

# MONA OFFSHORE WIND PROJECT

## Summary of Principal Offshore Ornithological Matters

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Image of an offshore wind farm

**MONA OFFSHORE WIND PROJECT**

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## MONA OFFSHORE WIND PROJECT

### 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.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Environmental Statement	The document presenting the results of the Environmental Impact Assessment (EIA) process for the Mona Offshore Wind Project.
Evidence Plan Process	The Evidence Plan process is a mechanism to agree upfront what information the Applicant needs to supply to the Planning Inspectorate as part of the Development Consent Order (DCO) applications for the Mona Offshore Wind Project.
Expert Working Group (EWG)	Expert working groups set up with relevant stakeholders as part of the Evidence Plan process.
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 NSIPs.

### Acronyms

Acronym	Description
AEol	Adverse Effect on Integrity
BDMPS	Biologically Defined Minimum Population Scales
BTO	British Trust for Ornithology
CEA	Cumulative Effects Assessment
DCO	Development Consent Order
EIA	Environmental Impact Assessment
EWG	Expert Working Group
HRA	Habitat Regulations Assessment
ISAA	Information to support the Appropriate Assessment
JNCC	Joint Nature Conservation Committee
NRW (A)	Natural Resources Wales (Advisory)
NRW	Natural Resources Wales
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
RSPB	Royal Society for the Protection of Birds

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Acronym	Description
SNCB	Statutory Nature Conservation Body
SoCG	Statement of Common Ground
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest

## Units

Unit	Description
m	Metres
%	Percentage

# 1 SUMMARY OF PRINCIPAL OFFSHORE ORNITHOLOGICAL MATTERS

## 1.1 Summary

1.1.1.1 The Applicant welcomes Natural Resources Wales (Advisory) and the Joint Nature Conservation Committee's (JNCC) comments on the examination submission up to Deadline 4 and is pleased that progress has been made to resolve their concerns. While many matters have been resolved, this note focuses on matters that are not agreed. This note is intended to assist the Examining Authority in understanding where there remain to be points of disagreement between the Applicant and Statutory Nature Conservation Bodies (SNCBs) and whether the Applicant considers these matters to be resolvable by the end of the Examination and, if not, whether they are considered material (i.e. result in a materially different outcome to the assessment conclusions) or not-material (i.e. do not result in a material impact on the assessment or conclusions). As such, the Applicant has assigned a status to each matter included in this note based on its discussions with the SNCBs to date and how it anticipates these to be reflected in the next iteration of the Statement of Common Grounds.

1.1.1.2 Notwithstanding the SNCB's request for a final position statement (tabulating the final impact estimates (alone and cumulatively/in-combination) according to the SNCB advised approach) from the Applicant at the end of the examination, which is still under consideration, the Applicant does not consider there to be a need to provide any further information with respect to the offshore ornithology assessments beyond the information provided at Deadline 5. However, the Applicant welcomes feedback on the Deadline 5 submissions and remains open to further discussions should there be any outstanding concerns.

## 1.2 Introduction

### 1.2.1 Overview

1.2.1.1 The Applicant has undertaken engagement with Natural Resources Wales (Advisory) (NRW(A)) and the Joint Nature Conservation Committee (JNCC) Between Deadlines 3 and 5 to determine whether the Applicant's examination materials up to and including those submitted at Deadline 4 had sufficiently addressed their concerns (and the concerns of other relevant Interested Parties (IPs) where applicable) with respect to the offshore ornithology assessments for the Mona Offshore Wind Project. Details of this engagement are outlined in Appendix A. Feedback was received from NRW (A) and the JNCC with respect to residual concerns, which the Applicant sought to address through further submissions at Deadlines 4 and 5.

1.2.1.2 The updated and additional information provided by the Applicant at Deadline 4 is considered to have resolved the majority of NRW (A)'s and the JNCC's comments made at Deadline 4.

1.2.1.3 In light of this, the Applicant has condensed its responses at Deadline 5 to focus on the principal outstanding offshore ornithological matters (i.e. matters which are not yet agreed) to a smaller number of submissions, which include:

- Summary of principal offshore ornithological matters (S\_D5\_21) (i.e. this document);
- Response to NRW D4 Submission (S\_D5\_9);



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- The Applicant's response to comments on the Measures to Minimise Impacts to Marine Mammals and Rafting Birds from transiting vessels (S\_D5\_22);
- Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (S\_D5\_23); and
- Offshore ornithology additional supporting cumulative assessment Information in line with SNCB Advice (S\_D5\_24).

