



SCOTTISHPOWER
RENEWABLES

East Anglia ONE North and East Anglia TWO Offshore Windfarms

Draft Statement of Common Ground Natural England (Offshore Ornithology)

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited

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Applicable to East Anglia ONE North and East Anglia TWO



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Glossary of Acronyms

APP	Application Document
DCO	Development Consent Order
DML	Deemed Marine Licence
EIA	Environmental Impact Assessment
ES	Environmental Statement
ETG	Expert Topic Group
ExA	Examining Authority
HDD	Horizontal Directional Drill
HRA	Habitats Regulations Assessment
MHWS	Mean High Water Springs
MMO	Marine Management Organisation
NE	Natural England
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
RSPB	Royal Society for the Protection of Birds
SLVIA	Seascape, Landscape and Visual Amenity
SoCG	Statement of Common Ground
SPA	Special Protected Area



Glossary of Terminology

Applicants	East Anglia TWO Limited / East Anglia ONE North Limited
Cable sealing end compound	A compound which allows the safe transition of cables between the overhead lines and underground cables which connect to the National Grid substation.
Cable sealing end (with circuit breaker) compound	A compound (which includes a circuit breaker) which allows the safe transition of cables between the overhead lines and underground cables which connect to the National Grid substation.
Construction consolidation sites	Compounds associated with the onshore works which may include elements such as hard standings, lay down and storage areas for construction materials and equipment, areas for vehicular parking, welfare facilities, wheel washing facilities, workshop facilities and temporary fencing or other means of enclosure.
Construction operation and maintenance platform	A fixed offshore structure required for construction, operation, and maintenance personnel and activities.
Development area	The area comprising the onshore development area and the offshore development area (described as the 'order limits' within the Development Consent Order).
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO / ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive, as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017 and regulation 18 of the Conservation of Offshore Marine Habitats and Species Regulations 2017. These include candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Horizontal directional drilling (HDD)	A method of cable installation where the cable is drilled beneath a feature without the need for trenching.
HDD temporary working area	Temporary compounds which will contain laydown, storage and work areas for HDD drilling works.
Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.



Jointing bay	Underground structures constructed at intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land, and connect to the onshore cables.
Link boxes	Underground chambers within the onshore cable route housing electrical earthing links.
Meteorological mast	An offshore structure which contains metrological instruments used for wind data acquisition.
Mitigation areas	Areas captured within the onshore development area specifically for mitigating expected or anticipated impacts.
Marking buoys	Buoys to delineate spatial features / restrictions within the offshore development area.
Monitoring buoys	Buoys to monitor <i>in situ</i> condition within the windfarm, for example wave and metocean conditions.
National electricity grid	The high voltage electricity transmission network in England and Wales owned and maintained by National Grid Electricity Transmission
National Grid infrastructure	A National Grid substation, cable sealing end compounds, cable sealing end (with circuit breaker) compound, underground cabling and National Grid overhead line realignment works to facilitate connection to the national electricity grid, all of which will be consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order but will be National Grid owned assets.
National Grid overhead line realignment works	Works required to upgrade the existing electricity pylons and overhead lines (including cable sealing end compounds and cable sealing end (with circuit breaker) compound) to transport electricity from the National Grid substation to the national electricity grid.
National Grid overhead line realignment works area	The proposed area for National Grid overhead line realignment works.
National Grid substation	The substation (including all of the electrical equipment within it) necessary to connect the electricity generated by the proposed East Anglia TWO / East Anglia ONE North project to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order.
National Grid substation location	The proposed location of the National Grid substation.
Natura 2000 site	A site forming part of the network of sites made up of Special Areas of Conservation and Special Protection Areas designated respectively under the Habitats Directive and Birds Directive.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and landfall.
Offshore development area	The East Anglia TWO / East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).
Offshore electrical infrastructure	The transmission assets required to export generated electricity to shore. This includes inter-array cables from the wind turbines to the offshore electrical platforms, offshore electrical platforms, platform link cables and export cables from the offshore electrical platforms to the landfall.

