THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

HORNSEA THREE OFFSHORE WIND FARM

Planning Inspectorate Reference: EN010080

HORNSEA THREE OFFSHORE WIND FARM ORDER 2020 (AS AMENDED) ("the Order") SUBMISSION OF SANDBANKS IMPLEMENTATION PLANS UNDER PART 2 OF SCHEDULE 14 TO THE ORDER

Appendix 2 Detailed comments on the Sand Bank Implementation Plans and associated documents

January 2022

Our Ref: 376659

Natural England have developed a Red Amber Green (RAG) system to identify risks in examination included in Figure 1, and we have applied this system to the detailed comments to show where progress has been made and issues resolved and where some issues remain. Rows which are greyed out are considered to be resolved.

Figure 1 Key to RAG status of issues

Natural England's Comment	Risk
Purple Note for Examiners and/or competent authority. May relate to DCO/DML	
Red Natural England considers that unless these issues are resolved it will have to advise that (in relation to any one of them, and as appropriate) it is not possible to ascertain that the project will not affect the integrity of an SAC/SPA and/or comply fully with the Environmental Impact Assessment requirements and/or avoid significant adverse effect on landscape/seascape, unless the following are satisfactorily provided: • new baseline data; • significant design changes; and/or • significant mitigation; Natural England feels that issues given Red status are so complex, or require the provision of so much outstanding information, that they are unlikely to be resolved during examination, and respectfully suggests that they be addressed beforehand.	
Amber Natural England considers that if these issues are not addressed or resolved by the end of examination then they would become a Red risk as set out above. Likely to relate to fundamental issues with assessment or methodology which could be rectified; preferably before examination.	
Yellow These are issues/comments where Natural England doesn't agree with the Applicant's position or approach. We would flag these at the PEIr stage with the view that they would be addressed in the Application. But otherwise we are satisfied for this particular project that it will not make a material difference to our advice or the outcome of the decision-making process. However, it should be noted that this may not be the case for other projects. Therefore it should be noted by interested parties that just because these issues/comments are not raised as part of our Relevant Representations in this instance it should not be understood or inferred that in other cases or circumstances Natural England will take this approach. Furthermore, these may become issues should further evidence be presented.	
Green Natural England supports the Applicant's approach.	

Annex I: Detailed Comments on the Sandbank Implementation Plans (SBIPs) and Associated documents

Please note that for the purposes of this Annex 'the SNCBs' refers to Natural England and JNCC.

Comments on the Sandbank Implementation Plans

Table 1 below presents the SNCB's previous advice on the SBIPs alongside our updated advice on the latest version. Several comments on the SBIPs relate to both the Wash and North Norfolk Coast (WNNC) SAC and the North Norfolk Sandbanks and Saturn Reef (NNSSR) SAC, as a number of sections of the SBIP documents are the same. Therefore, in Table 1 below we have included a column labelled 'applicability' which highlights where comments are related to NNSSR SAC, WNNC SAC, or both.

Table 1. Detailed comments on Sandbank Implementation Plans

Ref. point	Applica		Section	Initial concerns provided to Hornsea Project 3 via BSG	Current position	RAG status
	NNSSR	WNNC				
1		✓	Section 2 Description of Site and Conservation Objectives Paragraph 8	It should be noted that as well as the habitats listed, this site was also designated for coastal lagoons, Harbour seal (*Phoca vitulina),* and Otter (*Lutra lutra*).	Natural England notes that these features have now been listed.	
2	✓	✓	Section 3.1 Ongoing Role of the Steering Group Paragraph 15	We remain concerned that the anticipated field report, which will be submitted to the Secretary of State, and the subsequent summary report seem to be the only measure of success for the removal campaign, neither of which provide any indication of the seabed footprint that will be impacted by the debris removal. We also note that no monitoring of seabed recovery will be undertaken and consequently the impacts of the intervention will not be understood or quantified.	We note that a monitoring section has now been included in Section 6. And that 5 locations where an object larger that 10 m has been removed will be monitored. However, there is currently limited information on how and when monitoring will take place. We assume because reference is made elsewhere in the SBIP to tying this monitoring in with the DML monitoring requirements, that this is unlikely to occur immediately after removal. Therefore, comparisons between surveys immediately after removal and subsequent years to demonstrate the full	

					extent of recovery will not be possible. JNCC and NE reiterate that we do not consider that looking at the nature of epifauna assemblage change to be an appropriate part of monitoring, given that in many sandbank habitats, mobile and sessile epifauna may be sparse and not major parts of characteristic communities. We note that the survey methodology referred to relates solely to geophysical surveys and Drop Down Video (DDV). As such we understand that Hornsea Three means to survey epifauna only with no infaunal analysis.	