### 1.2.2 Purpose of this document

- 1.2.2.1 The Applicant has provided this note to summarise the principle offshore ornithological matters at Deadline 5, including those which it considers remain 'in discussion' and those that are not agreed and are either considered 'material' or 'not material'. Matters that remain 'in discussion' with the relevant SNCBs include those that the Applicant believes are capable of resolution before the end of the Examination.
- 1.2.2.2 This note is intended to respond to the outstanding matters raised in the NRW (A) and the JNCC Deadline 4 submissions that were not considered to have been addressed by the Applicant's Deadline 4 submissions and should be read alongside the Applicant's other submissions outlined in paragraph 1.2.1.3.
- 1.2.2.3 As set out in Appendix Appendix A (see Table 1.2), the Applicant has undertaken extensive engagement with NRW (A) and the JNCC post-application and in parallel to the Examination to understand their concerns with respect to the Applicant's submissions, to provide further clarity on methodological approaches and to discuss the scope of examination submissions in order to progress outstanding matters. Many of the SNCB's concerns have been addressed and closed out through Examination to date, as shown in the Examination Progress Tracker submitted at Deadline 4 (REP4-090). However, noting that neither the Examination Progress Tracker nor updated SoCGs between the Applicant and both NRW (A) and JNCC with respect to offshore ornithology are being submitted at Deadline 5 (as outlined in the Statement of Commonality (S\_D1\_7 F03)), the Applicant has sought to set out for the Examining Authority the Applicant's position relative to the SNCBs on key matters and where there are considered to remain principal points of disagreement.

### 1.2.3 Applicant's overarching position

- 1.2.3.1 The Applicant's overarching position is that the information presented within Volume 2, Chapter 5: Offshore ornithology (REP4-007) and HRA Stage 2 Information to Support an Appropriate Assessment Part Three: Special Protection Areas and Ramsar sites Assessments (REP2-010) is robust and based on the best available scientific information, and the conclusions within these documents are accurate. The Offshore ornithology supporting information in line with SNCB advice (REP4-030), Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (S\_D5\_23); and the Offshore ornithology additional supporting cumulative assessment Information in line with SNCB Advice (S\_D5\_24) have been provided to allow the SNCBs to view the range of impacts following their specific advice.
- 1.2.3.2 The Applicant's position is that the Mona Offshore Wind Project will not lead to any significant effects in EIA terms, alone or cumulatively, nor is there a risk of adverse effects on integrity (AEoI) of any European site, alone or in-combination. This conclusion has been reached in relation to all species, sites and all assessment

scenarios considered at application and within the Applicant's examination materials, including those undertaken using the parameters advised by NRW (A) and the JNCC.

### **1.3 Principle offshore ornithological matters**

- 1.3.1.1 NRW (A) have confirmed that they do not consider that there is potential for significant effects in EIA terms or risk of AEol of any European site for the Mona Offshore Wind Project alone (see Appendix 1 of Annex A in NRW's Deadline 3 response (REP3-090) and paragraph 3 of NRW's Comments on Submissions received at Deadline 3 (REP4-105)). The Applicant welcomes this and understands from engagement that JNCC holds the same position and will confirm this in their Deadline 5 submissions.
- 1.3.1.2 However, in a meeting on 22 November 2024, NRW (A) and the JNCC confirmed that they remained unable to confirm their position on AEol for a subset of SPAs (Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA, Grassholm SPA and Aberdaron Coast and Bardsey Island SPA). Similarly, neither NRW (A) nor the JNCC have confirmed their position with respect to significant effects in EIA terms for the Mona Offshore Wind Project cumulatively. The only exception is in relation to great black-backed gull. For this species, both NRW (A) and JNCC confirmed at Deadline 4 (see paragraph 93 of NRW's Comments on Submissions received at Deadline 3 (REP4-105) and JNCC's Comments on Applicant's response to ExQ1 (REP4-098)) that they are unable to rule out a moderate adverse, i.e. significant adverse impact, on great black-backed gull from cumulative collision mortality at an EIA scale.
- 1.3.1.3 Table 1.1 summarises the principal offshore ornithological matters for the Mona Offshore Wind Project with signposting to where further information is provided in the Applicant's submissions at Deadline 5 in order to assist the SNCBs in coming to a conclusion on significant cumulative effects for all other species (aside from great black-backed gull) and AEol (in-combination). The Applicant has assigned a status to each matter based on its discussions with the SNCBs and how it anticipates these to be reflected in the next iteration of the SoCGs.



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**Table 1.1: Principle offshore ornithological matters for the Mona Offshore Wind Project.**

