

MONA OFFSHORE WIND PROJECT

Statement of Common Ground between Mona Offshore Wind Project and the Joint Nature Conservation Committee

Deadline: 7

Application Reference: EN010137

Document Number: MOCNS-J3303-RPS-10265

Document Reference: S_D1_15 F03

14 January 2025

F03



Image of an offshore wind farm

MONA OFFSHORE WIND PROJECT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
F01	Submission at D1	RPS	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	Aug 2024
F02	Submission at D6	RPS	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	Dec 2024
F03	Submission at D7	RPS	Mona Offshore Wind Ltd	Mona Offshore Wind Ltd	Jan 2025

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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
AEoSI	Adverse Effects on Site Integrity
BDMPS	Biologically Defined Minimum Population Scales
CEA	Cumulative Effects Assessment
CRM	Collision Risk Modelling
DAS	Digital Aerial Surveys
DCO	Development Consent Order
EDR	Effective Deterrent Range
EIA	Environmental Impact Assessment
EWG	Expert Working Group
HRA	Habitat Regulation Assessment
IEF	Important Ecological Features
ISAA	Information to Support Appropriate Assessment
JNCC	Joint Nature Conservation Committee
LSE	Likely significant effect
MCZ	Marine Conservation Zones
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MPA	Marine Protected Area
NAS	Noise Abatement Systems
NE	Natural England
NRW	Natural Resources Wales

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Acronym	Description
OEUK	Offshore Energies UK
oMMMP	Outline Marine Mammal Mitigation Protocol
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
ZoI	Zone of influence

Units

Unit	Description
kV	Kilovolts

1 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 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 identifies where agreement has been reached, where differences lie and the reasons for disagreement or outstanding matters. The SoCG also specifies the actions needed to address the issues and will facilitate further discussion between the parties.

1.1.1.4 This version of the SoCG has been updated at Deadline 7 to reflect the final status of agreements between parties and supersedes the previous version submitted at Deadline 6 (REP6-071).

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 (REP6-016). 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
- Marine mammals
- Offshore ornithology

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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1.1.3 Overview of the Mona Offshore Wind Project

1.1.3.1 The 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 updated SoCG has been progressed during the Examination phase 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 updated SoCG also includes those issues raised by JNCC during the post-application phase (i.e. relevant representations and pre-examination meetings) and also considers the matters raised by the Applicant in response to relevant representations as well as matters raised by both the Applicant and JNCC throughout the Examination.

1.1.4.2 The structure of this updated 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 SoCG outlines 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 14 January 2025 (Deadline 7).

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 matters agreed, some matters not agreed
Marine mammals	Some matters agreed, some matters not agreed
Offshore ornithology	Some matters agreed, some matters not agreed

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.
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.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
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"> • Habitats Regulations 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.
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.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
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.
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.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
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.
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).

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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 Underwater Sound Management Strategy (UWSMS) (REP5-028)
10 July 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss initial draft of SoCG
21 August 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss the Rule 17 letter published on 16 August 2024
29 August 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss the offshore ornithology gap-filling analysis
04 September 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss outstanding items under discussion following Deadline 2
14 October 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss outstanding items under discussion following Deadline 3
29 October 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss outstanding items under discussion for offshore ornithology
08 November 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss outstanding items under discussion for marine mammals
12 December 2024	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss outstanding items following Deadline 5.
09 January 2025	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss final SoCG and closing statements.

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 - Material	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.	Agreed
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 (F2.2 F02), Section	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
			<p>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 and DCO documentation there is little distinction between inshore and offshore, distinguished by the 12 nm 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> <p>In the Applicant's response to our Deadline 2 submission (see REP2-097.65 of the Applicants Response to JNCC Deadline 2 Submission (REP3-036)), indicative numbers for the temporary habitat disturbance associated with sandwave clearance within inshore waters (within 12nm) and offshore waters (beyond 12nm) of the Mona Offshore Cable Corridor were provided. These estimate nearly 5km² of sandwave clearance in the offshore environment along the cable corridor.</p>	
JNCC.BE.9	Project design envelope	<p>The EIA chapter has identified, described and assessed the maximum design scenario (MDS) for the EIA for the construction and operation phase.</p> <p>The Applicant provided further information in their response to the JNCC Deadline 2 Submission (REP3-036; response REP2-097.77) as well as the Applicant's Deadline 3 submission 'Response to JNCC D2 Submission' (REP3-036; response REP2-097.72) to provide the JNCC with greater clarity on the methodology for how the MDS was calculated, using long term habitat loss as an example. As outlined in its response to the JNCC's D5 submission</p>	<p>In the Applicant's Deadline 3 submission 'Response to JNCC D2 Submission' (REP3-036; response REP2-097.72), the Applicant provided an explanation to the Maximum Design Scenario (MDS) including a table detailing Option 1 and Option 2 for suction bucket 4-legged jacket foundations. JNCC found this to be very useful and clear, providing much needed transparency in the Applicant's calculations of the maximum design scenario.</p> <p>To allow us to reach an agreement on this, JNCC would therefore request that similar tables are provided and incorporated into the final documentation, including Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054), regarding all foundation types (see our original comment for which tables this would apply to; REP3-036, response REP2-097.72, REP2-097.77 and REP4-048, responses REP3-086.90, REP3-086.96) and OSP foundation sizes (as</p>	Not Agreed - Material