Offshore electrical platform	A fixed structure located within the windfarm area, containing electrical equipment to aggregate the power from the wind turbines and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore infrastructure	All of the offshore infrastructure including wind turbines, platforms, and cables.
Offshore platform	A collective term for the construction, operation and maintenance platform and the offshore electrical platforms.
Onshore cable corridor	The corridor within which the onshore cable route will be located.
Onshore cable route	This is the construction swathe within the onshore cable corridor which would contain onshore cables as well as temporary ground required for construction which includes cable trenches, haul road and spoil storage areas.
Onshore cables	The cables which would bring electricity from landfall to the onshore substation. The onshore cable is comprised of up to six power cables (which may be laid directly within a trench, or laid in cable ducts or protective covers), up to two fibre optic cables and up to two distributed temperature sensing cables.
Onshore development area	The area in which the landfall, onshore cable corridor, onshore substation, landscaping and ecological mitigation areas, temporary construction facilities (such as access roads and construction consolidation sites), and the National Grid Infrastructure will be located.
Onshore infrastructure	The combined name for all of the onshore infrastructure associated with the proposed East Anglia TWO / East Anglia ONE North project from landfall to the connection to the national electricity grid.
Onshore preparation works	Activities to be undertaken prior to formal commencement of onshore construction such as pre-planting of landscaping works, archaeological investigations, environmental and engineering surveys, diversion and laying of services, and highway alterations.
Onshore substation	The East Anglia TWO / East Anglia ONE North substation and all of the electrical equipment within the onshore substation and connecting to the National Grid infrastructure.
Onshore substation location	The proposed location of the onshore substation for the proposed East Anglia TWO / East Anglia ONE North project.
Platform link cable	Electrical cable which links one or more offshore platforms. These cables will include fibre optic cables.
Safety zones	A marine area declared for the purposes of safety around a renewable energy installation or works / construction area under the Energy Act 2004.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transition bay	Underground structures at the landfall that house the joints between the offshore export cables and the onshore cables.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.



1 Introduction

1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared between East Anglia TWO Limited, East Anglia ONE North Limited (the Applicants) and Natural England (NE). It identifies areas of the East Anglia TWO and East Anglia ONE North Development Consent Order (DCO) applications (the Applications) where matters are agreed or not agreed between the parties.
2. The Applicants have had regard to the guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
3. This SoCG has been structured to reflect topics NE is involved in on the Applications. Topic specific matters agreed, not agreed and actions to resolve matters between the Applicants and NE are included within this SoCG.
4. The table(s) presented below represent the SoCG with the Applicants and NE in respect of offshore ornithology.
5. Throughout the SoCG the phrase “Agreed” identifies any point of agreement between the Applicants and NE. The phrase “Not Agreed” identifies any point that is not yet agreed between the Applicant and NE.
6. The matters considered within this SoCG apply only to NE’s statutory remit regarding offshore ornithology, which covers designated sites for nature conservation within England. The content of this SoCG is therefore limited to such matters. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicants and NE to reach agreement on each matter wherever possible, or refine the extent of disagreement between parties. The notes column of the SoCG tables provides commentary on these matters.

1.2 The Development

7. The key offshore components of each project will comprise:
 - Offshore wind turbines and their associated foundations;
 - Offshore platforms - up to four offshore electrical platforms and their associated foundations supporting some of the windfarm’s electrical equipment, and up to one construction, operation and maintenance platform and associated foundations that may cater for personnel and activities required during the construction phase and operation and maintenance of the windfarm;
 - Sub-sea cables between the wind turbines and between wind turbines and offshore electrical platforms (inter-array), between separate offshore



- platforms (platform link cables) and between offshore electrical platforms and the landfall (export cables);
- Scour protection around foundations and on inter-array, platform link and export sub-sea cables as required; and
 - Potential for one meteorological mast and its associated foundations for monitoring wind speeds during the operational phase of the windfarm.
8. The key onshore components of each project will comprise:
- The landfall site with up to two transition bays to connect the onshore and offshore cables;
 - Up to six onshore cables, up to two fibre optic cables and up to two distributed temperature sensing (DTS) cables installed underground (some or all of which may be installed in ducts) and associated jointing bays installed underground;
 - Onshore substation; and
 - Electrical cable connection between the onshore substation and National Grid substation.
9. National Grid infrastructure will also be required to connect each project to the national electricity grid. Key components of the National Grid infrastructure which is common to both projects will comprise:
- National Grid substation;
 - Cable sealing end compounds and a cable sealing end (with circuit breaker) compound; and
 - Realignment of the existing overhead lines; including the reconstruction or replacement of up to three existing overhead pylons in proximity to the National Grid substation and the addition of up to one new pylon in close proximity to existing overhead pylons.

1.3 Ongoing Offshore Ornithology Workstreams

10. There remain a number of outstanding offshore ornithology workstreams which the Applicants are progressing in order to address some of NE concerns described within NE's Risks and Issues Log. These are:
- **Red-Throated Diver (RTD) / Outer Thames Estuary (OTE) SPA Assessment Update** – Based on latest empirical evidence, NE informed the Applicants of an increase in RTD displacement extent consideration out to 12.5km and the requirement to assess out to this extent within 1km increments. The Applicants will submit the updated assessment to the



Examination at Deadline 3 and will engage with NE on this prior to its submission into the Examination.

