Partners in UK offshore wind

MONA OFFSHORE WIND PROJECT

Response to NatureScot

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Image of an offshore wind farm

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RPS

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Mona Offshore Wind Ltd.

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Glossary

Term	Meaning
Applicant	Mona Offshore Wind Limited.
Appropriate Assessment	A step-wise procedure undertaken in accordance with Article 6(3) of the Habitats Directive, to determine the implications of a plan or project on a European site in view of the site's conservation objectives, where the plan or project is not directly connected with or necessary to the management of a European site but likely to have a significant effect thereon, either individually or in-combination with other plans or projects.
Environmental Statement	The document presenting the results of the Environmental Impact Assessment (EIA) process for the Mona Offshore Wind Project.

Acronyms

Acronym	Description
BDMPS	Biologically Defined Minimum Population Scales
EIA	Environmental Impact Assessment
HRA	Habitats Regulations Assessment
ISAA	Information to support the Appropriate Assessment
JNCC	Joint Nature Conservation Committee
LSE	Likely Significant Effect
PVA	Population Viability Analysis
SPA	Special Protection Area
SNCB	Statutory Nature Conservation Body

Units

Unit	Description
GW	Gigawatt
km	Kilometres
km^2	Kilometres squared
kV	Kilovolt
MW	Megawatt
nm	Nautical miles

1 Response to NatureScot

1.1 Introduction

1.1.1.1 The Applicant has responded to NatureScot below.

2 Response to NatureScot

Table 2.1: NatureScot

Reference	Written Submission Comment	Applicant's response
1	Thank you for consulting NatureScot on this application to the Planning Inspectorate for permission to develop the Mona Offshore Wind Farm. We have considered the predicted impacts of the proposed development on Scottish designated sites and protected species, with particular focus on European sites located in Scotland.	The Applicant notes NatureScot has been assigned 'Other Persons' status in the examination of the Mona Offshore Wind Project (OD-017/OD-018) and welcomes this representation. The Applicant notes that the Examining Authority invited NatureScot as an 'other persons' to the Preliminary Meeting (which was held on 16 July 2024) for the Mona Offshore Wind Project examination, which NatureScot did not attend. NatureScot was included in the statutory section 47 consultation for the Mona Offshore Wind Project but did not provide a response. The Applicant acknowledges that discrepancies have been identified within the Environmental Statement and Habitats Regulations Assessment (HRA) application materials, with specific examples identified by Natural Resources Wales (Advisory) (NRW (A)) and the Joint Nature Conservation Committee (JNCC) in their relevant representations (RR-011 and RR-033, respectively) and written representations (REP1- 056 and REP1-066/REP1-067, respectively). Appreciating the need for clarity in the application material, the Applicant submitted revised offshore ornithology Environmental Impact Assessment (EIA) and HRA documents (as tracked and clean versions) at Deadline 2 to address the errata identified by NRW(A) and the JNCC and additional errata identified by the Applicant. This included: • Volume 2, Chapter 5: Offshore Ornithology (REP2-016) • Volume 6, Annex 5.2: Offshore Ornithology Displacement Technical Report (REP2-018) • Volume 6, Annex 5.3: Offshore Ornithology Collision Risk Modelling Technical Report (REP2-020) • Volume 6, Annex 5.5: Offshore Ornithology Apportioning Technical Report (REP2-022) • Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (REP2-024) • HRA Stage 1 Screening Report (REP2-012)
2	We have attempted to analyse the information in the ES and HRA, and have encountered many errors, disparities between text and tables, non-adherence to relevant guidance, and a general lack of clarity in the assessment. We have discussed this with other Statutory Nature Conservation Bodies (SNCBs) and they report the same problems with the quality of this application.	
3	We do not have capacity to offer a detailed critique of the application in its current state. It seems likely that many aspects of the assessment will require revision, and possible resubmission.	