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		– Offshore Benthic Environment Concerns (REP6-091), the Applicant does not intend to provide any further breakdown of the MDSs or update Volume 2, Chapter 2: Benthic, subtidal and intertidal ecology (APP-054) with this information (see row REP5-094.4).	commented on in REP3-036; response REP2-097.77) so we can be confident that the values which the Applicant is quoting are correct and to allow for complete transparency. We do not agree with the Applicant's approach as the Applicant does not intend to provide any further breakdown or document updates for the MDSs (see the Applicant's submission at Deadline 6, REP6-091) to enable JNCC to be confident that the values which the Applicant quotes are correct and to allow for complete transparency.	
JNCC.BE.25	Project design envelope	The EIA chapter has identified, described and assessed the maximum design scenario for the EIA for the decommissioning phase. As outlined in its response to the JNCC's D5 submission – Offshore Benthic Environment Concerns (REP6-091), the Applicant is confident that all infrastructure could theoretically be removed based on current-day technology in accordance with current guidance (e.g. Offshore Energies UK 'Designing for Decommissioning of Offshore Wind (OEUK, 2024)) (see row REP5-094.1).	Decommissioning activities have not been fully considered. The recently published guidelines by Offshore Energies UK (OEUK) for 'Designing for Decommissioning of Offshore Wind' states that: <i>"Assets should be designed to be decommissioned with a technology available at the time of commissioning"</i> The Examining Authority for Five Estuaries Offshore Wind Farm Limited (Project EN010115) has requested from the Applicant that: <i>"Decommissioning is required to be assessed in order that the Examining Authority and Secretary of State can have regard to the likely significant effects of the whole project over its lifecycle in making a recommendation and determination."</i> This can be achieved by following the OEUK 'Designing for Decommissioning of Offshore Wind' guidelines and assessing decommissioning based on available technologies now and not in the future. JNCC consider that without assessing decommissioning now, it is not possible to determine the likely significant effects of the project as a whole for the offshore environment. The Applicant's submission at Deadline 6 (REP6-091) does not address JNCC's concerns regarding decommissioning activities and therefore does not change our position of 'Not Agreed'.	Not Agreed - Material
JNCC.BE.10	Assessment methodology	The sensitivity of benthic subtidal ecology receptors has been correctly	We agree with everything within our scope except for the 'seapens and burrowing megafauna communities' Important Ecological Feature (IEF). For example, we would not agree	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		identified and sufficiently described within the EIA.	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 section. For this reasoning, it would not be appropriate to reduce the sensitivity to 'Medium' and it should remain as 'High'.	
JNCC.BE.26	Assessment methodology	The Applicant has assessed the potential for cable and scour protection to remain <i>in situ</i> post-decommissioning in relation to its potential to contribute to both permanent habitat loss and habitat alteration.	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.	Not agreed, but not material
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 12 nm	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 12 nm	There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone.	We agree with everything within our scope except for the 'seapens and burrowing megafauna communities' IEF (see row JNCC.BE.29 below).	Agreed
JNCC.BE.27	Assessment methodology	There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone – Magnitude of effect for	JNCC welcomes the approach detailed in the Applicant's Deadline 4 submission, 'Response to JNCC ExQ1 Responses' (REP4-062; reference REP3-084.5), to combine the long-term habitat loss and temporary habitat	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		'seapens and burrowing megafauna communities' IEF	loss/disturbance areas as a more realistic assessment in terms of geographic scale for the 'seapens and burrowing megafauna communities' IEF. We would welcome this addition of 13.86% of impacted area within the final version of Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054), to ensure transparency as well as ease of access and reduced confusion for future projects referring to this Application. JNCC would agree with the Applicant's assessment of low magnitude of impact for this updated impact area.	
JNCC.BE.28	Assessment methodology	<p>There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone – Sensitivity of 'seapens and burrowing megafauna communities' IEF.</p> <p>The Applicant has provided consideration of a sensitivity of high for the 'seapens and burrowing megafauna communities' IEF (as requested by JNCC) rather than the medium (adopted by the Applicant in the EIA) in the Applicant's response to the JNCC's ExQ1 Responses (REP3-084.5 in REP4-062) in order to demonstrate that there would be no change to the overall conclusions of the assessment.</p>	<p>JNCC do not consider the MarESA sensitivities as a guide to "tailoring" the sensitivities of identified habitats. MarESA provides peer-reviewed sensitivities based on comprehensive and rigorous reviews of habitat-specific sensitivities and pressures from the scientific literature. JNCC would not expect to see changes made to the sensitivities reported by MarESA.</p> <p>JNCC, therefore welcomes the Applicant's correction of the MarESA sensitivity to 'High', as detailed in REP4-062 (reference REP3-084.5), and would expect to see this corrected sensitivity reflected throughout the final documentation, including Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054).</p>	Agreed
JNCC.BE.29	Assessment methodology	<p>There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone – Significance of effect for 'seapens and burrowing megafauna communities' IEF.</p> <p>The Applicant has provided further justification for how and why a conclusion of minor adverse significance has been reached in its</p>	<p>JNCC takes a worst-case scenario approach and where a range is presented, we would expect to see the higher value considered. JNCC acknowledges that there has been a lack of seapens identified from surveys carried out to date. However, the Applicant has stated, as a precaution, that the 'seapens and burrowing megafauna communities' IEF is present. Therefore, it is appropriate that this habitat is assessed fully and would justify assessing the significance of effect as 'moderate' when a range is given as 'minor to moderate', as previously detailed by JNCC's Deadline 2 submission (REP3-036, response REP2-097.66). JNCC therefore does not agree</p>	Not agreed - Material

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		Response to JNCC D5 Submission – Outstanding Concerns for the Offshore Benthic Environment (REP6-091) – see row REP5-094.3.	<p>with the Applicant's conclusion of a minor significance of effect, as detailed in the Applicant's Deadline 4 submission, 'Response to JNCC ExQ1 Responses' (REP4-062; reference REP3-084.5), and would consider the significance of effect to be 'moderate' for the 'seapens and burrowing megafauna communities' IEF.</p> <p>We would therefore suggest that if seapens are noted during pre-construction surveys that they are avoided as much as practically possible during the subsequent proposed operations. This is consistent with our advice to any sector when such features are present.</p>	
JNCC.BE.30	Assessment of the effects from the project alone – benthic subtidal ecology beyond 12 nm	There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone – Cable and scour protection.	See comments from JNCC.BE.26 above.	Not agreed, but not material
JNCC.BE.31	Assessment of the effects from the project alone – benthic subtidal ecology beyond 12 nm	There will be no significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project alone – Colonisation and recruitment.	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.	Not agreed, but not material
JNCC.BE.14	Assessment of the effects from the project cumulatively with other projects	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.	JNCC do not believe there will be any significant effects on benthic subtidal ecology in EIA terms for the Mona Offshore Wind Project cumulatively with other plans and projects.	Agreed
JNCC.BE.15	Mitigation	The mitigation measures and conditions outlined in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054), Mitigation and Monitoring	<p>We agree with everything within our scope except for the 'seapens and burrowing megafauna communities' IEF.</p> <p>Based on the Applicant's re-analysis of the magnitude of effects (see JNCC.BE.27) and sensitivity (JNCC.BE.28), and</p>	Not Agreed - Material