- **Cumulative Collision Risk Update** – An updated cumulative collision risk assessment will be submitted at Deadline 1. The Applicants understand that the numbers used by the Secretary of State (SoS) to inform his decision for the Norfolk Vanguard and Hornsea Three projects have not yet been received by NE and therefore the total cumulative collision numbers will be based on those most recently submitted for the Norfolk Boreas project (i.e. those at Deadline 8)* but with updates incorporated to take account of a commitment to increase draught height from 22 to 24m above mean high water springs (MHWS) at the Projects, an update to the lesser black-backed gull apportioning methodology to the Alde-Ore SPA as requested by NE and also the Non-Material Change (NMC) applications at East Anglia THREE (submitted July 2020) and East Anglia ONE (to be submitted January 2021)†.
- **Cumulative Auk Displacement Update** – In their Relevant Representation (RR-059), NE highlighted that a number of projects in the cumulative razorbill and guillemot assessment had been missed out and therefore the Applicants will submit a short note into the Examination at Deadline 2 which will detail why these projects were not included.

1.4 Summary of Agreements, Disagreements and Outstanding Issues

11. **Table 1.1** provides a summary of the matters agreed, not agreed and those which are outstanding between the Applicants and NE for each of the relevant SoCG topic areas. For further information on agreements that are outstanding / under discussion and for which the Applicants and NE are working to address during the examination period, see the detailed agreement **Table 2.2**.

Table 1.1 Summary of Agreed, Not Agreed and Outstanding Matters

Agreed, Not Agreed or In Discussion
<p>EIA</p> <p>The Applicants have been progressing matters raised by NE within their Relevant Representation (RR-059) and held a workshop on the 28th of July with NE and other stakeholders where offshore ornithology was discussed. At present and in light of the Relevant Representation submitted by NE, it is considered that the parties are Agreed on a number of statements within the Existing Environment</p>

* <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001629-DL4%20-%20Natural%20England%20-%20Updated%20Ornithology%20Advice.pdf>

† The East Anglia ONE NMC is simply to bring the consented position in line with the as-built position as that project is now operational. The East Anglia THREE NMC reduces that project's maximum turbine number and increases the air draught of all turbines to 24m above MHWS. Given that both NMCs refer to reductions in the assessed envelopes there is a reasonable expectation that these will be approved. Therefore, for simplicity this update will assume these are accepted.



Agreed, Not Agreed or In Discussion

topic, but ongoing discussion on the methods and techniques used to analyse offshore ornithological data to inform characterisation of bird distributions and populations (see NE-002) means that Existing Environment is still **Outstanding** and in discussion. However, it is expected that agreement can be reached in this area. Similarly, a number of statements under Assessment Methodology are considered to be **Agreed**, however there remain some that are **Outstanding**.

It is considered that the parties are **Agreed** on the assessment conclusions for decommissioning impacts, and for construction impacts on razorbill and guillemot at the project alone level.

Therefore, matters regarding the Assessment Methodology, Assessment Conclusions, Mitigation and the DCO remain **Outstanding** and in discussion. Refer to **Table 2.2** for further detail.

Information to Support Appropriate Assessment Report

The Applicants have been progressing matters raised by NE within their Relevant Representation (RR-059) and held a workshop on the 28th of July with NE and other stakeholders where offshore ornithology was discussed. At present and in light of the Relevant Representation submitted by NE, it is considered that the parties are **Agreed** on matters regarding the screening of likely significant effect (LSE). Additionally, agreement has been reached on a conclusion of no AEoI (i.e. the Assessment Conclusions) with regard to the following:

- Collision risk effects on lesser black-backed gull associated with the Alde-Ore Estuary SPA at the project-alone level
- Collision risk and displacement effects on gannet associated with the Flamborough and Filey Coast (FFC) SPA at the project-alone level
- Collision risk effects on kittiwake associated with the FFC SPA at the project-alone level
- Displacement effects on razorbill associated with the FFC SPA at the project-alone level
- Displacement effects on guillemot associated with the FFC SPA at the project-alone level
- Barrier effects on RTD associated with the Greater Wash SPA at the project-alone and in-combination level
- Collision risk and displacement effects on little gull associated with the Greater Wash SPA at the project-alone and in-combination level

Overall, statements on the Assessment Methodology, Assessment Conclusions and Mitigation remain **Outstanding** and in discussion. Refer to **Table 2.2** for further detail.



2 Statement of Common Ground

12. A summary of the consultation undertaken to date with NE and the matters agreed or not agreed between the Applicants and NE (based on discussions and information exchanged between the Applicants and NE during the pre-application and examination phases of the applications) are set out below for each of the SoCG topic areas.
13. Additionally, the Applicants and Natural England note the general engagement that has been undertaken since submission of the Applications and how that correlates with this SoCG and the examination process for the Applications:
 - I. Natural England submitted its relevant representation 27 January 2020 (RR-059);
 - II. The Applicants submitted the Applicants Comments on the Relevant Representations (AS-036) in response to Procedural Decision 11 (11 June 2020);
 - III. Three multi-party workshops were held with Natural England and other stakeholders in late July and early August 2020 to discuss offshore ornithology, seascape landscape and visual impact assessment and marine mammals and other offshore matters;
 - IV. Natural England will submit its responses to the Applicants Comments on the Relevant Representations (AS-036) to the Examining Authority at Deadline 1 of the Examination. However, Natural England has given the Applicants early sight of its responses in order to progress outstanding matters relating to its remit for offshore ornithology (and other offshore environmental receptors) on 14 August 2020.
 - V. The Applicant's issued a response to Natural England's 14 August 2020 advice, which has been taken account of in preparation of this draft SoCG and may be reflected in NE submission at Deadline 1.

