REP1-066.26, REP1-066.65 REP1-066.66	To be addressed in a new document expected to be submitted at Deadline 3	The Applicant has undertaken a 'gap-filling' exercise in accordance with SNCBs advice to generate indicative estimates for currently unquantified impacts from historical projects. The Applicant's methodology (which accords with the SNCBs advice note) and indicative results have been shared with JNCC and NRW(A) and will be discussed in the meeting on 29 August 2024.
10	Clarification of the Applicant's approach and presentation of apportioned impacts and assessment	REP1-056.71, REP1-056.73, REP-066.78 to REP1-066.80	To be addressed in a new clarification note expected to be submitted at Deadline 3	The Applicant will submit a clarification note explaining what information has been used in the assessment for each SPA assessed in the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (APP-033) and signposting to where this information can be found in the application. The Applicant intends to engage with NRW(A) and the JNCC to seek further guidance on how best to present this information.
11	Presentation of the range of impacts within the HRA	REP1-056.89 - REP1-056.101, REP-066.2, REP1-066.39 - REP1-066.41	To be addressed in a new document expected to be submitted at Deadline 3	The Applicant will provide the apportioned impacts using a range-based approach (SNCB advised displacement and mortality rates in the displacement assessment, and upper and lower 95% confidence levels for the collision risk assessment). The Applicant intends to engage with NRW(A) and the JNCC to seek further guidance on how best to present the requested information and the level of assessment required to give the SNCBs confidence that the HRA conclusions are robust.