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		<p>schedule (J10 F07) are appropriate and will ensure significant effects are avoided.</p> <p>The Applicant confirms that the commitment requested by the JNCC to avoid seapens identified in pre-construction surveys where possible has been included and in the Mitigation and Monitoring Schedule (J10 F07) submitted at Deadline 7.</p>	<p>the resulting significance of effects (JNCC.BE.29) which JNCC would consider to be a moderate adverse effect, we would suggest the following be added to the mitigation measures and conditions outlined in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054), the Mitigation and Monitoring Schedule (REP6-026), and the DCO (REP6-016).</p> <p>“If seapens are noted during pre-construction surveys they should be avoided as much as practically possible during the subsequent proposed operations.” This is consistent with our advice to any sector when such features are present.</p> <p>If the above is included in the Mitigation and Monitoring Schedule submitted at Deadline 7, and subsequently secured through the DCO, JNCC would then consider this point to be Agreed.</p>	

HRA

JNCC.BE.16	Screening	Agreement to the screening of impacts for the HRA for benthic subtidal ecology.	<p>No sites designated for Annex I habitats occur in the offshore area (past 12 nm) of the Mona Offshore Wind 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.</p>	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.		

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
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 effects on the 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 effects on the integrity of SACs with benthic subtidal features for the Mona Offshore Wind Project cumulatively with other plans and projects.		

Draft DCO

JNCC.BE.24	Monitoring requirements / conditions	<p>The mitigation and monitoring outlined in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-054) and the Mitigation and Monitoring Schedule (J10 F06) are suitable for the purposes of the DCO application.</p> <p>The Applicant confirms that the commitment requested by the JNCC (see row JNCC.BE.15 above) to avoid seapens identified in pre-construction surveys where possible has been included and in the Mitigation and Monitoring Schedule (REP6-026) submitted at Deadline 7.</p>	See comments on JNCC.BE.15 above.	Not Agreed - Material
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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. This has allowed discussion of key elements to support completion of their impact assessment and some potential impacts were discussed within the group. Good progress was made on several 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.	Good progress was made through the EWG during the pre-application process, with broad agreement on several areas. We therefore agree that, for the most part, adequate consultation with JNCC occurred through that period. However, there are some outstanding concerns that have been raised by JNCC during the Examination process, which are detailed in the rows below.	Agreed
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>These surveys began before commencement of the EWG and once consulted, JNCC did not agree with the aerial survey methodology with respect to marine mammals (MM-EWG01 in Appendix C.2 of the Technical Engagement Plan Appendices A-E (APP-042)). However, it was 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> <p>JNCC questioned at the PEIR stage why the survey buffer did not extend evenly around the array area, with distances of 7 to 16.5 km stated. This was not addressed within the Environmental Statement.</p> <p>JNCC requested more detail on the survey coverage during baseline aerial surveys in their Relevant Representation (RR-033). The Applicant provided detail in the Applicant's Response to Relevant Representations (RR-033.69 in PDA-008) and subsequently JNCC confirmed no further action is needed from the Applicant on this matter (see REP2-097.64 in the Applicant's Response to JNCC D2 Submission (REP3-036)).</p> <p>To conclude, JNCC did not agree with the survey methodology for marine mammals, including the buffer around the array area. However, this is not a material consideration as an agreement was made regarding information used to inform the impact assessment.</p>	Not agreed, but not material

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.5	Baseline environment	Agreement on the baseline characterisation for marine mammals.	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. See the Marine mammals EWG agreement log (as per section C.8 of the Technical Engagement Plan Appendices A-E (APP-042)).	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
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

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.9	Project design envelope	<p>Unexploded Ordnance (UXO) clearance has been included in the Application to capture the full suite of potential impacts from the Mona Offshore Wind Project.</p> <p>The Applicant reviewed its position on the inclusion of high order UXO clearance in the Draft DCO in light of JNCC's concerns and has committed at Deadline 5 to the use of low order UXO clearance only. High order UXO clearance will not be authorised under the DCO or the standalone NRW Marine Licence (ML). This is reflected in the updated drafting of the deemed marine licence in Schedule 14, Condition 21 in the Draft DCO (REP5-006), and for clarity, the Marine Licence Principles Document (REP5-022) updated to remove high order UXO clearance from the standalone NRW marine licence application. The Applicant confirms that should high order clearance be required; this will be subject to a separate NRW marine licence application.</p>	<p>JNCC agree it is beneficial to consider potential impacts to marine mammals from UXO clearance within the Environmental Statement to provide a clear, holistic view of all potential impacts from the proposed development. However, as advised to the applicant pre-application and as per JNCC submission at Deadline 2 (Response to Relevant Representation Comments, REP2-097) and Deadline 3 (Response to ExQ1, Q1.17.9), JNCC continues to advise that UXO clearance should not be included as a licenced activity in the DCO/marine licence (particularly high order clearance).</p> <p>Further information supporting JNCC's position was submitted at Deadline 5 (REP5-096). The Applicant also submitted proposed changes to the draft DCO (REP5-006) which remove the ability to clear UXOs using a high order clearance method. JNCC has provided comment on these changes at Deadline 6.</p>	Not agreed - Material
JNCC.MM.10	Assessment methodology	<p>The sensitivity of marine mammal receptors has been correctly identified and sufficiently described within the EIA.</p>	<p>JNCC have not raised the sensitivity of marine mammal receptors as an issue in their Relevant Representations or Written Representations (see latest Examination documents Deadline 2 Submission - Response to Relevant Representation Comments (REP2-097) and Deadline 3 Submission - Response to Written Representation Comments (REP3-086)). JNCC agree that the sensitivity of marine mammal receptors has been correctly identified and sufficiently described within Volume 2, Chapter 4: Marine Mammals (APP-056) in the EIA.</p>	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.11	Assessment methodology	Agreement on approach to underwater sound modelling and approach to assessment of underwater sound impacts.	JNCC agree with the approach to underwater sound modelling and approach to the assessment of underwater sound impacts as detailed in Volume 2, Chapter 4: Marine Mammals (APP-056) (notwithstanding disagreement on the inclusion of UXO as a licensable activity within the DCO referred to in JNCC.MM.9).	Agreed
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 in Volume 2, Chapter 4: Marine Mammals (APP-056), 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 in Volume 2, Chapter 4: Marine Mammals (APP-056), 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