ID number	Principle offshore ornithological matter	Interested Party and submission matter raised in	Further information provided	Document information provided in	Applicant's Status
1a	Conclusion of cumulative effects on great black-backed gulls	JNCCs Comments on Applicant's response to ExQ1 (REP4-098). Paragraph 37 of NRW's Comments on Submissions received at Deadline 3 (REP4-105)	The Applicant maintains that a minor adverse effect is correct and proportionate and has provided a summary of its reasoning for this conclusion.	Not applicable	Not agreed- material. See section 1.4.1 below
1b	Adequacy of mitigation for effects on great black-backed gull		Comments by JNCC and NRW (A) confirm that the mitigation proposed for the Mona Offshore Wind Project (i.e. increasing the air gap to 34 m above lowest astronomical tide) is adequate and that further mitigation is not required. Therefore, no further information is required from the Applicant.	Not applicable	Agreed. See section 1.4.1 below
2	Mona Offshore Wind Project apportioning during the non-breeding season	JNCC within their Relevant Representations (RR-033) and NRW (A) within their Written Representations (REP1-056) and repeated within the Deadline 3 submission (REP3-090)	Further information on the apportioning method used for the Mona Offshore Wind Project alone assessment compared to the approach recommended by NRW (A) (and the JNCC) which demonstrated the Applicant's approach is more precautionary and robust. No further information has been provided at Deadline 5.	Offshore Ornithology Apportioning Clarification Note (REP4-042) submitted at Deadline 4	Not agreed- not material. See section 1.5.1 below
3	Approach to estimating regional breeding populations.	Relevant Representations and Written Representations of the JNCC and NRW (A) (RR-033 and RR-011 and REP1-066 and REP1-056, respectively)	The smaller of two population estimates is presented within the Mona Offshore Wind Project assessments, which is precautionary. No further information has been requested from the Applicant during examination.	Provided in section 1.5.2 of this note.	Not agreed- not material. See section 1.5.2 below

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ID number	Principle offshore ornithological matter	Interested Party and submission matter raised in	Further information provided	Document information provided in	Applicant's Status
4	Age class proportions during the breeding season within the in-combination assessments	Relevant Representations and Written Representations of the JNCC and NRW (A) (RR-033 and RR-011 and REP1-066 and REP1-056, respectively). JNCCs Response to REP3-059 Offshore ornithology supporting information in line with SNCB advice (REP4-102) and NRW (A) Comments on Submissions received at Deadline 3 (REP4-105)	Further in-combination assessment information has been provided for a subset of SPAs (Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA, Grassholm SPA and Aberdaron Coast and Bardsey Island SPA) and features (black-legged kittiwake, common guillemot, razorbill, Manx Shearwater and Northern gannet) as requested by the SNCBs in a meeting on 22 November 2024. This information has been provided by the Applicant at Deadline 5. The Applicant has concluded no AEoI for all SPAs considered within this submission.	Offshore Ornithology Additional Supporting In-combination Assessment Information in line with SNCB Advice (S_D5_23)	Under discussion. See section 1.6.1 below and resolved with Deadline 5 submissions.
5	Consideration of new information on other projects and plans made available after application.	ExA Q1.0.1, Q1.10.15 and Q1.19.6 JNCC response to Offshore ornithology supporting information in line with SNCB advice (REP4-102) NRW(A) Comments on Submissions received at Deadline 3 (REP4-105)	Following review of the Applicant's Review of Offshore ornithology Cumulative Effects Assessment (CEA) and In-Combination Assessment (REP4-027), the SNCBs advised that the updated numbers for Morgan Offshore Wind Project: Generation Assets (hereafter, Morgan Generation Assets), Morecambe Offshore Wind Farm: Generation Assets, and Llŷr 1 Floating Offshore Wind Farm should (as a minimum) be incorporated into the Applicant's cumulative and in-combination assessments. This information has been provided by the Applicant at Deadline 5.	Review of Offshore ornithology CEA and In-Combination Assessment (REP4-027) and Offshore Ornithology Additional Supporting Cumulative Assessment Information in line with SNCB Advice (S_D5_24)	Under discussion. See section 1.6.1 below. The Applicant considers this matter to be resolved by its Deadline 5 submissions.

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ID number	Principle offshore ornithological matter	Interested Party and submission matter raised in	Further information provided	Document information provided in	Applicant's Status
6	Consideration of the gap filled historical projects in the in-combination assessment using the SNCB advised approach (i.e. range-based approach for displacement and collision estimates)	NRW(A) Comments on Submissions received at Deadline 3 (REP4-105) JNCC response to Offshore Ornithology Cumulative Effects Assessment and In-combination Gap-filling Historical Projects Technical Note (REP4-101)	All gap-filled projects have been included within the in-combination assessments presented in the Offshore ornithology supporting information in line with SNCB advice (REP4-030) submitted at Deadline 4.	Offshore ornithology supporting information in line with SNCB advice (REP4-030)	Under discussion. See section 1.6.3 below. The Applicant considers this matter to be resolved by its Deadline 5 submissions.
7	Differences from the Morgan Generation Assets	NRW(A) Comments on Submissions received at Deadline 3 (REP4-105)	The Applicant has had further discussions with the Morgan Generation Assets and sought to respond to specific queries as well as providing an overview of potential differences between the projects in this document.	Provided in section 1.6.4 of this note.	Under discussion. See section 1.6.4 below.
8	Consideration of the Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (REP3-021)	NRW(A) Comments on Submissions received at Deadline 3 (REP4-105) JNCC Deadline 4 Submission - Comments on Minimise Impacts to Marine Mammals and Rafting Birds (REP4-099)	The Applicant has provided an overarching response to all NRW(A) and the JNCCs comments at Deadline 5 which also seeks to address specific concerns with respect to Liverpool Bay/Bae Lerpwl SPA.	The Applicant's response to comments on the Measures to Minimise Impacts to Marine Mammals and Rafting Birds from transiting vessels (S_D5_22)	Under discussion. See section 1.6.5 below. The Applicant considers this matter to be resolved by its Deadline 5 submissions.

