

# Red-Throated Diver Steering Group Agreement Log

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## 1 Background

1. This Agreement Log has been prepared between the members of the Red-Throated Diver Steering Group and East Anglia ONE North (EA1N) and East Anglia TWO (EA2), to set out the areas of agreement or disagreement in relation to the items which require discussion as detailed in Schedule 18, Part 3 of the East Anglia ONE North DCO and East Anglia TWO DCO (the Compensation Schedules)
2. The members of the Red-Throated Diver Compensation Steering Group (RTDCSG) include
  - The Projects Companies
  - Natural England (NE)
  - Marine Management Organisation (MMO)
  - Joint Nature Conservation Committee (JNCC)
3. The independent chairperson appointed to oversee the RTDCSG is Jim McKie
4. The Steering Group, aims to
  - provide consultation and constructively feed in to the development of the scope of the red-throated diver compensation measures in an effective and timely manner;
  - feed into the development of the Red-Throated Diver Implementation and Monitoring Plan (RTDIMP) detailing the strategy for delivery of compensation measures; and
  - Develop appropriate adaptive management measures to ensure red-throated diver compensation is effective.
5. The agreement log has been structured to reflect the topics of discussion between the members of the RTDCSG and, EA1N and EA2. The agreement logs outline all topic specific matters agreed, not agreed and any actions to resolve the areas of disagreement. Matters that are not agreed will be the subject of ongoing discussion wherever possible to resolve or refine the extent of disagreement between the parties.

## 2 Agreement Log

Plan of Works for the RTDCSG				
ID	Topic on which SPR seek alignment	SPR Comments	Working Group Member Comments	Agreed/Disagreed Actions
<b>1. Terms of Reference</b>				
PoW1.1	That the core memebers agree with the Terms of Reference	Discussed at 04/04/24 steering group #1 - Terms of Refernce submitted to the core members on 01/03/2024	04/04/2024- Natural England noted resource constraints over the summer with a large number of projects reaching significant milestones, as such documents should be submitted 4 weeks before the relevant meeting (2 weeks at latest) and that any documents submitted after the 2-week mark will not be commented on during the meeting. Natural England also noted that anything requiring a written response from Natural England will be provided 4 weeks following the meeting.	04/04/2024 - ACTION - All core memebrs to provide feedback on the Plan of Works and Terms of Reference by 18th April.
PoW1.2	That the core memebers agree with the Terms of Reference	Discussed at 04/04/24 steering group #1 - Terms of Refernce submitted to the core memebrs on 01/03/2024	04/04/2024 - MMO queried if the RTDCSG PoW was the same as the by-catch PoWas they had not received two PoW's	04/04/24 - SPR clarified that the invite was sent to a collegaue along with a copy of the PoW. ACTION - SPR to resend the PoW to the MMO
<b>2. Membership</b>				
PoW 2.1	That the Core members agree with the Working Group advisory members	Discussed at 04/04/24 Steering Group #1- the advisory members that have been identified (RSPB, BTO) and it was queried whether there are there any others that the core memebers think should be added	04/04/24 - NE suggested that BTO are not active enough in this type of work and may therfore not have interest or capacity to join. Members agreed with RSPB and that they should be contaced as soon as possible.	04/04/24 - ACTION - SPR to contact BTO to understand interest and capacity to be involved in the group. It was agreed that the wording in the PoW would be edited to be slightly more vague, giving opportunity to bring other parties in for specific areas of expertise. SPR to arrange meeting with RSPB to invite them to the steering group as an advisory memeber
PoW 2.2	That core members agree to the by-catch reduction working group undertaking works seprately to the main RTDCSG group	Discussed at at 04/04/24 Steering Group #1 - PoW submitted to core memebers on 01/03/24	04/04/24 - JNCC queried how updates from the by-catch working group would be provided to the RTDCSG	04/04/24 - SPR suggested that there could be a standing agenda item for all future RTDCSG meetings to provide an update on the by-catch working group. Members could also be provided with working group minutes or briefing notes/papers . All Members agreed to this approach.
<b>3. Engagement with Steering Group</b>				
PoW 3.1	Second Steering Group meeting to be held in July with all members. Regular chair unable to attend and temporary chair appointed by SPR.	Discussed at 04/04/2024 Steering Group #1	04/04/24 - JNCC, MMO and Natural England content with the proposed timelines (latter two bodies noting constraints due to significant workload).	04/04/24- ACTION- NE, JNCC and MMO to provide availability.