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.15	Assessment of the effects from the project alone	Other than UXO impacts, there will be no significant effects on marine mammal receptors in EIA terms for the Mona Offshore Wind Project alone.	<p>Without mitigation, JNCC do not agree that impacts to marine mammals from impact piling will be non-significant in EIA terms. 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.</p> <p>Since submitting our Relevant Representations, the Applicant has confirmed inclusion of noise abatement in the outline Marine Mammal Mitigation Protocol (Outline MMMP; REP5-032 was mistakenly presented as a tertiary measure and that both this document and the outline UWSMS (REP5-028) should refer to this as a secondary measure of mitigation. JNCC are content with this approach and provided these changes are made, agree sufficient measures are in place to conclude no significant effects in EIA terms from this project alone for piling.</p> <p>JNCC agree with the conclusion of no significant effects to marine mammals in EIA terms for the other impact pathways considered in the impact assessment (other than UXO clearance).</p>	Agreed
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.	Having reviewed the CEA, we agree with the conclusion of no significant effects on marine mammal receptors in EIA terms for the Mona Offshore Wind Project cumulatively (with the exception of piling and UXO impacts), based on the information provided regarding other projects and radius of effects predicted from the activities included here.	Agreed

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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 was predicted in Volume 2, Chapter 4: Marine mammals (APP-056) for high order clearance of the maximum size of UXO, the Applicant has removed high-order UXO clearance from the DCO and therefore no significant effect remains.	As previously stated (JNCC.MM.9), JNCC do not agree with including UXO clearance within the DCO/dML. One of the reasons for this is that insufficient information is available regarding how UXOs will be cleared (see REP5-096 for further details of our position) which means appropriate mitigation cannot be considered. As a result, we disagree with the position that predicted effects will be managed with the measures set out in the Outline MMMP (REP5-032) and Outline UWSMS (REP5-028).	Not agreed - Material
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 MMMP (REP5-032) and the Outline UWSMS (REP5-028), which will be agreed with stakeholders post consent.	<p>Since submitting our Relevant Representations, the Applicant has confirmed inclusion of noise abatement in the Outline MMMP (APP-207) was mistakenly presented as a tertiary measure and that both this document and the outline UWSMS should refer to this as a secondary measure of mitigation. With this change, we agree sufficient measures are in place to conclude no significant effects in EIA terms from this project when considered cumulatively with other known projects.</p> <p>We also note the Applicant submitted an updated version of the Outline MMMP (REP5-032) at Deadline 5. We confirm the changes in this document with regard noise abatement meet our request and thank the Applicant for submitting this, as it will provide a clear audit of which document should be updated once the time comes. We agree that sufficient assurance is now provided in the oMMMP that mitigation measures are available and will be considered to reduce impacts from piling to marine mammals identified in the impact assessment.</p>	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
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 was predicted, in Volume 2, Chapter 4: Marine mammals (APP-056) for high order clearance of the maximum size of UXO, the Applicant has removed high-order UXO clearance from the DCO and therefore no significant effect remains.	<p>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 Outline MMMP (REP5-032) will be sufficient to reduce risk.</p> <p>Because of the lack of information available at this stage of the project, JNCC recommend this activity is not included in the DCO/dML (see JNCC.MM.9).</p> <p>We note additional information has been provided in the Outline MMMP (REP5-032) submitted at Deadline 5. For example, definitions of high and low order clearance. JNCC has provided further comment on these (and other) changes at Deadline 6.</p>	Not agreed - Material
JNCC.MM.20	Mitigation	<p>For all potential impacts except UXO clearance, the mitigation measures and conditions outlined in Volume 2, Chapter 4: Marine mammals (APP-056) and the Mitigation and Monitoring schedule (REP6-027) are appropriate and will ensure significant effects are avoided.</p> <p>The Applicant has provided clarification on the Outline MMMP (REP5-032) and Outline UWSMS (REP5-028) where requested during Examination (see the Applicant's Response to Relevant Representations (PDA-008) and Applicant's Response to JNCC Deadline 2 Submission REP3-036)).</p>	<p>JNCC has reviewed the Outline MMMP (APP-207) and Outline UWSMS (APP-202) provided with the application. The primary activity considered (not including UXO clearance) is impact piling.</p> <p>Since submitting our Relevant Representations, the Applicant has confirmed inclusion of noise abatement during piling in the Outline MMMP (APP-207) was mistakenly presented as a tertiary measure and that both this document and the Outline UWSMS should refer to this as a secondary measure of mitigation.</p> <p>The Applicant submitted updated versions of both these documents at Deadline 5 (REP5-032 and REP5-028). We confirm the changes in this document with regard noise abatement meet our request and thank the Applicant for submitting this, as it will provide a clear audit of which document should be updated once the time comes. For all potential impacts other than UXO clearance, we agree that sufficient assurance is now provided in these documents that mitigation measures are available and will be considered to reduce impacts to marine mammals identified in the impact assessment.</p>	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.31	Mitigation	<p>For UXO clearance, the mitigation measures and conditions outlined in Volume 2, Chapter 4: Marine mammals (APP-056) and the Mitigation and Monitoring schedule (REP6-027) are appropriate and will ensure significant effects are avoided.</p> <p>The Applicant has provided clarification in the Outline MMMP (REP5-032) and Outline UWSMS (REP5-028) where requested during Examination (see the Applicant's Response to Relevant Representations (PDA-008) and Applicant's Response to JNCC Deadline 2 Submission REP3-036)).</p>	<p>JNCC has reviewed the Outline MMMP (APP-207) and Outline UWSMS (APP-202) provided with the application with regard UXO clearance.</p> <p>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 Outline MMMP (REP5-032) and UWSMS (REP5-028) will be sufficient to reduce risk.</p> <p>Because of the lack of information available at this stage of the project, JNCC recommend this activity is not included in the DCO/dML.</p> <p>We note additional information has been provided in the Outline MMMP (REP5-032) submitted at Deadline 5. For example, definitions of high and low order clearance. JNCC has provided further comment on these (and other) changes at Deadline 6.</p>	Not agreed - Material
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