## 1.4 Items not agreed - Material

### 1.4.1 Conclusion of cumulative effects on great black-backed gulls

- 1.4.1.1 As outlined in Table 1.1, the Applicant acknowledges that NRW (A) and the JNCC disagree with its conclusion of no significant effects in EIA terms for collision risk on greater black backed gulls cumulatively with other plans and projects (See the JNCCs Comments on Applicant's response to ExQ1 (REP4-098) and paragraph 37 of NRW's Comments on Submissions received at Deadline 3 (REP4-105)).
- 1.4.1.2 The evidence presented by the SNCBs was in regard to the recent downgrade of great black-backed gull from amber to red on the Birds of Conservation Concern List (Stanbury *et al.*, 2024) and the latest population estimate (Seabirds Count; Burnell *et al.*, 2023) indicating a declining population at the UK scale.
- 1.4.1.3 The Applicant maintains that a minor adverse effect is correct and proportionate, as the population of great black-backed gull, which is declining (by up to 60%), is focussed on remote Scottish islands (e.g. Rona). The great black-backed gull that the Mona Offshore Wind Project may impact cumulatively have no connectivity to the declining populations (Furness, 2015). The great black-backed gull that may be present within the Mona Offshore Wind Project Boundary will originate in nearby colonies in Wales, England, Isle of Man, Northern Ireland and Ireland, as the foraging range of great black-backed gull is up to 70 km (Woodward *et al.*, 2019). The population within these areas is increasing (Northern Ireland by 507% (449 pairs), Ireland by 28% (2,825 pairs) and Wales by 49% (449 pairs)), stable (England by -3% (1,520 pairs)) or declining (Isle of Man by -79% (85 pairs)<sup>1</sup>) (Burnell *et al.*, 2023). Therefore, the large declines in Scotland (which are impacting the UK average) are not representative of the population which is likely to be directly impacted by the Mona Offshore Wind Project cumulatively.
- 1.4.1.4 The Applicant notes and welcomes the comments by JNCC and NRW (A) that the mitigation proposed for the Mona Offshore Wind Project (i.e. increasing the air gap to 34 m above the lowest astronomical tide) is adequate and that further mitigation is not required (See the JNCCs Comments on Applicant's response to ExQ1 (REP4-098) and NRW's Comments on Submissions received at Deadline 3 (REP4-105) The Applicant considers that no further discussion is required and that this matter is closed.

## 1.5 Items not agreed – Not Material

### 1.5.1 Mona Offshore Wind Project apportioning during the non-breeding season

- 1.5.1.1 As part of NRW (A) and the JNCC Deadline 3 submissions (REP3-090 and REP3-086, respectively), uncertainty was expressed about the process by which the age-class proportions have been included within the non-breeding season apportioning by the Applicant.

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<sup>1</sup> The population of the Isle of Man population is small and contributes ~1.5% of the population from the five areas mentioned (England, Wales, Northern Ireland, Ireland and Isle of Man). It should also be noted that the Isle of Man Territory Seas Committee have agreed with the EIA conclusions that there is no significant effect on any species alone or cumulatively (Mona and Isle of Man Government – Territorial Sea Committee SoCG (REP3-025)).

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- 1.5.1.2 The Offshore Ornithology Apportioning Clarification Note (REP4-042) submitted at Deadline 4 provides further information on the non-breeding season apportioning method used for the Mona Offshore Wind Project alone assessment compared to the approach recommended by NRW (A) and the JNCC. This comparison shows that the Applicant's apportioning method for the Mona Offshore Wind Project alone assessment in the non-breeding season results in greater impacts being apportioned to each designated site when compared to the approach recommended by NRW (A) and the JNCC and is, therefore, more precautionary.
- 1.5.1.3 In their Deadline 4 submissions (Appendix 1 to NRW's Comments on Submissions received at Deadline 3 (REP4-105)), NRW acknowledge that *'the Applicant's approach to calculating non-breeding season apportionment values is precautionary'* and were satisfied to conclude no potential for adverse effects on Welsh SPAs for the Mona Offshore Wind Project alone. The Applicant understands that the JNCC hold the same position and will confirm their position on no potential for adverse effects for the Mona Offshore Wind Project alone in their Deadline 5 submissions. The Applicant, therefore, considers that no further discussion is required and that this matter is closed.