2.1 Offshore Ornithology

14. Each project has the potential to impact upon Offshore Ornithology. **Chapter 12 Offshore Ornithology** of the ES (APP-060) provides an assessment of the significance of these impacts.
15. **Table 2.1** provides an overview of consultation undertaken with the NE regarding Offshore Ornithology. Further details on the stakeholder engagement process for Offshore Ornithology can be found in the Consultation Report (APP-029).



16. **Table 2.2** presents the matters agreed or not agreed with NE in relation to Offshore Ornithology.

Table 2.1 Summary of consultation with NE regarding Offshore Ornithology

Date	Contact Type	Topic
Pre-Application		
19 April 2017	Meeting	Expert Topic Group 1 – agreement sought on survey and assessment methodology, modelling and impacts to be assessed in the EIA.
9 th August 2017	Briefing Note	Agreement Sought: Formal note sent to all ETG stakeholders seeking agreement on cable route, data collection strategy and the approach to EIA.
27 th February 2018	Briefing Note	Agreement Sought: Formal note sent to all ETG stakeholders outlining minor changes to the cable corridor. Stakeholders to review and confirm they are satisfied with amendments.
6 th March 2018	Meeting	Expert Topic Group 2 – Agreement sought: sufficiency of Band Model Option 2 data alongside BTO flight height data, nocturnal activity evidence and scoping out of impacts.
6 th March 2018	Meeting	Expert Topic Group 2 – agreement sought on: use of British Trust for Ornithology (BTO) flight height data and Band Model Option 2; evidence-based nocturnal activity factors; impacts to be scoped out of the EIA.
16 th January 2019	Meeting	Expert Topic Group 3 – Agreement sought: Amendment to the red line boundary / site reduction and operational windfarm displacement impacts, EA1 piling during EA1N surveys, site specific surveys in cable corridor, Auk mortality, nocturnal activity factors and Lesser Black-Backed Gull.
20 th June 2019	Meeting	Expert Topic Group 4 – Agreement sought: absence of significant operational windfarm array displacement risk given increased distance of EA2 from the Outer Thames Estuary (OTE) SPA; absence of site specific surveys in cable corridor not an issue given the Irwin 2019 report; presentation of various collision and displacement mortality estimates based on a range of mortality, avoidance, displacement and nocturnal activity rates.
Post-Application		
19 th February 2020	Meeting	SoCG meeting one
28 th July 2020	Meeting / Workshop	Workshop with multiple stakeholders to discuss the key issues relating to offshore ornithology.



Date	Contact Type	Topic
07 th October 2020	Meeting	SoCG meeting two
22nd October 2020	Meeting / Workshop	Workshop with multiple stakeholders to discuss the key issues relating to offshore ornithology.



Table 2.2 Offshore Ornithology

ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
Environmental Impact Assessment (EIA)						
NE-001	Existing Environment	Sufficient survey data has been collected to inform the assessment.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to survey data collection.
NE-002		The methods and techniques used to analyse offshore ornithological data are appropriate for characterising bird distributions and estimating populations.	In discussion	In discussion	In discussion	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to data analysis techniques. Based on latest empirical evidence, NE informed the Applicants of increase in RTD displacement extent consideration out to 12.5km. The Applicants are producing an updated RTD assessment which will be submitted to the Examination at Deadline 3 as described in section 1.3 .

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ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
NE-003		The use of generic seabird flight height estimates in Collision Risk Modelling (CRM) is appropriate given the survey contractors statement that heights estimated from digital aerial surveys are inaccurate.	Agreed	Agreed	Agreed	This will be reflected in NE's Risks and Issues Log submitted at Deadline 1
NE-004		The method used to assign unidentified birds to species is appropriate.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to the assignment of unidentified birds to species.
NE-005		The methods used to define the relevant months for seabird breeding seasons in the assessment, presenting both the full breeding seasons as advised by NE, and the Applicant's preferred migration-free breeding months, are appropriate.	Agreed	Agreed	There is agreement that this matter is closed.	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to the definition of seabird breeding seasons.
NE-006	Assessment Methodology (General)	Appropriate legislation, planning policy and guidance relevant to offshore ornithology has been used.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the legislation, planning policy and guidance relevant to offshore ornithology.