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
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
JNCC.MM.27	Outcomes of the ISAA (Mona Offshore Wind Project alone)	For all potential impacts except UXO clearance, 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.	Since submitting our Relevant Representations, the Applicant has confirmed inclusion of noise abatement in the Outline MMMP (APP-207) was mistakenly presented as a tertiary measure and that both this document and the outline UWSMS should refer to this as a secondary measure of mitigation. We confirm we are content sufficient mitigation options are available within the Outline MMMP (REP5-032) for piling to agree with the conclusion of no adverse effect on SACs designated for harbour porpoise in the Irish Sea from this project alone. We defer to NRW regarding SACs for bottlenose dolphins and seals. We note additional information has been provided in the Outline MMMP (REP5-032) submitted at Deadline 5. We have reviewed these changes and note that the proposed mitigation for geophysical surveys is now included. Whilst this follows the JNCC guidelines, these only cover mitigation from injury, not from disturbance, and therefore further information will be required in order to support compliance with the three tests required when applying for an EPS licence.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
JNCC.MM.32	Outcomes of the ISAA (Mona Offshore Wind Project alone)	For UXO clearance, 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.	<p>JNCC has reviewed the Outline MMMP (APP-207) and Outline UWSMS (APP-202) provided with the application. We also note the Applicant has removed high order clearance of UXOs from the draft DCO as a licenced activity, and their response to questions in REP-083.</p> <p>While we still maintain that detonation of UXOs is not a licensed activity within the DCO, we agree an adverse effect on offshore Special Areas of Conservation (SACs) with marine mammal features can be excluded, both alone and in combination. This conclusion considers the removal of high order clearance from the design envelope and is conditional of the UWSMS and MMMP being secured in the consent. The closest European site relative to the proposed project is the North Anglesey Marine SAC for harbour porpoise.</p>	Agreed
JNCC.MM.28	Outcomes of the ISAA (Mona Offshore Wind Project alongside other projects and plans)	For all potential impacts except UXO clearance, there will be no adverse effect on integrity for SACs designated for marine mammal features for any impacts for the Mona Offshore Wind Project in-combination with other projects and plans.	<p>In line with JNCCs offshore remit, our advice is limited to harbour SACs. We defer to NRW and NE regarding MPAs in territorial waters.</p> <p>Having reviewed the Applicant's response to our Relevant Representations, and noting our comments regarding the inclusion of Noise Abatement Systems (NAS) in the Outline MMMP, JNCC agree with the conclusion of no Adverse Effects on Site Integrity (AEoSI) for harbour porpoise SACs from the Mona Offshore Wind Project, either alone or cumulatively with other projects and plans for all activities except UXO clearance.</p> <p>We note additional information has been provided in the Outline MMMP (REP5-032) submitted at Deadline 5 which we addressed in our Deadline 6 submission and as such, we have no additional comments.</p>	Agreed
JNCC.MM.33	Outcomes of the ISAA (Mona	For UXO clearance, there will be no adverse effect on integrity for SACs designated for	JNCC has reviewed the Outline MMMP (APP-207) and Outline UWSMS (APP-202) provided with the	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
	Offshore Wind Project alongside other projects and plans)	marine mammal features for any impacts for the Mona Offshore Wind Project in-combination with other projects and plans.	<p>application. We also note the Applicant has removed high order clearance of UXOs from the draft DCO as a licenced activity, and their response to questions in REP-083.</p> <p>While we still maintain that detonation of UXOs is not a licensed activity within the DCO, we agree an adverse effect on offshore Special Areas of Conservation (SACs) with marine mammal features can be excluded, both alone and in combination. This conclusion considers the removal of high order clearance from the design envelope and is conditional of the UWSMS and MMMP being secured in the consent. The closest European site relative to the proposed project is the North Anglesey Marine SAC for harbour porpoise.</p>	

Other Documents and Plans

JNCC.MM.29	Monitoring requirements / conditions	<p>The mitigation and monitoring outlined in Volume 2, Chapter 4: Marine mammals (APP-056) and the Mitigation and Monitoring schedule (REP6-027) are suitable for the purposes of the DCO application.</p> <p>The Applicant understands JNCC are content with the Outline MMMP (REP5-033) and Outline UWSMS (REP5-029). The Applicant understands that these documents are outline will need to be updated post consent before submission to the licencing authority. The MMMP provides mitigation for injury to marine mammals and the UWSMS provides mitigation for any residual significant effects. There are no significant effects as a result of disturbance aspects from geophysical surveys. As set out in paragraph 1.1.1.3 of the UWSMS, proposed mitigation for geophysical surveys within the Outline MMMP for completeness and to inform the EIA and the EPS licensing process. These documents are not intended to provide all the</p>	<p>JNCC have reviewed the proposals and have provided further comment in Section 4 of our closing statement for marine mammals. In summary, while we are generally content that the Outline MMMP (REP5-033) and Outline UWSMS (REP5-029) provide sufficient assurances that appropriate mitigation measures are available for piling, there is the outstanding issue on how UXO clearance is dealt with across these documents and included in the DCO/dML. We also highlight that the information within these documents does not consider disturbance aspects from geophysical surveys. Further information will be required in order to support compliance with the three tests required when applying for an EPS licence.</p>	Not agreed - Material
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Reference Number	Discussion point	Applicant's Position	JNCC's Position	Status
		necessary information to support a separate EPS licensing process		
JNCC.MM.30	Monitoring requirements / conditions	The Outline Underwater Sound Management Strategy (REP5-028) is appropriate and will ensure significant effects from underwater sound are avoided.	<p>JNCC agree with the principle of this strategy however having reviewed 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).</p> <p>Our primary concern with this document was how noise abatement for piling was considered however the applicant has since addressed this and we are now content on this matter.</p> <p>We note additional information has been provided in the Outline MMMP (REP5-032) submitted at Deadline 5. Having reviewed the changes provided here, we are now content with the Outline MMMP and the Outline UWSMS. However, further comment on the proposals to secure mitigation through the provisions in the DCO is provided in Section 5 of our closing statement for marine mammals.</p>	Agreed