### 1.5.2 Approach to estimating regional breeding populations.

- 1.5.2.1 Within the Evidence Plan Process, Natural England, NRW (A) and JNCC provided the Applicant with an estimate of the 'Breeding Season Biologically Defined Minimum Population Scales (BDMPS)' to use as the reference population against which impacts are assessed for the breeding season within the project alone and cumulative assessment (see D.6.5 of the Technical Engagement Plan Appendices - Part 1 (A to E) (APP-042)). The Breeding Season BDMPS uses the stable-age structures from Furness (2015) to calculate the proportion of immature birds that may be present for each adult bird.
- 1.5.2.2 The Applicant maintained that assessing the Mona Offshore Wind Project alone impact against the breeding population within the foraging range ('Foraging Range Breeding Season') of the Mona Offshore Wind Project is more biologically robust than presuming *potential* connectivity across an entire BDMPS (as advised by the SNCBs). The Applicant identified the breeding population within the foraging range using the number of adult birds within the foraging range of the Mona Offshore Wind Project (taken from seabird colony monitoring) plus the number of immature birds associated with each adult (Furness, 2015).
- 1.5.2.3 The different populations 'Breeding Season BDMPS' and 'Foraging Range Breeding Season' are presented in Table 5.14 of Volume 2, Chapter 5: Offshore Ornithology (REP4-007). Of the ten species with both populations, eight species have a smaller population when considering the 'Foraging Range Breeding Season Population' when compared to the 'Regional Seas Breeding Season' population. Manx shearwater and northern gannet have smaller 'Regional Seas breeding Season' populations than 'Foraging Range Breeding Season' populations. The Applicant used the smaller of the two populations for all species in order to present a precautionary assessment.
- 1.5.2.4 Assessing an impact against the smallest population leads to higher predicted impacts and is thus precautionary. Therefore, the Applicant considers that no further information needs to be provided and considers this matter to be closed. The Applicant has agreed that this matter is not agreed but not material with the JNCC, see Statement of Common Ground - Joint Nature Conservation Committee (REP1-028). This has also been agreed with NRW(A) and the Applicant expects this to be reflected in the next update to the SoCG.



## 1.6 Items still under discussion

### 1.6.1 Age class proportions during the breeding season within the in-combination assessments

- 1.6.1.1 The Applicant acknowledges that the NRW (A) and the JNCC requested during the third expert working group (Section D.4. of the Technical Engagement Plan Appendices Part 1 (A to E) (APP-042)) that where no site-specific data is available on the ratio of adults to juveniles/immatures recorded during site-specific surveys, then 100% of the birds should be considered adults.
- 1.6.1.2 The Applicant has followed the SNCBs advice within the Mona Offshore Wind Project alone assessment by using the site-specific age-class proportions and has followed the precautionary approach for common guillemot, razorbill and Manx shearwater which assumed that all un-aged birds are adults (as recommended by SNCBs).
- 1.6.1.3 In light of the absence of site-specific data on age-class proportions from the majority of other offshore wind projects considered in the in-combination assessment, the Applicant used the stable-age structure from Furness (2015) to calculate adult impacts for all projects rather than assuming that 100% of the birds are adults within the Offshore ornithology supporting information in line with SNCB advice (REP4-030). The Applicant considers this approach to be the most biologically realistic (rather than assuming 100% of unaged birds are adults) given that populations are made of a significant proportion of immature birds whilst also remaining sufficiently precautionary. The ratios of adults to immatures from Furness (2015) are widely used in offshore wind farm EIAs and HRAs and Plan Level HRAs including for Round 4 and 5 and is considered by the Applicant to be the most robust scientific evidence available.
- 1.6.1.4 Following further engagement with the SNCBs on 22 November 2024, the SNCBs confirmed that they were unable to advise on the potential for AEol in-combination without seeing an assessment that assumes 100% of the birds are adults. Therefore, an in-combination assessment for the following sites and species as requested by the SNCBs has been provided at Deadline 5 in the Offshore Ornithology Additional Supporting In-combination Assessment Information in line with SNCB Advice (S\_D5\_23) note:
- Black-legged kittiwake from:
    - Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA
  - Common guillemot from:
    - Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA
  - Northern gannet from:
    - Grassholm SPA
  - Manx shearwater from:
    - Aberdaron Coast and Bardsey Island SPA /Glannau Aberdaron ac Ynys Enlli/
    - Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA
  - Razorbill from:



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- Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA

1.6.1.5 The additional information presented in the Offshore Ornithology Additional Supporting In-combination Assessment Information in line with SNCB Advice (S\_D5\_23) note at Deadline 5 has not changed the Applicant's conclusion within the HRA Stage 2 Information to Support an Appropriate Assessment Part Three: Special Protection Areas and Ramsar sites Assessments (REP2-010) and the Offshore ornithology supporting information in line with SNCB advice (REP4-030) which is that AEol from the Mona Offshore Wind Project in-combination with other projects and plans can be ruled out beyond reasonable scientific doubt for all SPAs and features considered.

1.6.1.6 The approach taken to try to resolve concerns raised by stakeholders in relation to in-combination effects should be considered in the context of the contribution that the Mona Offshore Wind Project makes to these in-combination effects. In the case of the SPAs where there are residual concerns, the Applicant's position is that any effects on these SPA features from the Mona Offshore Wind Project do not materially contribute to the in-combination effect (e.g. see the HRA Stage 2 Information to Support an Appropriate Assessment Part Three: SPAs and Ramsar sites Assessments (REP2-10) which demonstrates that all predicted effects from the Mona Offshore Wind Project on these SPAs are <0.05% baseline mortalities (when considering the Applicant's identified assessment scenario).