Reference	Written Submission Comment	Applicant's response
		• HRA Stage 2 Information to Support an Appropriate Assessment (ISAA) Part Three: Special Protection Areas (SPAs) and Ramsar Sites Assessments (REP2-010) • HRA Integrity Matrices (REP2-014). The Applicant also submitted, alongside the revised application documents, a Schedule of Changes to the Offshore Ornithology EIA and HRA Documents (REP2-087). 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. Several additional minor errata have been identified since submission of the updated application materials at Deadline 2. These have been recorded in the Errata Sheet (S_PD_1 F04) and an Offshore Ornithology Errata Clarification Note (S_D3_26) submitted at Deadline 3. None of the errata identified in the application materials alter the conclusions presented in Volume 2, Chapter 5: Offshore Ornithology (REP2-016) and the HRA Stage 2 Information to Support an Appropriate Assessment (ISAA) Part Three: Special Protection Areas (SPAs) and Ramsar Sites Assessments (REP2-010). The Applicant has responded to the Examining Authority's Rule 17 letter at Deadline 2 (REP1-077). This response details the Applicant's approach to clarifying the EIA and HRA assessment approach at application and to providing additional information in accordance with the Statutory Nature Conservation Bodies (SNCBs') advice. The Applicant has submitted an Offshore Ornithology Supporting Information Technical Note (S_D3_19) at Deadline 3, which brings together the key assessment information, with clear signposting to where this and further supporting details can be found within the application documents. In addition, it presents additional assessment information in accordance with the SNCBs' advice. The Applicant has engaged with the JNCC and NRW on the scope and presentation of this supporting information technical note to ensure this sufficiently addresses the SNCBs concerns and the Examining Authority's Request for Further Information – Rule 17 (PD-012/PD-012a).
4	We request that impacts on European sites in Scotland are assessed following the relevant Scottish guidance. We highlight our series of Guidance Notes on ornithological impact assessment, which can be found on our website: https://www.nature.scot/professional advice/planning-and-	NRW and the JNCC are the principal SNCBs for the Mona Offshore Wind Project as the Project sits within their jurisdiction. The Applicant has consulted extensively with NRW and the JNCC throughout the pre-application, acceptance and examination phases to ensure alignment with NRW and the JNCC guidance. Both NRW and the JNCC have accepted the Applicant's methodology for Likely

Reference	Written Submission Comment	Applicant's response
	development/planning-and-development-advice/renewable energy/marine-renewables/advice-marine-renewables-development	Significant Effect (LSE) screening and appropriate assessment (see comments RR-011.12, RR-033.34 and REP1-066.74 in the Applicant's Response to Relevant Representations PDA-008). As such, the Statement of Common Ground (SoCG) between the Applicant and both NRW and the JNCC (REP1-025 and REP1-028, respectively) documents an 'agreed' position with respect to the Applicant's approach to HRA Stage 1 Screening using outputs for Collision Risk Modelling, displacement assessment and associated apportioning for the Mona Offshore Wind Project (noting NRWs caveat with respect to the applicability of the Applicant's approach for other offshore wind projects). The Applicant notes that NatureScot were included in the notification of statutory consultation in June 2023; however, a response was not received. The Applicant has reviewed all relevant NatureScot Guidance Notes on ornithological impact assessments. This is similar to other guidance but does not mirror that of NRW and JNCC. In relation to NatureScot guidance Notes 3 and 5 (Guidance Note 3: Guidance to support Offshore Wind applications: Marine Birds - Identifying theoretical connectivity with breeding site Special Protection Areas using breeding season foraging ranges and Guidance Note 5: Guidance to support Offshore Wind Applications: Recommendations for marine bird population estimates): • The Applicant notes that the NatureScot Guidance Note 3 and 5 recommends defining the breeding population using a foraging-range based approach and based on the latest population counts. In contrast, Natural England, NRW and JNCC recommended that regional baseline population sizes for the breeding period should be derived from the relevant Biologically Defined Minimum Population Scales (BDMPS) tables in Appendix A of Furness (2015) following Expert Working Group 5 (held on 30 June 2023) (section D.3 of the Technical Engagement Plan Appendices - Part 1 (A to E) (APP-042)). They also advised calculating the total predicted annual impact for a species and assessing this against the largest seasonal population (breeding or non-breeding) at the appropriate BDMPS (section D.3 of the Technical Engagement Plan Appendices - Part 1 (A to E) (APP-042)). The Applicant's assessment has used either the reference populations in accordance with Natural England's, NRW's and the JNCC's advice given at the time of the application or the foraging-ranged based approach (as advised by NatureScot), depending on whichever was smaller (to provide a precautionary assessment). As such, Manx shearwater and northern gannet have been assessed against the Natural England, NRW and the JNCC recommended approach population
5	We specifically highlight: • Guidance note 7 - assessing collision risk to marine birds • Guidance note 8 - assessing the distributional responses, displacement and barrier effects of marine birds Guidance note 11 - Recommendations for Seabird Population Viability Analysis (PVA)	
6	The assessment in its current state does not follow this guidance, most notably it uses different thresholds for triggering PVA of relevant qualifying species from Scottish Special Protection Areas (SPAs). We hope these comments are useful.	