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	<p>The Applicant has undertaken adequate consultation with JNCC on potential impacts on offshore ornithology.</p> <p>The Applicant has submitted several documents for Examination demonstrating that further regard has been given to JNCC's advice during the pre-</p>	<p>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</p>	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		application phase and matters discussed and agreed upon through the EWG process. This included an 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP3-059 & REP4-030) note, Offshore Ornithology Cumulative Effects Assessment and In-combination Gap-filling Historical Projects Technical Note (REP4-029), Review of Offshore ornithology CEA and In-Combination Assessment (REP4-027) and Offshore Ornithology Additional Supporting Cumulative Assessment Information in line with SNCB Advice (REP5-075) note.	application, which differed from those agreed through the EWG process, and on which JNCC was not consulted on prior to application submission. JNCC acknowledges that the Applicant has given further regard to JNCC's advice as demonstrated by the submissions made during Examination to date, and we are now content that our advice has now been taken into account.	
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. See JNCC.OO.1 above for further information.	See JNCC.OO.1	Agreed
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
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

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
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 (REP4-007) 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 (REP4-007) 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 (REP4-007).	Agreed
JNCC.OO.11	Assessment methodology	Agreement on the approach to displacement assessment methodology for all species except black-legged kittiwake. The Applicant submitted an 'Offshore Ornithology Supporting Information in line with SNCB advice' note (REP4-030) at Deadline 4 that presents the full range of potential displacement and mortality rates as requested by JNCC during Examination.	Following JNCC advice and the instruction by the Examining Authority to the Applicant through their Rule 17 letter (PD-012) to present SNCB advised methods and parameters to assessment, we are satisfied that for all species, and the full range of potential displacement and mortality rates has now been presented and used to determine the need for Population Viability Analysis (PVA) where any of these would cause baseline mortality to increase by 1% or greater, as agreed during the EWG process.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.36	Assessment methodology	<p>Agreement on the approach to displacement assessment methodology for black-legged kittiwake.</p> <p>The Applicant submitted an Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-0074) at Deadline 5 that presents the range of potential displacement and mortality rates for kittiwake in line with the JNCC's advice.</p>	<p>In the case of black-legged kittiwake, the Applicant had previously chosen to use single values of displacement and mortality, as advised in NatureScot advice. Subsequent discussion resulted in the Applicant also presenting a displacement assessment using our advised displacement and mortality rates, as advised by JNCC in written comments following EWG2 dated 24 June 2022 (APP-042, D.3.14).</p>	Agreed
JNCC.OO.12	Assessment methodology	<p>Agreement on the approach to collision risk assessment methodology.</p> <p>The Applicant submitted an 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP4-030) at Deadline 4 that presents the upper and lower confidence intervals of potential collision impacts, as requested by JNCC during Examination.</p>	<p>Applicant has used SNCB advised parameters to determine whether PVA is required both alone and cumulatively for EIA. Similarly, the Applicant has used SNCB advised parameters and used mean predicted collision rate to determine the need for PVA for the HRA alone and in- combination assessments, whilst presenting the upper and lower confidence interval collision predictions. Our previous concerns are therefore addressed on this matter</p>	Agreed
JNCC.OO.13	Assessment methodology	<p>Agreement on the approach to migratory bird collision risk assessment methodology.</p>	<p>JNCC agree with the use of the Strategic Ornithological Support Services Migration Assessment Tool (SOSSMAT) for scoping migratory waterbirds.</p>	Agreed
JNCC.OO.14	Assessment methodology	<p>Agreement on the approach to apportioning assessment methodology.</p> <p>The Applicant has resubmitted Volume 6, Annex 5.5: Offshore ornithology apportioning technical report (REP2-022) at Deadline 2. The Applicant has also submitted an Offshore ornithology apportioning clarification note (REP4-042) at Deadline 4 on how the non-breeding season apportioning has been undertaken to account for the site-specific aerial survey data. The Applicant also submitted an Offshore ornithology additional supporting in-combination assessment information</p>	<p>The latest in-combination assessment (REP5-074) now uses the SNCB-advised method of apportioning.</p>	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		in line with SNCB advice (REP5-0074) note at Deadline 5 to provide in-combination assessments using the breeding season apportioning approach advised by the SNCBs.		
JNCC.OO.15	Assessment methodology	Agreement on the approach to PVA and that PVAs have been undertaken where appropriate. The Applicant resubmitted Volume 6, Annex 5.6: Offshore ornithology population viability analysis technical (REP2-024) at Deadline 2, which addressed a number of JNCC's concerns with respect to PVA. An 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP4-030) was also submitted at Deadline 4, which provides the collision and displacement assessments following the full range of SNCB-advised impacts and provides PVA where required.	As previously stated, 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'). We are now satisfied that this is the approach the Applicant is taking.	Agreed
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. The Applicant resubmitted Volume 2, Chapter 5: Offshore ornithology (REP4-007) at Deadline 4, which addressed the JNCC's concerns with all seasonal definitions amended to reflect JNCC's advice received via the Written Representations.	The Applicant has addressed JNCC's outstanding concerns about the approach to estimating seasonal impacts.	Agreed
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

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.19	Assessment of the effects from the project alone	<p>There will be no significant effects on offshore ornithology receptors in EIA terms for the Mona Offshore Wind Project alone.</p> <p>The Applicant resubmitted Volume 2, Chapter 5: Offshore ornithology (REP4-007) at Deadline 4, which addressed JNCC's concerns with respect to errata. In addition, an 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP4-030) note was submitted at Deadline 4 to provide collision and displacement assessments following the full range of SNCB-advised scenarios and provide greater clarity on the Applicant's EIA approach.</p>	<p>JNCC agrees that there will be no significant effects on offshore ornithology receptors in EIA terms for the Mona Offshore Wind Project alone.</p>	Agreed
JNCC.OO.20	Assessment of the effects from the project cumulatively with other projects	<p>There will be no significant effects on ornithology receptors in EIA terms for the Mona Offshore Wind Project cumulatively with other plans and projects.</p> <p>The Applicant resubmitted Volume 2, Chapter 5: Offshore ornithology (REP4-007) at Deadline 4 which address JNCC's concerns with respect to errata. In addition, an 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP4-030) was submitted at Deadline 4, which provided the collision and displacement assessments following the full range of SNCB advised scenarios and provide greater clarity on the Applicant's EIA approach. An 'Offshore Ornithology Cumulative Effects Assessment and In-combination Gap-filling Historical Projects Technical Note' (REP4-029) was also submitted at Deadline 4, which follows the SNCB methodology for quantifying impacts from historical projects. The Applicant has also submitted a Review of Offshore ornithology CEA and In-Combination Assessment (REP4-027) in light of further information on cumulative plans and projects at Deadline 4 and an Offshore</p>	<p>JNCC currently disagrees. We are unable to rule out a significant adverse impact on great black-backed gull from cumulative collision mortality at an EIA scale. See REP4-098 and our response to the Additional Supporting Cumulative Assessment submitted at Deadline 6. While we disagree with the Applicant's conclusion on the level of significance regarding the cumulative impact on great black backed gull, we are satisfied that the proposed mitigation is proportionate (se REP4-098 for details).</p> <p>For all other species we agree that there will be no significant effects on ornithology receptors in EIA terms for the Mona Offshore Wind Project cumulatively with other plans and projects.</p>	Not agreed but not material