### 1.6.2 Review of Offshore ornithology CEA and In-Combination Assessment

1.6.2.1 Following the Examining Authority's first written questions (Q1.0.1, Q1.10.15 and Q1.19.6), the Applicant undertook a review of new or amended assessment material that has been published for projects considered in the Mona Offshore Wind Project CEA, and new projects not previously considered in the CEA which have information that has entered the public domain since November 2023 (the cut off used for the application which was to three months before submission).

1.6.2.2 The Applicant submitted the Review of Offshore ornithology CEA and In-Combination Assessment at Deadline 4 (REP4-027). The Applicant determined in light of this review that the conclusions of the CEA assessments presented in Volume 2, Chapter 5: Offshore ornithology (REP2-016) and the in-combination assessment presented in the Information to Support an Appropriate Assessment Part Three: Special Protection Areas and Ramsar sites Assessments (REP2-010) would not change considering the revised or new information available for the offshore wind projects considered with the CEA.

1.6.2.3 Following a meeting on 22 November 2024, NRW (A) and the JNCC were not able to rule out potential for AEol for Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA, Grassholm SPA and Aberdaron Coast and Bardsey Island SPA. This was, in part, because the SNCBs considered that the Applicant's CEA and in-combination assessments should be updated to include new or revised impacts estimates available for other offshore wind projects within the cumulative and in-combination assessments that have recently submitted consent applications after the Mona Offshore Wind Project application (namely Morgan Generation Assets, Morecambe Offshore Wind Farm: Generation Assets, and Llŷr 1 Floating Offshore Wind Farm). It is not standard practice to provide detailed updated assessment calculations during Examination to account for new applications or information unless the new information is likely to significantly alter the conclusions of the assessments. Notwithstanding this, the Applicant has provided

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additional supporting information to enable the SNCBs to determine their position on AEol in -combination.

- 1.6.2.4 The Applicant has provided additional in-combination assessment calculations in the Offshore Ornithology Additional Supporting In-combination Assessment Information in line with SNCB Advice (S\_D5\_23) note submitted at Deadline 5 to allow the SNCBs to come to a position on potential for AEol in-combination. The updated calculations include the application numbers for the Morgan Generation Assets, Morecambe Offshore Wind Farm: Generation Assets and the Llyr Floating offshore wind farm. These additional calculations are not considered to affect the conclusions of the assessments. The Applicant has also provided additional cumulative effects assessment calculations in the Offshore Ornithology Additional Supporting Cumulative Assessment Information in line with SNCB Advice (S\_D5\_24) at Deadline 5 to allow the SNCBs to come to a position on the significance of effects cumulatively with other plans and projects. These technical notes at Deadline 5 concluded that there would be no change to the Applicant's conclusion of no significant cumulative effects in EIA terms and no potential for AEol from the Mona Offshore Wind Project in-combination with other projects and plans beyond reasonable scientific doubt.

### **1.6.3 Consideration of the gap filled historical projects in the in-combination assessment using the SNCB advised approach**

- 1.6.3.1 Since the Mona Offshore Wind Project application was submitted, NRW(A) and the JNCC have made relevant representations (RR-011 and RR-033, respectively) and written representations (REP1-056 and REP1-066/REP1-067, respectively) that commented that the qualitative assessment included in Volume 2, Chapter 5: Offshore Ornithology (APP-057) does not adequately account for the impacts of historical projects and that a quantitative assessment is required. In response to the SNCBs comments, the Ornithology Cumulative Effects Assessment and In-combination Gap-filling Historical Projects Technical Note (REP3-044) was presented at Deadline 3 to provide the indicative gap-filled numbers for historical projects and the Offshore Ornithology Supporting Information in line with SNCB Advice (REP4-030) at Deadline 4 to provide a complete and comprehensive in-combination assessment for the full range of assessment scenarios advised by the SNCBs in one document.
- 1.6.3.2 The additional cumulative effects and in-combination assessment calculations submitted at Deadline 5 include the indicative gap-filled numbers for historical projects. These additional calculations do not alter the conclusions of the Applicant's assessments that there is no potential for AEol from the Mona Offshore Wind Project in-combination with other projects and plans beyond reasonable scientific doubt. The Applicant received positive feedback on its Deadline 3 and 4 submissions from the SNCBs with respect to this matter and expects this to be resolved through its Deadline 5 submissions.

### **1.6.4 Differences from the Morgan Generation Assets in abundance estimates used in the CEA**

- 1.6.4.1 Both Mona Offshore Wind Project and Morgan Generation Assets have used the available published data from project-specific documentation in their respective application documents within the cumulative and in-combination assessments.
- 1.6.4.2 For the species assessed within the Mona Offshore Wind Project application documents, the main differences between the two applications are related to the use of the impact estimates and associated data from documentation that was available at

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the time of writing (e.g. the Mona Offshore Wind Project assessment used the Morgan Generation Assets PEIR numbers as the Morgan Generation Assets application was submitted after the Mona Offshore Wind Project).