3		✓	Section 4.1.1 Likelihood of Annex 1 Reef Paragraph 17	There is the suggestion that a core reef approach has been applied, but we query whether there is sufficient data coverage to apply a core reef approach here. Natural England do not have enough data to use the core reef approach in this area, and so it should only be applied if Ørsted have collected or have access to a time series of appropriate data (delineated extents with confidence in absence as well as presence). We do not believe this to be the case, therefore our position is that all reef identified should be considered. It should also be noted that the core reef approach is only relevant for *S. spinulosa* reef, and that the installation area is also important for geogenic reef. Stony reef and circalittoral rock are both sub features of the sandbank feature of the WNNC SAC. We therefore advise that areas of both biogenic and geogenic reef are avoided.	We note that the use of the core reef approach has been clarified and that all Annex I reef will be avoided, which we welcome. We still recommend that feature data is incorporated when considering avoidance of Annex I geogenic reef.	

5	✓	✓	Section 4.1.3 Further Commitments Paragraph 21 (of NNSSR)	Reference is made to the avoidance of *Sabellaria* reef management areas in reference to cable protection deployment, however it is unclear whether such areas have been included as exclusion zones for the purposes of marine debris removal (Section 6.3.1, paragraph 51 and Table 7). These areas should be avoided during marine debris removal. Please note that this comment is in response to 'Section 4.1.3 – Further Commitments' presented in the NNSSR SBIP. There is not a Further Commitments section presented in the WNNC SBIP however, the advice here is relevant to both sites.	Paragraphs 46 and 107: Based on the amended methodologies, the litter clearance being a one off discrete activity, the avoidance of reef and the use of ROV (Remote Operated Vehicle) and jetting to remove the debris, Natural England no longer advises that byelaw areas should be excluded.	

6		✓	Page 11 Section 4.2 Implementation of the Compensation Measures Paragraph 21	It should be noted that the Natural England *S. spinulosa* reef map for the WNNC is for the confirmed core reef, and so the assertion that the desktop study is considering all previous reef identified is incorrect. It is NE and JNCC's understanding that a log of all debris encountered will be provided to steering group members as evidence of the scale/type/volume of debris encountered and of how effective this exercise is at dealing with different debris types. The log should include information on: - the location, size, and nature of the debris; - whether the debris was recovered, a recovery was attempted and aborted, or if the debris was left in situ.	It remains unclear if new geophysical data will reviewed by the onboard ecologist prior to the commencement of the debris removal, or if historic geophysical data and then real time ROV footage will be used to confirm present/absence of reef. This should be clarified. The credentials of the benthic ecologist should be shared with the Benthic Steering Group. Natural England wishes to see further information on the decision tree to be followed by the onboard ecologist to determine if the long term ecological benefit to the geogenic reef substrate is greater than the single localised disturbance impact experienced as part of the removal activities.	
7	✓	✓	Section 4.2 Implementation of the Compensation Measures Paragraph 21 (WNNC) / Paragraph 24 (NNSSR)	More clarity is needed regarding the reference to 'previous surveys' in this section. It is unclear if this is referring to Hornsea Project Three previous surveys or surveys from other projects. It should be noted that the debris removal campaign is proposed in other parts of the SAC to that of the Hornsea Project Three cable route. Please also see our detailed comments on the Appendices below.	Please see comment for point 6 provided above.	