PoW 3.2	Key tasks for the Working group (over the next 6 months)	Discussed at 04/04/2024 Steering Group #1 - - The plan of works and terms of references are to be finalised in the next two weeks following comments from the Working group; - First draft of the RTDIMP will be circulated to all members prior to the next steering group meeting, to discuss in detail at the next steering group meeting (July); - Aim to address any comments on the RTDIMP with a second version of the document to be circulated to the group ahead of a third meeting in October with the aim being submission of the final document to the SoS in November 2024.	04/04/2023- No further comments from JNCC, MMO and Natural England.	04/04/24 - Agreed
PoW 3.3	Asked the group whether members were aware of any further work being undertaken with regards to vessel management and compensation for RTD?	Discussed at 04/04/24 Steering Group #1	04/04/24 - NE Confirmed that NE had released the tender for Mapping Risk: A spatial tool to inform advice on non-breeding red-throated diver ( <i>Gavia stellata</i> ) in the Outer Thames Estuary Special Protection Area in September 2024. There is now a draft report which should be released soon. RB also advised that the best space for current RTD work would be the strategic group. MMO - Confirmed that the RTD strategic group had funded a feasibility study to identify knowledge gaps. The next step would be to set up “quiet zones” where activities would be managed to reduce impacts on disturbance to RTD. Progress has slowed due to complications with funding and remediation and strategic compensation discussions. The group is on pause while the government look at how this can be progressed through COWSC which may result in a working group forming.	04/04/24 - ACTION - MMO to send update to members after the next COWSC meeting on any RTD strategic compenstaion groups.
PoW 3.4	Agreement on project timelines	Discussed at 06/09/24 Steering Group #2	06/09/24 - All members agreed to timeline shown in PoW and reflected in RTDIMP. Members did highlight resource constraints and the number of examinations taking place over the coming months, but would do their best to meet timeline of final submission of document in December 2024. All members also highlighted need to have a week review period of documentation.	06/09/24 - Agreed