Reference	Written Submission Comment	Applicant's response
		and all other species have used the foraging range approach as advised by NatureScot. The BDPMS from Furness (2015) was used to define the non-breeding season population for Manx shearwater and northern gannet as stated in paragraph 5.3.9.10 of Volume 2, Chapter 5: Offshore ornithology (REP2-016). In relation to NatureScot Guidance Note 4 (Guidance Note 4: Guidance to Support Offshore Wind Applications: Ornithology - Determining Connectivity of Marine Birds with Marine Special Protection Areas and Breeding Seabirds from Colony SPAs in the Non-Breeding Season): • The Applicant has followed NatureScot Guidance Note 4 for defining the non-breeding season connectivity with breeding colony SPAs for most species by using Furness (2015). The Applicant, however, has not applied the study by Buckingham *et al*, 2022 for common guillemot and has used the Furness (2015) method. In relation to NatureScot Guidance Note 7 (Guidance to support Offshore Wind Applications: Marine Ornithology - Advice for assessing collision risk of marine birds): • The Applicant considers that the assessments presented within Volume 2, Chapter 5: Offshore ornithology (REP2-016) has been undertaken in accordance with the NatureScot guidance on avoidance rates and collision risk parameters. The Applicant has not used the extended (Band Option 3) model but presented the basic (Band Option 2) model throughout. In relation to NatureScot guidance Note 8 (Guidance to support Offshore Wind Applications: Marine Ornithology Advice for assessing the distributional responses, displacement and barrier effects of marine birds): • The Applicant notes that the NatureScot guidance recommends splitting months for species bio seasons when assessing collision. This approach was adopted in Volume 2, Chapter 5: Offshore ornithology (APP-057) for the application. However, NRW and JNCC have advised against splitting months during the breeding and non-breeding seasons in their written representations for the Mona Offshore Wind Project (comments REP1-066.35 in Appendix to Response to WRs: JNCC (REP2-081) and REP1-056.44 in Appendix to Response to WRs: NRW (REP2-080)) therefore the