8	✓	✓	Section 4.2 Implementation of the Compensation Measures Paragraph 23 (WNNC) / Paragraph 26 (NNSSR)	We welcome the use of the WROV during the debris removal process. However, it is assumed that there is likely to need to be further discussion regarding the positioning of the WROV on the seabed to reach the object. Therefore, it will not only be the footprint of the object that needs to be considered in any assessment, but also footprint of the WROV to reach the required location.	We welcome that the ROV will do 'fly-bys' to help the benthic ecologist identify the landing location for the WROV and/or whether or not above seabed jetting may be required. It would be helpful to have more detail on the decision tree in relation to this point.	
9		✓	Section 6.1 Requirement 13(c): Marine Debris Removal Campaign Paragraph 32	Please note that shipping lanes in The Wash often overlap with areas of reef, for instance, The Well. It is not clear how the removal of debris from mixed sediment will help with the functionality of Annex I sandbanks.	This comment remains outstanding.	
10	✓	✓	Figure 3	It is not clear from these maps that the area of search only interacts with Annex I sandbanks. It is Natural England and JNCC's understanding is that only Annex I sandbanks will be targeted.	Natural England notes there is a preference for more stable coarse and mixed sediment to be targeted for debris removal.	
11		✓	Section 6.2.1 Anticipated Debris Densities	Hornsea Project Two is not in the vicinity of nor does it overlap with WNNC SAC. Please see comments on the Appendices in Annex 1 of this letter.	We note that references to Hornsea Project Two have been removed.	

12	✓	✓	Section 6.2.2 Anticipated Debris Condition Paragraph 46 (WNNC) /	Please clarify if monitoring will be undertaken to prove the predictions being made in this section in relation to, for example, indirect scouring of the seabed caused by debris.	We are not aware this confirmation has been provided.	
13	✓	✓	Section 6.3.3.3 Stage 3a/b: Target Investigation Survey Paragraph 63 (WNNC) /	Based on this section, it is our understanding that pieces of debris will no longer count towards any targets. Please clarify if this understanding is correct.	We welcome the clarification which has been provided in relation to this matter.	
14	✓	✓	Section 6.3.3.3 Stage 3a/b: Target Investigation Survey Paragraph 64 (WNNC) / Paragrap	If Natural England and JNCC are not being consulted between investigations and removal, then a decision tree for the specialist on board should be agreed with the BSG.	As noted above within point 6, we wish to see further information on the decision tree to be followed by the onboard ecologist.	
15	✓	✓	Section 6.3.3.4 Stage 3c: Removal of Debris	We note the proposed methods of removal in this section (and Table 8) and reiterate that methods must not be used that further damage the protected features of the site. There remain outstanding concerns in this regard.	As long as a decision tree can be agreed, we believe that significant impacts to the interest features of the site can be avoided.	

16	✓	✓	Section 6.7 Compliance Paragraph 97 (WNNC) / Paragraph 100 (NNSSR) & Section 6.9	We remain concerned that the anticipated field report, which will be submitted to the Secretary of State (SoS), and the subsequent summary report seem to be the only measure of success for the removal campaign, neither of which provide any indication of the potential footprint within which debris will be removed. We also note that no monitoring of seabed recovery is expected to be undertaken and therefore are unsure how Hornsea Project Three will demonstrate the impact of their intervention on the feature.	Please see response to Point 2 provided above.	
17	✓	✓	Section 6.8 Adaptive Management	The SNCBs are concerned that the adaptive management approach will potentially increase the area of impacts to the site and therefore this requires further consideration. Adaptive management should be a structured, iterative process of robust decision-making that aims to reduce uncertainty over time. Simply increasing the area of search area does not necessarily ensure that sufficient targets will be found, and risks increasing the area over which the marine debris removal could have a negative impact on site features.	Section 6.9.1 Natural England welcomes the inclusion of the 'trigger level' and thresholds for removal and adoption of the adaptive management approach. Though our concerns regarding the extent to which the adaptive management approach providing compensation remain outstanding.	

18	✓	✓	Section 6.8 Adaptive Management Paragraph 100 (WNNC) / Paragraph 103 (NNSSR)	It would be helpful in the SBIP to set out how the target densities were identified to achieve the maximum ecological benefit, and what that ecological benefit looks like.	See point 17 above. We are still unclear what the ecological benefit for sandbanks from the debris removal looks like.	
19	✓	✓	Section 6.8 Adaptive Management Paragraph 104 (WNNC) / Paragraph 107 (NNSSR)	The 'trigger level' should be clearly defined.	We welcome the further clarity provided on this matter.	
20		✓	Section 6.9 Monitoring Paragraph 106	As mentioned above, there is geogenic reef as well as biogenic reef within WNNC. This should be captured here.	Natural England welcomes the consideration of geogenic reef in paragraphs 42 – 44. We advise that Subtidal stony Reef has a Medium-High sensitivity to removal of substratum, with a pressure benchmark of 30 cm [redacted] The feature may therefore be sensitive water jet or pumps to 1 m depth. Whilst subtidal stony reef is not a designated feature of the NNSSR SAC, it is an Annex I habitat and a feature of the WNNC	
21	✓	✓	Section 6.9 Monitoring Paragraph 107 (WNNC) / Paragraph 110 (NNSSR)	We would like to request if any survey data can be shared with Natural England and JNCC to help inform further management of the site.	We note that reports will be made available, but we query whether this will also include the metadata behind those reports/figures, which would provide important context to the reports.	