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
NE-007		The list of offshore ornithology receptors and the potential impacts on them assessed are appropriate for all phases of development.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the list of offshore ornithology receptors and the potential impacts on them to be assessed.
NE-008		The methods for determining impact significance on all non RTD and LBBG offshore ornithological receptors is appropriate.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the methods for determining impact significance on offshore ornithological receptors.
NE-009		The methods for determining impact significance on LBBG is appropriate.	In discussion	In discussion	In discussion	NE will provide advice on the Applicants' approach to determining impact significant for LBBG (with regard to apportioning) in their Risks and Issues Log which will be submitted into the Examination at Deadline 1.



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
NE-0010		The methods for determining impact significance on RTD is appropriate.	In discussion	In discussion	In discussion	An updated RTD assessment will be submitted at Deadline 3 as described in section 1.3 .
NE-0011		The worst case scenario (except for RTD) used in the assessment for offshore ornithology is appropriate.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to the use of the worst case scenario.
NE-0012		The characterisation of receptor sensitivity is appropriate except for RTD.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to the use of the worst case scenario.
NE-0013	Assessment Methodology (Construction Impact Methods)	The methods used to estimate impacts during construction, including cable laying operations, based on mean density estimates and presenting both NE's preferred rates and the Applicant's evidence based rates (for displacement and mortality) are appropriate. For all species except RTD which remain under discussion.	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to the methods to be used to estimate impacts during construction.
NE-0014	Assessment Methodology	Methods used to assess operational displacement presented in the ES for	Agreed	Agreed	There is agreement that	Discussed at Evidence Plan meetings as outlined in Table 2.1



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
	(Operation Impact Methods)	gannet, guillemot and razorbill are appropriate, using both the Applicant's preferred mortality and displacement rates and NE's preferred rates.			this matter is closed	which agreed the methods to be used to assess operational displacement in the ES for gannet, guillemot and razorbill.
NE-0015		Methods used to assess operational displacement as presented in the Red-throated Diver (RTD) assessment update are appropriate, using both the Applicant's preferred mortality and displacement rates and NE's preferred rates.	In discussion	In discussion	In discussion	The Applicants are currently producing an updated RTD assessment as described in section 1.3 on which the Applicants will consult with NE during the examination period. The Applicants will submit this at Deadline 3.
NE-0016		The method for assessing seabird collision risk is appropriate: using Band option 2, presenting results for mean seabird density (and 95% c.i.), NE recommended species-specific avoidance rates (+/- 2 SD), British Trust for Ornithology (BTO) flight height estimates (and 95% c.i.) and NE recommended nocturnal activity rates. The Applicants additionally	In discussion	In discussion	In discussion	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the approach to the method for assessing seabird collision risk. The ongoing engagement and progress made to date regarding this matter (see section 2 paragraph 13) will be reflected in NE's Risks and Issues Log which will be submitted at Deadline 1 to

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ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
		presented evidence-based nocturnal factors for gannet. The Marine Scotland Science (MSS) stochastic CRM (sCRM) implementation of the Band (2012) model is still being refined. In the meantime, use of the deterministic model is appropriate.				which the Applicants will respond in addition to the provision of documents leading up to Deadline 3.
NE-0017		Methods for assessing indirect effect are appropriate.	Agreed	Agreed	It is agreed that this matter is closed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the methods to be used to assess indirect effects.
NE-0018	Assessment Conclusions (construction impacts, razorbill and guillemot)	The magnitude of effects and conclusions on significance resulting from impacts on razorbill and guillemot during construction are correctly identified and predicted. No impacts of greater than minor adverse significance are predicted.	Agreed	Agreed	It is agreed that this matter is closed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the magnitude of effects conclusions.
NE-0019	Assessment Conclusions (construction)	The magnitude of effects and conclusions on significance resulting from impacts on red-throated diver	In discussion	In discussion	In discussion	The Applicants are currently producing an updated RTD assessment as described in section 1.3 on which the

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ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
	impacts, red-throated diver)	during construction are correctly identified and predicted.				Applicants will consult with NE during the examination period. The Applicants will submit this at Deadline 3.
NE-0020	Assessment Conclusions (operation impacts)	The magnitude of effects and conclusions on significance resulting from displacement impacts on guillemot, razorbill and gannet during operation are correctly identified and predicted. No impacts of greater than minor adverse significance are predicted.	In discussion	In discussion	In discussion	The ongoing engagement and progress made to date regarding this matter (see section 2 paragraph 13) will be reflected in NE's Risks and Issues Log which will be submitted at Deadline 1 to which the Applicants will respond.
NE-0021	Assessment Conclusions (red-throated diver operational displacement)	The magnitude of effects and conclusions on significance resulting from displacement impacts on RTD during operation of the Projects are correctly identified and predicted.	In discussion	In discussion	In discussion	The Applicants are currently producing an updated RTD assessment as described in section 1.3 on which the Applicants will consult with NE during the examination period. The Applicants will submit this at Deadline 3.