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		Ornithology Additional Supporting Cumulative Assessment Information in line with SNCB Advice (REP5-075) note at Deadline 5.		
JNCC.OO.21	Assessment of the effects from the project cumulatively with other projects	<p>Agreement on approach to cumulative assessment for projects where impact quantification is unavailable.</p> <p>The Applicant submitted an Offshore Ornithology Cumulative Effects Assessment and In-combination Gap-filling Historical Projects Technical Note (REP4-029) at Deadline 4, which follows the SNCB methodology for quantifying impacts from historical projects.</p>	Following JNCC submissions and the instruction by the Examining Authority to the Applicant through their Rule 17 letter (PD-012) to provide an in-combination assessment using the SNCB's proposed methodology for gap-filling for historic projects, JNCC are satisfied with the approach taken for that gap-filling exercise, and the projects included in the EIA cumulative assessment.	Agreed
JNCC.OO.22	Mitigation	The Applicant has committed to a seasonal timing restriction of 1 November to 31 March in the Measures to Minimise Impacts to Marine Mammals and Rafting Birds (REP5-030) on UXO clearance activities and export cable installation vessels undertaking active cable installation in the Liverpool Bay/Bae Lerpwl Special Protection Area (SPA) via the Measures to Minimise Impacts to Marine Mammals and Rafting Birds (REP5-030). As outlined in the Mitigation and Monitoring Schedule (REP6-027) Marine Licence Principles Document (REP5-0242), this commitment is expected to be secured via the standalone NRW marine licence.	JNCC agree to this approach.	Agreed
JNCC.OO.23	Mitigation	The Applicant has committed to a seasonal timing restriction of 1 November to 31 March in the Measures to Minimise Impacts to Marine Mammals and Rafting Birds (REP5-030) on UXO clearance activities and cable installation vessels undertaking active cable installation in the Liverpool Bay/Bae Lerpwl Special Protection Area (SPA) via the Measures to Minimise Impacts to Marine Mammals and Rafting Birds (REP5-030).	JNCC agree with the application of the seasonal restriction to works within the SPA to both export cable installation activities and UXO clearance, the other measures contained within REP5-030 to further reduce disturbance of rafting birds, and the low and temporary impact of landfall activities. Therefore, JNCC is content that there would not be an Adverse Effect on Integrity of the non-breeding red-throated diver and common scoter qualifying features of the	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		<p>This seasonal restriction does not apply to trenchless techniques at the Mona landfall, but vessel movements associated with this activity will be managed to minimise effects on features of the SPA.</p> <p>The Applicant provided updated Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (REP3-020) at Deadline 3 and Deadline 5 (REP5-030), which provide clarity on which measures relate to which vessel activity.</p>	<p>Liverpool Bay/Bae Lerpwl SPA, either from the project alone or in-combination with other plans and projects.</p>	