22	✓	✓	Section 6.9 Monitoring Paragraph 109 (WNNC) / Paragraph 112 (NNSSR)	We would welcome as a minimum a proportion of locations being revisited to demonstrate that recovery has occurred and is rapid, as this currently remains an evidence gap and may help with wider discussions about removal of infrastructure and recovery. It would be good to monitor recovery/infill of holes and scour left by debris both before and after removal to add to evidence base that removal of it is contributing to recovery of the feature.	See response to Point 2 provided above.	
23	✓	✓	Table 10	It would be useful if it was more explicit what Hornsea Project Three supporting NetTag technology would entail ("*NetTag technology (or other similar rapid retrieval technology) detailed in **Section 7.1.7** would be made available and Hornsea Three would support its use*").	Natural England understands that options remain open for discussion	
24	✓	✓	Section 6.9 Monitoring	We would like to draw attention to the draft Principles of Compensatory Measures, and in particular point (e) on monitoring the effectiveness of compensation in MPAs.	See response to point 2 provided above.	
25	✓	✓	6.7 Compliance and success		Natural England note that compliance with the DCO will be considered complete if debris removal is carried out in the area of search, irrespective of the number of pieces of debris that will be successfully removed, and irrespective of the findings of any monitoring against the conservation objectives of the site. We note that there is currently no plan to submit monitoring of areas post removal to the SoS or BSG. It is therefore unclear how HP3 propose to demonstrate to Regulators and SNCBs that the compensation has been effective.	

26	✓	✓	6.8 Consents for implementation		MMO will need to complete a HRA of the marine debris removal alone and in combination with other plans and projects. Should MMO at this point in time find themselves unable to conclude that the marine debris removal campaign could not make a contribution to adverse effects on the SACs in-combination, they may find themselves in the unenviable position that an AEoI can't be excluded, given the predicted impacts of the cable protection and the uncertainty around the effectiveness of the compensatory measures. This highlights the importance of ensuring that the SBIPs minimise the risk of debris removal significantly impacting the SACs.	
27	✓	✓	6.9 Adaptive Management		The SNCBs do not agree that increasing the area of search is adaptive management. Adaptive management is a structured, iterative process of robust decision-making that aims to reduce uncertainty over time. Increasing the search area does not do this and is more simply a way to look at meeting any success goals. That said we welcome the inclusion of the 'trigger level' and thresholds for removal.	

28	✓	✓	6.9.1 Trigger Level		Natural England note the calculations that in a 6-week campaign period proposed approximately 168 targets may be identified within a SAC. Assuming an average size of 5 m2 per target, then this potentially may remove debris covering a total area of 4,200m2 (i.e. less than half a hectare). Whilst we understand that the campaign can be extended in duration (para. 123), it is likely it would have to be extended over a period of approximately 1 year for WNNC and 11 years for NNSSR and several adaptive management areas in order to find sufficient marine debris to offer improvements in area similar to those that will suffer from AEoI. The worst-case scenario (WCS) area of impact to Annex I habitats from the Hornsea Three OWF will be a long term/permanent loss of 41.80 ha in NNSSR SAC and 2.77 ha in WNNC SAC. Natural England therefore consider that the area where marine debris may be removed during the one-off activity is not sufficient to provide adequate compensation in lines with EC compensation ratios guidance.	