- 1.6.4.3 A collaborative exercise was undertaken by Mona Offshore Wind Project and Morgan Generation Assets pre-application to align the population estimates and predicted impacts from other projects used in both applications. The numbers used, therefore, broadly align between the two projects for most species. However, there are differences for black-legged kittiwake in relation to displacement impacts, which are explained below.
- 1.6.4.4 An assessment of displacement impacts has not been required for black-legged kittiwake by the vast majority of other projects considered in the cumulative and in-combination assessment, as Natural England and NRW (A) do not advise that a displacement assessment is required for this species (detailed in D.3.3 Technical Engagement Plan Appendices - Part 1 (A to E) (APP-042) and NRW's Written Representation (REP1-056)). Furthermore, for this species, the different offshore ornithology consultants working on the Mona Offshore Wind Project and Morgan Generation Assets have selected differing abundance estimates from project-specific documentation, for which there is a degree of variation within the submitted documents of other projects (for example different survey areas, different bio-seasons and often a lack of monthly break down of impacts).
- 1.6.4.5 The black-legged kittiwake numbers selected and used in the cumulative effects assessments were extracted from project-specific documentation for each of the projects considered in the cumulative assessments required. However, how each project treated the data during their own assessment has differed. As the result, there are differences in the population estimates used for black-legged kittiwake for other projects between Mona Offshore Wind Project and Morgan Generation Assets due to data interpretation of projects-specific documentation. It should also be noted that a further consideration has been that application documents and associated documentation for some previously consented projects are often no longer in the public domain and are therefore not always accessible. Whilst the processes applied by each project may differ, none of the resulting population estimates that have been incorporated into the assessments are incorrect, rather they provide a different realisation of the likely impact from the project under consideration.
- 1.6.4.6 The differences between the input values have not made a difference to the conclusions of the cumulative or in-combination assessments undertaken for Mona Offshore Wind Project and Morgan Generation Assets. All CEA conclusions are, in EIA terms, not significant (negligible or minor) for both projects. Similarly, a conclusion of no AEol in-combination with other plans and projects has been reached for all sites and features considered in the assessments for Mona Offshore Wind Project and Morgan Generation Assets. Thus, any differences in the abundance estimates between the two projects are not considered to materially alter the assessment outcomes.

### **1.6.5 Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels**

- 1.6.5.1 The Applicant has responded to the outstanding queries from NRW (A) and the JNCC in the Applicant's response to comments on the Measures to Minimise Impacts to Marine Mammals and Rafting Birds from transiting vessels (S\_D5\_22) submitted at

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Deadline 5 and considers that the SNCBs concerns expressed at Deadline 4 have been addressed as far as possible.

1.6.5.2 Whilst it is the Applicant's position that AEol can also be ruled out beyond scientific doubt for the Mona Offshore Wind Project in-combination with other plans and projects (for all sites, features and assessment scenarios considered within the application and examination materials), the Applicant understands that at Deadline 5, NRW (A) and the JNCC are unable to confirm their position on AEol in-combination with respect to Liverpool Bay/Bae Lerpwl SPA. NRW (A)'s and the JNCC's concerns with respect to Liverpool Bay/Bae Lerpwl SPA red-throated diver and common scoter features were also discussed with the Applicant during the meeting on 22 November 2024 and it was established that the SNCB's principal concern related to the potential impact of UXO clearance on features of the SPA during the overwintering period (1 November to 31 March). The Applicant understands this concern applies to both low and high-order UXO clearance.

1.6.5.3 In light of this, the Applicant has removed high-order UXO clearance from the draft DCO (C1 F06) at Deadline 5. Furthermore, the Applicant has committed to a seasonal restriction on low-order UXO clearance within the Liverpool Bay/Bae Lerpwl SPA between 1 November and 31 March. This commitment is outlined in the Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (J17 F03) document and the Mitigation and Monitoring Schedule (J10 F05) submitted at Deadline 5 and is expected to be secured via the standalone NRW ML as outlined in the updated Marine Licence Principles Document (J9 F05) submitted at Deadline 5.

## 1.7 Request for final position paper

1.7.1.1 In both NRW (A)'s Comments on Submissions received at Deadline 3 (REP4-105) and JNCCs - Response to Errata and updated documents (REP4-100) the SNCBs asked for the Applicant to submit a 'final position' summary document into the Examination that details or tabulates the impact estimates (alone and cumulatively/in-combination) according to the SNCB advised approach and that of the Applicant. The Applicant is considering this request and will confirm no later than Deadline 6 whether a final position paper will be provided by the Applicant.

## 1.8 Conclusions

1.8.1.1 The Applicant anticipates that the Deadline 5 submissions will have resolved or advanced agreement on all of the matters outlined in this note and will enable the SNCBs to confirm their remaining positions with respect to the significance of cumulative effects and AEol from the Mona Offshore Wind Project in-combination with other projects and plans. The Applicant acknowledges that substantial information on offshore ornithology has been submitted into Examination to address concerns raised by IPs. However, the Applicant highlights that significant progress has been made in addressing discrepancies, clarifying matters and resolving points of disagreement. This progress is reflected in the Examination Progress Tracker submitted at Deadline 4 (REP4-089) and will be reflected in the next iterations of the SoCG with NRW (A) and the JNCC.