## RTDIMP Vessels

Plan of Works for the RTDCSG				
ID	Topic on which SPR seek alignment	SPR Comments	Working Group Member Comments	Agreed/Disagreed Actions
<b>1. DCO Conditions</b>				
Ves 1.1	That the core members agree with requirements of this measure as stated in the DCO	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - Members agreed on what the requirements of the vessel re-routing measures are as per the DCO. NE Advised the group, so they were all aware, that back in examination NE weren't very supportive of this as a compensation measure, it's not comparable to the offshore windfarm, these are some of many vessel movements, and in terms of benefit for RTD, it's not equivalent. SoS has taken a different view, but NE just wanted to raise this now so it is not a surprise at the formal stage.	06/09/2024 - SPR Confirmed this was his understanding and SPR were aware of the discussions at the time but asked that it could be made clear in any representation, that what is being delivered is acceptable for discharging the DCO obligation, confirming whether it is or not acceptable compensation.
<b>2. Scale and Location</b>				
Ves 2.1	Overview of vessel navigation management (VNM) including location, requirements, scale, and monitoring. RTDCSG to provide comments and feedback on vessel navigation management.	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - NE queried 2km boundary displayed - if using the purple corridor shown in image, in theory the vessel could pass within 1m of SPA. NE suggested they would like to see corridors moved, as it is not possible to be 2km from each side however it should be possible to remain 2km from the SPA along the Northern route.	06/09/2024 - ACTION - SPR to review distance of corridor routes.
Ves 2.2	Overview of vessel navigation management (VNM) including location, requirements, scale, and monitoring. RTDCSG to provide comments and feedback on vessel navigation management.	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - JNCC agreed that SPR need to try and keep to 2km. otherwise need to consider ongoing disturbance	06/09/2024 - ACTION - SPR re-drafting of current Vessel routes to include the Geofence 2km boundary
Ves 2.3	Overview of vessel navigation management (VNM) including location, requirements, scale, and monitoring. RTDCSG to provide comments and feedback on vessel navigation management.	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - JNCC queried if the scale of compensation has taken into consideration that it may not always be possible to be 2km from the boundary and therefore a certain amount of displacement would still take place. Has this area of displacement been calculated?	06/09/2024 - ACTION - SPR to confirm displacement calculation and update if this has not been accounted for.
<b>3. Monitoring</b>				
Ves 3.1	Overview and agreement on monitoring methods of vessel re-routing	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 NE suggested it's important to know what the benefits are and thinks we should still need to show % reduction of all traffic not just 'vessel re-route' traffic.	06/09/2024 - SPR confirmed that the data used was from AIS track data, purchased from 2022 – 2023 to look at other vessel movements, they could acquire again but the OWPCP that was put forward, calculated 27% of our O&M traffic. ACTION - Consider what could be done with the data collected and if this is related to adaptive management.



Ves 3.2	Overview and agreement on monitoirng methods of vessle re-routing	Discussed at 06/09/2024 - Steering Group #3	06/09/2024 - NE suggested that the monitoring should include factors that allow adaptive managment to be triggered and recommended that the SoS would be looking for indicative options of possible adaptive management measures to be included in the RTDIMP	06/09/2024 - SPR provided examples of what measures could be included. ACTION - RTDIMP to be updated with triggers for adapative management and what measures could be considered
4. Timescales				
Ves 4.1	Agreement on timescales of when vessel managmnet should be implemented	Discussed at 06/09/2024 - Steering Group #2	06/0/2024 - all group members agreed that what was outlined in terms of timescales for implementation was acceptable and aligned with the DCO requirements	06/09/2024 - Agreed

RDTIMP SPA

Plan of Works for the RTDCSG				
ID	Topic on which SPR seek alignment	SPR Comments	Working Group Member Comments	Agreed/Disagreed Actions
1. DCO Conditions				
Spa 1.1	Core members to agree to what the DCO requirements are	Discussed at 04/04/24 steering group #1 - Terms of Refernce submitted to the core memebrs on 01/03/2024	04/04/2024 - JNCC and NE quieried what the post-construction monitoring requirments were in relation to DAS surevys. NE highlighted some confusion between the information in the Plan of Works and ythat which was provided in the meeting briefing note.	SPR clarified that there are two different sets of DAS which are required. One set of surveys is asociated with the DML and requires 2 years pre and two years post construction monitoring, with the monitoirng focusing on displacement from the wind farm areas plus buffer. The DCO DAS surveys are different and require only three surveys to be undertaken during the winter prior to construction, and three surveys in the winter post-construction. The area in which the DCO surveys focuses on is the OTE SPA plus a 10km buffer. 04/04/24 ACTION - SPR to share the DML DAS method statement with the steering group.
Spa 1.2	Agree DCO requirements	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - Members agreed that the requirment as stated in the DCO is to undertake 2 winters of survey, 3 surveys in each winter, one pre-construction and one post-construction.	06/09/2024 - Agreed.
Spa 1.3	Agree DCO requirements	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - NE advised that they had commissioned monitoring work with a similar objective, which could be taken into consideration to avoid duplication. Confirmed that deliverables are there and will be made available to COWSC soon. SPR - happy to collaborate if possible - DCO hasn't been updated with this information but will look into it.	06/09/2024 - ACTION - NE to provide details of work currently ongoing for Red-throated Diver work.