Reference	Written Submission Comment	Applicant's response
		Applicant has updated Volume 2, Chapter 5: Offshore ornithology (REP2-016) at Deadline 2 to take account of NRW and the JNCC's advice. • The Applicant notes that the NatureScot guidance advises that a range of displacement rates should be presented but recommends that guide values be used within the assessment (i.e. single species-specific point estimates for displacement and two species-specific single point estimates for mortality). NRW and the JNCC have recommended a range-based approach for the Mona Offshore Wind Project. However, NRW and the JNCC have advised that while the full range should be presented, the assessments should not be based solely on the upper end of displacement and mortality rates (comment REP1-056.100 in Appendix to Response to WRs: NRW (REP2-080) and comment REP1-066.39 in Appendix to Response to WRs: JNCC (REP2-081)) The Applicant has presented the full range of displacement and mortality rates for the EIA in Volume 2, Chapter 5: Offshore ornithology (REP2-016). However, only a single point estimates for displacement and mortality were presented in the application with respect to the Habitats Regulations Assessment (HRA Stage 1 Screening Report (REP2-012) and HRA Stage 2 Information to Support an Appropriate Assessment (ISAA) Part Three: Special Protection Areas (SPAs) and Ramsar Sites Assessments (REP2-010)). The Applicant has provided an Offshore Ornithology Supporting Information Technical Note (S_D3_19) at Deadline 3, which provides an assessment of apportioned displacement and collision impacts using a range-based approach for the Mona Offshore Wind Project alone and in-combination, in accordance with NRW and the JNCC's advice. The Applicant has engaged with the JNCC and NRW on the scope and presentation of this supporting information technical note to ensure this sufficiently addresses the SNCBs' concerns and the Examining Authority's Request for Further Information – Rule 17 (PD-012/PD-012a). NatureScot's preferred displacement and mortality rates are included within the full range presented (Auks: 60% displacement and 3% and 5% breeding season mortality rates and 1% and 3% non-breeding seasons mortality rates. Gannet: 70% displacement and 1% and 3% mortality rates. Kittiwake: 30% displacement and 1% and 3% mortality rates). • As the displacement and mortality rates are presented within the displacement matrices (in Volume 2, Chapter 5: Offshore ornithology (REP2-016)), no additional specific assessment using NatureScot rates are considered to be required.

Reference	Written Submission Comment	Applicant's response
		In relation to NatureScot Guidance Note 11 (Guidance to support Offshore Wind Applications: Marine Ornithology - Recommendations for Seabird Population Viability Analysis (PVA)): • The Applicant considers the information presented in Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (REP2-024) at Deadline 2 and the Offshore Ornithology Supporting Information Technical Note (S_D3_4) submitted at Deadline 3 is compliant with the NatureScot guidance which recommends using the Seabird PVA Tool developed by the Natural England tool for PVA (See paragraph 1.3.1.1 of Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (REP2-024)). • The Applicant notes that NatureScot advises the two ratio metrics ('Counterfactual (ratio) of final population size' (CPS) and 'Counterfactual (ratio) of population growth-rate' (CPC)) that compare impacted and un-impacted populations should be applied in both EIA and HRA. The Applicant has provided these ratio metrics to measure population-level impacts in Volume 6, Annex 5.6: Offshore Ornithology Population Viability Analysis Technical Report (REP2-024). • The Applicant notes that the NatureScot guidance note 11 recommends undertaking PVA if the baseline survival rate decreases by >0.02 percentage points (i.e. if the survival rate is 90.00% and it reduces to 89.98% or lower). A threshold for undertaking PVA of a 1% increase in baseline mortality has been used for the Mona Offshore Wind Project. Using this percentage increase in baseline mortality is in line with English and Welsh guidance (Parker *et al*, 2022) and has been accepted by NRW and the JNCC (Technical Engagement Plan Appendices - Part 1 (A to E) (APP-042)) for use by the Mona Offshore Wind Project. This threshold has been widely applied in EIAs and the Secretary of State's HRAs for UK offshore wind farm projects. In addition, this threshold was presented through the pre-application consultation in the Preliminary Environmental Information Report and at application and the Applicant has not received any advice from SNCBs or wider stakeholders that this 1% increase in baseline mortality threshold should not be used. The Applicant does not consider it necessary or appropriate to consider a second threshold and, therefore, does not intend to present a separate assessment using the survival rate change threshold set out in the NatureScot guidance. The Applicant notes that detailed guidance from NatureScot on other aspects of the assessment approach, such as apportioning, is currently unavailable. For

Reference	Written Submission Comment	Applicant's response
		example, Guidance Note 10: Guidance to support Offshore Wind applications: Marine Ornithology Advice for apportioning impacts to breeding colonies has yet to be published.