29	✓	✓	6.10.2 Monitoring		Natural England note the applicant's clarification that post removal monitoring is not a requirement of the DCO. Natural England welcome that the applicant has included monitoring following debris removal. However, Natural England consider that the monitoring of 1 to 5 areas where <10 m+ debris is removed, if areas can be relocated, 1 year post consent, with Drop Down Video but no infaunal sampling, would be insufficient for Hornsea Three to demonstrate to SNCBs that the compensation had been effective and supports the conservation	
					objectives of the sites. Natural England and JNCC wish to highlight that we do not consider that looking at the nature of epifauna assemblage change to be an appropriate part of monitoring, given that in many sandbank habitats, mobile and sessile epifauna may be sparse and not major parts of characteristic communities. We note that the survey methodology relates solely to geophysical surveys and Drop Down Video (DDV) and do not agree that monitoring of habitat characteristics through such measures provides an appropriate proxy for infauna analysis.			

30	✓	✓	Section 7.1.1.1 NetTag Transponders Paragraph 121 (WNNC) / Paragraph 124 (NNSSR)	We note that retrieval of fishing gear by fisherman as a result of the rapid retrieval mechanisms holds the potential for further damage to the protected features of the WNNC and NNSSR SAC, depending on the method of retrieval. This paragraph also states that consultation with "some fishers" received a "positive response", yet no guarantee of ongoing buy-in from fishers and commitment to use of appropriate retrieval	These concerns remain outstanding.	
31	✓	✓	Section 8 Requirement 13 (e): Environmental Monitoring of Operation and Post-Decommissioned Cable Protection	It should be noted that the decommissioning will not be for decades, and therefore will not help projects currently in the initiation phase. We would welcome the industry doing further monitoring of infrastructure removal and recovery before decommissioning.	This concern remains outstanding.	

Comments on Appendix 1 – Marine Debris Removal Campaign Desktop Study

Table 2. Detailed Comments on Marine Debris Removal Campaign Desktop Study

NB: Resolved issue are now greyed out

Ref. point	Section	Initial Concern	Current position	RAG
32	General		SNCB do not believe that sufficient debris could be collected from within the Areas of Search to act as compensation for the adverse effect to NNSSR SAC.	
33	2.1 Rationale and Aims for the Campaign Paragraph 9	Natural England notes that the proposal is to undertake a single debris removal campaign between June and September 2022, during a period when harbour seals, a feature of The Wash and Norfolk Coast (WNNC) SAC, are most sensitive. The sensitivity is heightened when they are hauled out on sandbanks during low tide. Natural England would welcome further consideration of how impacts to this species will be avoided/reduced/mitigated during the campaign and any subsequent adaptive management.	This issue is now resolved in Para 110	
34	2.1 Rationale and Aims for the Campaign Paragraph 9	We wish to highlight that activities occurring as part of the campaign and/or adaptive management should be a minimum of 300m away from any intertidal habitats to avoid disturbance to Annex I passage and over wintering birds during July, August and September.	Natural England notes that as per our comment 27 above, the concerns around seals and waterbirds using intertidal habitats have been addressed.	

35	Figure 2.1	It is not clear to the SNCBs what the purpose of the 'reference areas' are. However, we note that The Wash reference area is in a hot spot for non-breeding common scoter which are a feature of the Greater Wash SPA. Therefore, disturbance and displacement to these species need to be considered further depending on the purpose of these areas is, and we would recommend consideration of more	This has now been resolved in the final version.	
36	Table 3.1	Natural England would welcome further clarity on the relevance of Hornsea Project Two data in defining the design of the compensation measures and/or monitoring, when the AoS for that project is outside the two designated sites impacted by Hornsea	We note that reference to Hornsea Project 2 has been removed.	
37	Table 3.1 Table 5.1 Section 7.1.1. Annex 1 Sandbank Habitat	Natural England suggest the Natural England marine evidence base should be included and used in the initial screening as part of the desk-based work to identify exclusion zones for the Area of Search (AoS). JNCC MPA Mapper is referenced in the Tables 3.1 and 5.1, but the Natural England marine evidence base is not.	This is now resolved in the final version.	
38	Section 4.1.2 Sandbanks of Key Importance Paragraph 26	Please be advised that we have lower confidence that data and reference material dated prior to 2013 remain relevant, given the tidal surge during that year and changes to the marine environment that occurred. Therefore, project specific data will need to be collected to inform the deployment of compensation measures to ensure that there is no further damage to the sites.	This comment remains outstanding due to limited information provided on the decision tree.	