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
NE-0022	Operation Impacts (collision risk)	Using option 2 of the Band collision model, with NE's preferred input parameters and model methods, the magnitude of effects and conclusions on significance resulting from collision impacts for seabirds during operation are correctly identified and predicted. No impacts of greater than minor adverse significance are predicted for all species.	In discussion	In discussion	In discussion	The ongoing engagement and progress made to date regarding this matter (see section 2 paragraph 13) will be reflected in NE's Risks and Issues Log which will be submitted at Deadline 1 to which the Applicants will respond in addition to the provision of documents leading up to Deadline 3.
NE-0023	Assessment Conclusions (operation impacts)	The magnitude of effects and conclusions on significance resulting from indirect effects during operation are correctly identified and predicted. No impacts of greater than minor adverse significance are predicted.	Agreed	Agreed	In discussion	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the methods to be used to assess indirect effects. The ongoing engagement and progress made to date regarding this matter (see section 2 paragraph 13) will be reflected in NE's Risks and Issues Log which will be submitted at Deadline 1 relating to OTE SPA Cabling Note (AS-042) and to which the



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
						Applicants will update and re-submit at Deadline 3.
NE-0024	Assessment Conclusions (decommissioning impacts)	The magnitude of effects and conclusions on significance resulting from impacts during decommissioning are correctly identified and predicted. No impacts of greater than minor significance are predicted.	Agreed	Agreed	Agreed	NE agree that decommissioning impacts are likely to be no worse than those during construction. However, NE notes that further consultation will be required (at the time decommissioning is being planned) to ensure potential impacts are minimised.
EIA Cumulative Impact Assessment (CIA)						
NE-0025	Cumulative Assessment	The plans and projects considered within the CIA are appropriate.	In discussion	In discussion	In discussion	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the plans and projects to be considered in the cumulative collision risk assessment. Revised collision risk assessment is being submitted at Deadline 1, as described in section 1.3 , which will include projects identified by NE as being missed out.



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
						<p>The Applicants are producing an updated RTD assessment as described in section 1.3 (which will be submitted at Deadline 3) and will include the identified missing projects in the updated assessment.</p> <p>Regarding guillemot and razorbill, cumulative assessment tables will be updated and submitted at Deadline 2.</p>
NE-0026	Assessment Conclusions	The magnitude of effects and conclusions on significance resulting from cumulative displacement impacts on razorbill, guillemot and gannet during operation are correctly identified and predicted and no impacts of greater than negligible adverse significance are predicted.	In discussion	In discussion	In discussion	The ongoing engagement and progress made to date regarding this matter (see section 2 paragraph 13) will be reflected in NE's Risks and Issues Log which will be submitted at Deadline 1 to which the Applicants will respond.
NE-0027		The magnitude of effects and conclusions on significance resulting from cumulative displacement impacts on RTD during operation of	In discussion	In discussion	In discussion	The Applicants are currently producing an updated RTD assessment as described in section 1.3 on which the



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		the Projects are correctly identified and predicted.				Applicants will consult with NE during the examination period. The Applicants will submit this at Deadline 3.
NE-0028		Using the Band collision model option 2, with NE's preferred input parameters (see above) and methods, combined with like for like figures for other projects (as far as possible given the information available), the magnitude of effects and conclusions on significance resulting from cumulative collision impacts for seabirds during operation are correctly identified and predicted.	In discussion	In discussion	In discussion	The Applicants will submit an updated cumulative collision risk assessment as described in section 1.3 at Deadline 1.
NE-0029	Mitigation	An increase in air-draft from 22m to 24m over mean high water springs (MHWS) proposed by the Applicant since submission of the Application is appropriate to mitigate potential impacts upon ornithological receptors.	In discussion	In discussion	In discussion	The Applicants will submit an updated cumulative collision risk assessment as described in section 1.3 at Deadline 1 which will detail proposed mitigation. Consideration to RTD mitigation for displacement effect will be considered in a separate



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						assessment document to be submitted at Deadline 3. The Applicants will revise the agreement statement to address mitigation for RTD, if required, following conclusion of the aforementioned RTD workstream and subsequent engagement on this matter.
Information to Support Appropriate Assessment Report						
NE-0030	Screening of likely significant effect (LSE)	The approach to HRA screening is appropriate	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the methods to be used to screen LSE.
NE-0031		<p>The following sites and species should be screened in for further assessment:</p> <ul style="list-style-type: none"> Alde-Ore Estuary Special Protection Area (SPA) (lesser black-backed gull); Flamborough and Filey Coast (FFC) SPA (gannet, 	Agreed	Agreed	Agreed	Discussed at Evidence Plan meetings as outlined in Table 2.1 which agreed the European Sites and species to be screened in for further assessment.