2. Location				
Spa 2.1	Agree location of surveys (SPA plus 10km buffer)	Discussed at 06/09/2024 - Steering Group #2 - SPR have not included all of the SPA as there are parts that are inshore i.e. estuaries where DAS would not be possible.	06/09/2024 - Members agreed with the survey area proposed and that it was sensible not to include the inshore areas. NE asked if a contractor had been approached as it could be beneficial to replicate the APEM 2013 surveys.	06/09/2024 - SPR confirmed that a contractor had not been approached yet. Also confirmed that they don't have a copy of the APEM 2013 report. ACTION - NE to provide a copy of the 2013 survey report. SPR will review and assess how approach could be incorporated into SPA DAS surveys as required and update the RTDIMP as applicable.
3. Methods & Analysis				
SPA 3.1	Overview of DAS surveys including survey area, methods and timing. RTDCSG to provide comments and feedback on DAS.	Discussed at 06/09/2024 - Steering Group #3	06/09/2024 - NE - Objective of the SPA surveys raised by NE previously and SPR sent a letter to BEIS 11th March 2022 setting out the purpose of the monitoring. The elements were to collate data, and analysis would be used to create a new displacement model. That is its purpose, that was what was submitted by SPR. NE advised that currently the RTDIMP does not propose any modelling and this should be amended based on the commitments highlighted in the letter.	06/09/2024 - SPR stated that the difficulty is what correspondence has been taking forward, they have been focussed on what the DCO has come up with. This one is a confusing compensation message in it. It doesn't state what work must be undertaken but would be happy to collaborate if we can, even doing survey work and passing over the data. The DCO hasn't been updated with this information, but they will have a look at it. ACTION - SPR to investigate the standing of the letter submitted on 11th March and update the RTDIMP accordingly with regards to modelling analysis.
4. Timescales				
Spa 4.1	Agree on timescales, based on DCO wording of when first surveys need to commence i.e., winter prior to installation of the turbines forming part of the authorised development	Discussed at 06/09/2024 - Steering Group #3	06/09/2024 - Members agreed with the timeline for surveys as per DCO wording. SPR noted that the final timeline (i.e, dates) was still to be added to the RTDIMP because exact construction programmes for the projects were still being worked on and finalised.	06/09/2024 - Agreed. Final dates will be added when the project construction programmes are finalised.

RTDIMP Partnership

Plan of Works for the RTDCSG				
ID	Topic on which SPR seek alignment	SPR Comments	Working Group Member Comments	Agreed/Disagreed Actions
1. DCO Conditions				
Par 1.1	Agree DCO requirements and RTDIMP requirements	Discussed at 06/09/2024 - Steering Group #2	06/09/2024 - NE highlighted that on reviewing the timetable, focussing on next couple of years, one of the requirements is to create a partnership but that's not in the plan	06/09/2024 - ACTION - SPR to add Partnership requirement to timeline



2. Partnerships				
Par 2.1	Overview of progress on partnerships and discussions that have taken place to date.	Discussed at 06/09/2024 - Steering Group #2 - objective to agree current approach to partnerships	06/09/2024 - NE advised that consideration should be given to SPR to bring together a compensation forum for RTD as required by the DCO, and this should form part of the plan timetable.	06/09/2024 - ACTION - SPR to give consideration to bringing together a compensation forum for RTD.
Par 2.2	Overview of progress on partnerships and discussions that have taken place to date.	Discussed at 06/09/2024 - Steering Group #2 - objective to agree current approach to partnerships	06/09/2024 - NE advised that it would be worth returning to what the purpose of this aspect of the compensation is, possibly worth going back to the HRA.	06/09/2024 - ACTION - SPR to review the HRA to ensure an appropriate assessment has been carried out
3. Timescales and Frequency				
Par 3.1	Overview of progress on partnerships and discussions that have taken place to date.	Discussed at 06/09/2024 - Steering Group #2 - objective to agree current approach to partnerships	06/09/2024 - NE and JNCC advised that an updated RTDIMP should include a timetable of when the partnership will be set up, candidate invitees and an indication of meeting frequency.	06/09/2024 - ACTION - SPR acknowledged and will include further information on this matter in the second version of the RTDIMP
4. Other Groups				
Par 4.1	Overview of progress on partnerships and discussions that have taken place to date.	Discussed at 06/09/2024 - Steering Group #2 - objective to agree current approach to partnerships	06/09/2024 - JNCC confirmed they are a member of the COWSC group, the group has been working through information gathering, in terms of diverse research, classed as normal management. Starting a list of other measures, main purpose is sanctuary zone but also considering expanding out to other species, but the bulk of the work is still to be done.	06/09/2024 - ACTION - JNCC to provide furth update on COWSC progress