1.8.1.2 Notwithstanding the SNCBs request for a final position statement from the Applicant at the end of the Examination (see section 1.7), which is still under consideration, the Applicant does not consider there to be a need to provide any further information with respect to the offshore ornithology assessments beyond the information provided at Deadline 5. However, the Applicant welcomes feedback on the Deadline 5

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submissions and remains open to further discussions should there be any outstanding concerns.

### 1.9 References

Awel y Mor, 2022. Volume 4 - Annex 4.5 - Offshore Ornithology Scoping and Consultation Responses

Burnell, D., Perkins, A.J., Newton, S.F., Bolton, M., Tierney, T.D. and Dunn, T.E. (2023) Seabird Count. Barcelona: Lynx Nature Books

Stanbury, A.J., Burns, F., Aebischer, N.J., Baker, H., Balmer, D.E., Brown, A., Dunn, T., Lindley, P., Murphy, M., Noble, D.G. and Owens, R., 2024. The status of the UK's breeding seabirds: an. British Birds, 117, pp.471-487.



## Appendix A. Post Application consultation

A.1.1.1.1 Table 1.2 outlines the post-application engagement undertaken with the SNCBs and other relevant Interested Parties (IPs) in order to better understand any concerns and allow an opportunity to provide clarifications outside of the Examination written process.

A.1.1.1.2 The Applicant confirms that an updated initial SoCG with RSPB (S\_D2\_8 F02) has been submitted at Deadline 5 and a SoCG with Orsted IPs will be submitted at Deadline 6. The Applicant is continuing to engage with NRW (A) and the JNCC on the submission of an updated SoCG.

**Table 1.2: Summary of post-application consultation with the relevant stakeholders on offshore ornithology.**

Date	Form of consultation	Attendees	Summary of consultation
15 May 2024	Meeting	RSPB Cymru	<ul style="list-style-type: none"> <li>Discussed content of the DCO application</li> <li>Discussed timeframe of the pre-examination and Examination milestones</li> <li>Discussed next steps including points of contact during pre-examination and Examination, Relevant Representations and SoCG</li> </ul>
05 July 2024	Meeting	NRW (A)	<ul style="list-style-type: none"> <li>Review of the initial SoCG</li> </ul>
08 July 2024	Meeting	Isle of Man Territorial Sea Committee	<ul style="list-style-type: none"> <li>Initial discussion on SOCG content and scope</li> </ul>
10 July 2024	Meeting	JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss initial draft of SoCG</li> </ul>
11 July 2024	Meeting	RSPB Cymru	<ul style="list-style-type: none"> <li>Review of the initial SoCG</li> </ul>
02 August 2024	Meeting	Territorial Sea Committee	<ul style="list-style-type: none"> <li>Review of SOCG for submission at Deadline 1. Note all matters related to offshore ornithology were agreed at Deadline 1.</li> </ul>
02 August 2024	Meeting	NRW(A)	<ul style="list-style-type: none"> <li>Second review of initial SoCG prior to submission at Deadline 1</li> </ul>
19 August 2024	Meeting	RSPB Cymru	<ul style="list-style-type: none"> <li>Second review of initial SoCG prior to submission at Deadline 2</li> </ul>
21 August 2024	Meeting	NRW(A), JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss the Rule 17 letter published on 16 August 2024</li> </ul>
29 August 2024	Meeting	NRW(A), JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss the offshore ornithology gap-filling analysis</li> </ul>
04 September 2024	Meeting	JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss outstanding items under discussion following Deadline 2</li> </ul>
14 October 2024	Meeting	JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss outstanding items under discussion following Deadline 3</li> </ul>
18 October 2024	Meeting	NRW(A)	<ul style="list-style-type: none"> <li>Meeting to discuss NRW comments on the Pen y Gogarth / Great Orme's Head SSSI</li> </ul>



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Date	Form of consultation	Attendees	Summary of consultation
29 October 2024	Meeting	NRW(A), JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss outstanding items under discussion for offshore ornithology</li> </ul>
22 November 2024	Meeting	NRW(A), JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss the publication of the Report on the Implications for European Sites (PD-019), the SNCB's view on AEol and outstanding items under discussion for offshore ornithology (specifically those matters preventing the SNCBs from a conclusion on AEol)</li> </ul>
27 November	Meeting	Orsted IPs	<ul style="list-style-type: none"> <li>Initial meeting to discuss submission of a SoCG</li> </ul>
28 November 2024	Meeting	JNCC	<ul style="list-style-type: none"> <li>Meeting to discuss the draft version of the Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (S_D5_23) and implications to responses to the RIES at Deadline 5</li> </ul>
2 December 2024	Meeting	RSPB Cymru	<ul style="list-style-type: none"> <li>Review updates to initial SoCG submitted at Deadline 5</li> </ul>