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ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	NE position	Notes
		kittiwake, guillemot, razorbill and the seabird assemblage); <ul style="list-style-type: none"> Greater Wash SPA (red-throated diver and little gull); and OTE SPA (non-breeding red-throated diver). Breydon Water SPA and Ramsar Site Broadland SPA and Ramsar Site North Norfolk Coast SPA and Ramsar Site 				
NE-0032	Assessment Conclusions (Alde-Ore Estuary SPA, project-alone)	Conclusion at the project-alone level of no AEol for the lesser black-backed gull (LBBG) population at Alde-Ore Estuary SPA on the basis of collisions is appropriate.	Agreed	Agreed	Agreed	None
NE-0033	Assessment Conclusions (Alde-Ore Estuary SPA, in-combination)	Conclusion of no AEol for lesser black-backed gull population at Alde-Ore Estuary SPA is appropriate, on the basis of collisions for the Projects	In discussion	In discussion	In discussion	The Applicants will submit an updated cumulative collision risk assessment as described in section 1.3 at Deadline 1.



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		in-combination with other plans and projects.				
NE-0034	Assessment Conclusions (FFC SPA, gannet project-alone)	Conclusion of no AEoI for the gannet population at FFC SPA is appropriate on the basis of the predicted collisions, displacement and these impacts combined for the project alone.	Agreed	Agreed	Agreed	None
NE-0035	Assessment Conclusions (FFC SPA, gannet in-combination)	Conclusion of no AEoI for gannet population at FFC SPA is appropriate on the basis of collisions, displacement and these impacts combined for the Projects in-combination with other plans and projects.	In discussion	In discussion	In discussion	The Applicants will submit an updated cumulative collision risk assessment as described in section 1.3 at Deadline 1.
NE-0036	Assessment Conclusions (FFC SPA, kittiwake project-alone)	Conclusion of no AEoI alone for kittiwake population at FFC SPA is appropriate on the basis of the predicted collisions for the project alone.	Agreed	Agreed	Agreed	None
NE-0037	Assessment Conclusions (FFC SPA, kittiwake in-combination)	Conclusion of no AEoI for kittiwake population at FFC SPA is appropriate on the basis of collisions and these impacts combined for the Projects in-combination with other plans and projects.	In discussion	In discussion	In discussion	The Applicants will submit an updated cumulative collision risk assessment as described in section 1.3 at Deadline 1.

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	SPA, kittiwake in-combination)	for the Projects in-combination with other plans and projects.				assessment as described in section 1.3 at Deadline 1.
NE-0038	Assessment Conclusions (FFC SPA, razorbill project-alone)	Conclusion of no AEoI for razorbill population at FFC SPA is appropriate on the basis of displacement impacts for the project alone.	Agreed	Agreed	Agreed	None
NE-0039	Assessment Conclusions (FFC SPA, razorbill in-combination)	Conclusion of no AEoI for razorbill population at FFC SPA is appropriate on the basis of displacement impacts for the Projects in-combination with other plans and projects.	In discussion	In discussion	In discussion	As noted above in row NE-0025, the cumulative assessment tables for guillemot and razorbill will be updated to include the relevant information from projects which NE identified as being missing. This will be addressed in a note that the Applicants intend to submit at Deadline 2.
NE-0040	Assessment Conclusions (FFC SPA, guillemot project-alone)	Conclusion of no AEoI for guillemot population at FFC SPA is appropriate on the basis of displacement impacts for the project alone.	Agreed	Agreed	Agreed	None
NE-0041	Assessment Conclusions (FFC SPA, guillemot in-combination)	Conclusion of no AEoI for guillemot population at FFC SPA is appropriate on the basis of displacement impacts for the Projects in-combination with other plans and projects.	In discussion	In discussion	In discussion	As noted above in row NE-0025, the cumulative assessment tables for guillemot and razorbill will be updated to include the relevant information from projects which NE identified as being missing. This will be addressed in a note that the Applicants intend to submit at Deadline 2.



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	SPA, guillemot in-combination)	appropriate on the basis of displacement impacts for the Projects in-combination with other plans and projects.				for guillemot and razorbill will be updated to include the relevant information from projects which NE identified as being missing. This will be addressed in a note that the Applicants intend to submit at Deadline 2.
NE-0042	Construction Assessment Conclusions (OTE SPA, red-throated diver project-alone)	Conclusion of no AEol for the red-throated diver population at the OTE SPA is appropriate on the basis of displacement impacts for the project alone during construction.	In discussion	In discussion	In discussion However, NE already considers there to be an AEol from operational windfarms	The Applicants will provide an updated RTD assessment as described in section 1.3 which will be submitted at Deadline 3.
NE-0043	Construction Assessment Conclusions (OTE SPA, red-throated diver in-combination)	Conclusion of no AEol for the red-throated diver population at the OTE SPA is appropriate on the basis of displacement impacts during construction for the Projects in-combination with other plans and projects.	In discussion	In discussion	In discussion However, NE already considers there to be an AEol from operational windfarms	The Applicants will provide an updated RTD assessment as described in section 1.3 which will be submitted at Deadline 3.
NE-0044	Operation Assessment Conclusions	Conclusion of no AEol for the red-throated diver population at the OTE SPA is appropriate on the basis of	In discussion	In discussion	In discussion However NE considers there	The Applicants will provide an updated RTD assessment as