Document Tracker				
Document Name	Description	Date submitted to Steering Group	Shared via (email etc.)	Purpose (review, for information etc).
EA1N_EA2 RTD Steering Group Plan of Works V1 Final	Plan of Works and Terms of Reference for the red-throated diver compensation steering group	3/1/2024	Email	To review ahead of Steering Group #1 and for members to provide comments
EA1N_EA2 RTD Steering Group Invitation letter	Invitation to core memebres to join the RTDCSG	3/1/2024	Email	Invitation to join the group and attend the Steering Group #1 meeting
EA1N-DWF-ENV-COM_IBR-000001 red-throated diver compensation steering group briefing note	Briefing note prepared to outline progress to date and updates on workstreams prior to the first RTDCSG meeting.	4/2/2024	Email	For information on Steering Group #1
EA1N_DWF-ENV-PRG-IBR-000001 Red-throated diver compensation steering group meeting 1 Agenda	Steering Group #1 Agenda	4/2/2024	Email	For information on Steering Group #1
RTDCSG meeting #1 presentation	Presentation from RTDCSG meeting #1	4/19/2024	Email	For information on Steering Group #1
EA2-GEN-CNS-PLN-IBR-000105 RTD Digital Aerial Survey Monitoring Plan	Details including methods and analysis of DAS surveys being undertaken in the array plus buffer area for the DML	4/19/2024	Email	For information on Steering Group #1
EA1N_EA2 RTDCSG Meeting Agenda 1 and Minutes	Minutes of Steering Group #1	4/19/2024	Email	For information on Steering Group #1 and for agreement/comment
EA1N and EA2 Red-throated diver implementation and Monitoring Plan	First draft of the RTDIMP sent to the group for comment and review ahead of the Steering Group #2	8/16/2024	Email	For review and comment ahead of Steering Group #2
EA1N_EA2 Red-throated diver compensation steering group Meeting 2 Agenda	Steering Group #2 Agenda	9/4/2024	Email	For information on Steering Group #2
RTDCSG meeting #2 presentation	Presentation from RTDCSG meeting #2	9/18/2024	Email	For information on Steering Group #2
EA1N_EA2 RTDCSG Meeting Agenda 2 and Minutes	Minutes of Steering Group #2	9/18/2024	Email	For information on Steering Group #1 and for agreement/comment
EA1N and EA2 Red-throated diver implementation and Monitoring Plan	Second draft of the RTDIMP sent to the group for comment and review	11/20/2024	Email	For review and comment
RTDCSG wriiten responses	Provision of written responses to the second draft of the RTDIMP from RTDCSG members	12/17/2024	Email	Written responses to be reviewed and incorporated into an updated version of the RTDIMP



EA1N and EA2 Red-throated diver implementation and Monitoring Plan	Third draft of the RTDIMP sent to the group for comment and review	3/3/2025	Email	For review and comment
RTDCSG written responses	Provision of written responses to the third draft of the RTDIMP from RTDCSG members	3/25/2025	Email	Written responses to be reviewed and incorporated into an updated and final draft version of the RTDIMP