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.24	Mitigation	<p>The mitigation measures and conditions outlined in the Volume 2, Chapter 5: Offshore ornithology (REP4-007) and Mitigation and Monitoring schedule (REP6-027) are appropriate and will ensure significant effects are avoided.</p> <p>At Deadline 5, the Applicant committed to the use of low order UXO clearance methods only. High order UXO clearance will, therefore, not be authorised under the DCO, and will not be applied for under the standalone NRW Marine Licence. This is reflected in the updated drafting of the deemed marine licence in Schedule 14, Condition 21 in the Draft DCO made at Deadline 5 (REP5-006), and for clarity, the Marine Licence Principles Document (REP5-022) has been updated to remove high order UXO clearance from the standalone NRW Marine Licence application. The Applicant confirms that should high order clearance be required, this will be subject to a separate NRW marine licence application.</p> <p>The Applicant has also committed to a seasonal restriction on low order UXO clearance in the Liverpool Bay/Bae Lerpwl SPA between 1 November and 31 March. This is outlined in Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (REP5-030).</p>	<p>JNCC agree with the application of the seasonal restriction to works within the SPA to both export cable installation activities and UXO clearance, the other measures contained within REP5-030 to further reduce disturbance of rafting birds, and the low and temporary impact of landfall activities. Therefore, JNCC is content that there would not be an Adverse Effect on Integrity of the non-breeding red-throated diver and common scoter qualifying features of the Liverpool Bay/Bae Lerpwl SPA, either from the project alone or in-combination with other plans and projects.</p> <p>We agree with the proposed mitigation with regards to raised hub height to reduce collisions, and agree that this will ensure no Adverse Effect on Integrity to Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA.</p> <p>While we disagree with the Applicant's conclusion on the level of significance regarding the cumulative impact on great black backed gull (see JNCC.OO.20), we are satisfied that the proposed mitigation is proportionate.</p> <p>We note that high order clearance would need separate licence application, and we would expect the principles established in REP5-030 with regard to the SPA to be applied to any high-order UXO clearance.</p>	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
JNCC.OO.25	Mitigation – Pre-commencement works	The seasonal restriction outlined in the Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels document (REP5-030) only covers UXO clearance activities and export cable installation vessels undertaking active cable installation in the Liverpool Bay/Bae Lerpwl SPA. All other pre-commencement surveys (e.g. unexploded ordnance surveys) within the Liverpool Bay/Bae Lerpwl SPA would therefore not be subject to a seasonal restriction.	With the application of the seasonal restriction to works within the SPA to both export cable installation activities and UXO clearance, the other measures contained within REP5-030 to further reduce disturbance of rafting birds, and the low and temporary impact of remaining pre-commencement activities, JNCC is content that there would not be an Adverse Effect on Integrity of the non-breeding red-throated diver and common scoter qualifying features of the Liverpool Bay/Bae Lerpwl SPA, either from the project alone or in-combination with other plans and projects.	Agreed
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.	We are satisfied with the extent of the HRA with regards to the identification of SPAs.	Agreed
JNCC.OO.28	Assessment methodology	<p>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.</p> <p>The Applicant provided the following updated HRA documents at Deadline 2, which removed the misinterpretation of JNCC advice in regard to the foraging ranges.</p> <ul style="list-style-type: none"> HRA Stage 1 Screening Report (REP2-012/013) HRA Stage 2 Information to Support an Appropriate Assessment Part Three: 	Agreed	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
		<p>Special Protection Areas and Ramsar sites Assessments (REP2-010/011)</p> <p>The Applicant also provided further information on in-combination assessments at Deadline 3 (see Offshore Ornithology Supporting Information in line with SNCB advice' (REP3-056)) and has provided further clarity and additional information on Atlantic puffin in an update of this note (REP4-030) submitted at Deadline 4 following feedback received in a meeting with JNCC on 14 October 2024.</p>		
JNCC.OO.29	Assessment methodology	The list of projects screened into the in-combination assessment in the HRA is appropriate.	Agreed	Agreed
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 (REP2-012). 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	There will be no adverse effect on integrity for SPAs designated for offshore ornithology features	Following submission of revised and additional information to Examination, JNCC agrees.	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
	Offshore Wind Project alone)	<p>for any impacts for the Mona Offshore Wind Project alone.</p> <p>The Applicant has provided the following updated HRA documents at Deadline 2, which removed the misinterpretation of JNCC advice.</p> <ul style="list-style-type: none"> • HRA Stage 1 Screening Report (REP2-012/013) • HRA Stage 2 Information to Support an Appropriate Assessment Part Three: Special Protection Areas and Ramsar sites Assessments (REP2-010/011) <p>The Applicant has also provided an 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP4-030) at Deadline 4, which provides additional assessments considering a range-based approach as requested by JNCC.</p>		
JNCC.OO.32	Assessment of the effects from the project in-combination with other plans and projects post- HRA Stage 1 screening	<p>Agreement on approach to in-combination HRA Stage 1 Screening using outputs for CRM, displacement assessment and associated apportioning.</p> <p>The Applicant submitted a Gap-filling Historical Projects Technical Note (REP4-029) at Deadline 4, which follows the SNCB methodology for quantifying impacts from historical projects. The indicative estimates for these projects were subsequently incorporated into the in-combination assessments (see Offshore Ornithology Supporting Information in line with SNCB Advice (REP4-030) at Deadline 4 and Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074) submitted at Deadline 5.</p>	<p>Agreed.</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>SNCB advice on the gap-filling exercise for the in-combination assessment for projects where impact quantification is unavailable (including a paper by NE on a methodology for quantifying impacts from previous projects), how now been followed.</p> <p>We are satisfied that the most up to date information from other projects have been included in the in-combination assessment.</p>	Agreed
JNCC.OO.33	Outcomes of the ISAA (Mona	There will be no adverse effect on integrity for SPAs designated for offshore ornithology features	Agreed	Agreed

MONA OFFSHORE WIND PROJECT

Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
	<p>Offshore Wind Project alongside other projects and plans)</p>	<p>for any impacts for the Mona Offshore Wind Project in-combination with other projects and plans.</p> <p>The Applicant has provided the following updated HRA documents at Deadline 2, which removed the misinterpretation of JNCC advice.</p> <ul style="list-style-type: none"> • HRA Stage 1 Screening Report (REP2-012/013) • HRA Stage 2 Information to Support an Appropriate Assessment Part Three: Special Protection Areas and Ramsar sites Assessments (REP2-010/011) <p>The Applicant has also provided an 'Offshore Ornithology Supporting Information in line with SNCB advice' (REP4-030) at Deadline 4, which provides additional assessments considering a range-based approach as requested by JNCC and Gap-filling Historical Projects Technical Note (REP4-029) submitted at Deadline 4, which follows the SNCB methodology for quantifying impacts from historical projects. The Applicant also submitted an Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074) at Deadline 5 to address specific comments from the JNCC with respect to breeding season apportioning within the in-combination assessments.</p>		

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JNCC.OO.34	Consultation	<p>The HRA has had due regard to matters raised by JNCC through statutory and non-statutory consultation on potential impacts on offshore ornithology.</p> <p>The Applicant has submitted several documents for Examination demonstrating that further regard has been given to JNCC's advice during the pre-application phase and matters discussed and agreed upon through the EWG process. This included an Offshore Ornithology Supporting Information in line with SNCB advice (REP3-059 & REP4-030) note, Offshore Ornithology Cumulative Effects Assessment and In-combination Gap-filling Historical Projects Technical Note (REP4-029), Review of Offshore ornithology CEA and In-Combination Assessment (REP4-027) and Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074) note.</p>	See JNCC.OO.1	Agreed

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Reference Number	Discussion point	Applicant's Position	JNCCs Position	Status
Draft DCO				
JNCC.OO.35	Monitoring requirements / conditions	The mitigation and monitoring outlined in Volume 2, Chapter 5: Offshore ornithology (REP4-007) and the Mitigation and Monitoring schedule (REP6-027) are suitable for the purposes of the DCO application.	<p>JNCC agree with the application of the seasonal restriction to works within the SPA to both export cable installation activities and UXO clearance, the other measures contained within REP5-030 to further reduce disturbance of rafting birds, and the low and temporary impact of landfall activities. Therefore, JNCC is content that there would not be an Adverse Effect on Integrity of the non-breeding red-throated diver and common scoter qualifying features of the Liverpool Bay/Bae Lerpwl SPA, either from the project alone or in-combination with other plans and projects.</p> <p>We agree with the proposed mitigation with regards to raised hub height to reduce collisions, and agree that this will ensure no Adverse Effect on Integrity to Skomer, Skokholm and the Seas off Pembrokeshire/ Sgomer, Sgogwm a Moroedd Penfro SPA.</p> <p>While we disagree with the Applicant's conclusion on the level of significance regarding the cumulative impact on great black backed gull (see JNCC.OO.20), we are satisfied that the proposed mitigation is proportionate.</p>	Agreed