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	(OTE SPA, red-throated diver project-alone)	displacement impacts during the operational phase for the Projects alone.			is already an AEol from operational windfarms	described in section 1.3 which will be submitted at Deadline 3.
NE-0045	Operation Assessment Conclusions (OTE SPA, red-throated diver in-combination)	Conclusion of no AEol for the red-throated diver population at the OTE SPA is appropriate on the basis of displacement impacts during operation for the Projects in-combination with other plans and projects.	In discussion	In discussion	In discussion However NE considers there is already an AEol from operational windfarms	The Applicants will provide an updated RTD assessment as described in section 1.3 which will be submitted at Deadline 3.
NE-0046	Assessment Conclusions (Greater Wash SPA, red-throated diver project alone)	Conclusion of no AEol for the red-throated diver population at the Greater Wash SPA is appropriate on the basis of barrier effects and collision risk to migrating individuals for the project alone during operation.	Agreed	Agreed	Agreed	None
NE-0047	Assessment Conclusions (Greater Wash SPA, red-throated)	Conclusion of no AEol for the red-throated diver population at the Greater Wash SPA is appropriate on the basis of barrier effects and collision risk to migrating individuals for the Projects in-combination with	Agreed	Agreed	Agreed	None

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	diver in-combination)	other plans and projects during operation.				
NE-0048	Assessment Conclusions (Greater Wash SPA, little gull project alone)	Conclusion of no AEoI for the little gull population at the Greater Wash SPA is appropriate on the basis of displacement impacts for the project alone during operation.	Agreed	Agreed	Agreed	None
NE-0049	Assessment Conclusions (Greater Wash SPA, little gull in-combination)	Conclusion of no AEoI for the little gull population at the Greater Wash SPA is appropriate on the basis of displacement impacts during operation for the Projects in-combination with other plans and projects.	Agreed	Agreed	Agreed	None
NE-0050	Assessment Conclusions (Greater Wash SPA, little gull project alone)	Conclusion of no AEoI for the little gull population at the Greater Wash SPA is appropriate on the basis of collision risk for the project alone during operation.	Agreed	Agreed	Agreed	None
NE-0051	Assessment Conclusions (Greater Wash SPA, little gull project alone)	Conclusion of no AEoI for the little gull population at the Greater Wash SPA is appropriate on the basis of collision risk during operation for the	Agreed	Agreed	Agreed	None



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	SPA, little gull in-combination)	Projects in-combination with other plans and projects.				
Mitigation and Monitoring						
NE-0052	Monitoring	N/A	In discussion	In discussion	In discussion	<p>The Applicants will update the in-principle monitoring plan to include a requirement for RTD monitoring which will be re-submitted to the Examination at Deadline 3.</p> <p>The Applicants intend to update Conditions 20 and 22 of the Generation DML and Conditions 16 and 18 of the Transmission DMLs to make provision for pre-construction and post-construction ornithological monitoring which will be included in the updated Draft DCO issued into the Examination at Deadline 3 (15 December 2020).</p>
NE-0053	Mitigation	N/A	In discussion	In discussion	In discussion	The ongoing engagement and progress made to date regarding this matter (see section 2



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						paragraph 13) will be reflected in NE's Risks and Issues Log which will be submitted at Deadline 1 to which the Applicants will respond to in addition to the provision of documents leading up to Deadline 3.
Draft Development Consent Order (DCO)						
NE-0054	Wording of Requirement(s)	<p>The wording of the following conditions pertaining to ornithology are appropriate and adequate:</p> <p>Condition 17(1)(c) of the generation DML and Condition 13(1)(c) of the transmission DML with reference to the development of a monitoring plan.</p> <p>Condition 17(1)(e)(vi) of the generation DML and Condition 13(1)(e)(vi) of the transmission DML with reference to the project environmental management plan and procedures to minimise disturbance to red-throated diver.</p>	In discussion	In discussion	In discussion	<p>As described above in NE-0052, Conditions within the DML will be updated to make provision for pre-construction and post-construction ornithological monitoring.</p> <p>The ongoing engagement and progress made to date regarding this matter (see section 2 paragraph 13) will be addressed through the NE's Risk and Issues Log submitted at Deadline 1 to which the Applicants will respond to in addition to the provision of documents leading up to Deadline 3.</p>

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		Requirement 10 provided within DCO Schedule 1, Part 3 with reference to a decommissioning programme.				
Other Matters as Required						
NE-0055	None	N/A				None



3 Signatures

17. The above Statement of Common Ground is agreed between the Applicant and NE on the day specified below.

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

Duly authorised for and on behalf of **Natural England**

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

Duly authorised for and on behalf of **EAST ANGLIA TWO LIMITED**

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

Duly authorised for and on behalf of **EAST ANGLIA ONE NORTH LIMITED**