39	Section 4.1.2 Sandbanks of Key Importance Paragraph 27	Whilst we recognise the intention may have been to identify locations with greater benefits to sediment transport, the SNCBs advise against ranking the designated site importance of Annex I sandbanks on their ability to influence sediment transportation within the site and wider environment. This is not a key principle for designation and is not part of conservation objectives on the site. No one sandbank is more important than another.	Natural England advises that this section should make reference to both sediment processes and conservation objectives.	

40	Section 4.2.1 Sandbanks of Key Importance Paragraph 32	Please be advised that if 'like for like' is being sought then sandbanks that are exposed on some low tides are not the same as sandbanks covered by seawater all of the time and they provide different site functions and comprise of different supporting to mobile species habitats. This will need to be taken into consideration within any HRA.	This text has been removed	
41	Section 4.2.2 North Norfolk Coast Paragraph 33	Please be advised that Burham Flats and Docking Shoal sandbanks are outside of designated benthic SACs	No further comment.	
42	5 Excluded areas		Excluded areas should encompass areas of Sabellaria identified as 'low reef' (Gubbay, 2007).	
43	Section 5 Excluded Areas (Also Figure 7.2, and Section 8.1.2 AoS Identification in WNNC SAC, Paragraph 104	The SNCBs advise that areas to be managed as *Sabellaria spinulosa* reef such as Fisheries byelaw areas should be avoided to ensure that there are no further impacts to reef and/or supporting habitat. Though it should be recognised that as the compensation is for Annex I sandbanks and not reef, these areas should not be a primary focus for any campaign in any event.	Based on the amended methodologies, the litter clearance being a one off discrete activity, the avoidance of reef and the use of ROV (Remote Operated Vehicle) and jetting to remove the debris, Natural England no longer advises that byelaw areas should be excluded.	

44	Section 5 Excluded Areas Paragraph 38	Given The Wash has been an active bombing range and surrounded by RAF bases since the war there is a high probability that UXO will be identified. Whilst it is stated that UXO will be not removed as part of the debris removal campaign, there is the potential that identified UXO may ultimately need to be removed or managed as a health and safety matter. This was the case during the Race Bank cable installation.	This concern remains outstanding.	
45	Table 5.1	The SNCBs would expect the most up to date reef data to inform the areas of search, noting that *Sabellaria* reef can establish with 12 months. Any older data increase the risk of *Sabellaria spinulosa* reef being present.	See our comment at Point 6 above.	
46	6.2 Debris in the wider area		Natural England concur that debris removal may be considered to offer environmental benefits or improvement in relation to the Marine Strategy Framework Directive and Marine Plans, however marine litter has not been identified as a pressure in relation to the conservation objectives of either the NNSSR or WNNC SACs.	
47	7.1.1 Annex I Sandbank habitat		Natural England data on Annex I sandbank distribution in WNNC SAC (available from Defra's MAGiC mapping application) has also been referred to. This data indicates a wider distribution of sandbank habitat in the SAC than the JNCC data; however, has not been presented herein given that the JNCC data provides a more conservative distribution of sandbank habitat considered appropriate for this assessment.	

48	7.1.2 Habitat loss		There is currently insufficient information included in the decision tree for SNCB to have confidence that Annex I habitat could be avoided.	
49	Section 7.1.2 Habitat Loss Resulting from Cable Protection Deployment Paragraph 84	The SNCBs are concerned in relation to the proposal to focus on coarser sediment as this mostly likely to be location where Annex I reef is located.	See our comment at point 6 above.	
50	Figure 7.1	The SNCBs are concerned that an area within the southern part of the western ('dalek') arm in NNSSR SAC has been identified as a potential area for debris removal. This area was identified as part of the Hornsea Project Three characterisation surveys as being cobble reef. Due to its high ecological importance and sensitivity, we would advise against undertaking debris removal in this location, especially without further modification of techniques to ensure minimal footprint from the WROV and other associated tools/activities	Based on the amended methodologies, the litter clearance being a one off discrete activity, the avoidance of reef and the use of ROV (Remote Operated Vehicle) and jetting to remove the debris, Natural England no longer advise that fishery byelaw areas should be excluded.	

Comments on Environmental Monitoring Plan

Natural England and JNCC wish to highlight that monitoring should be undertaken to understand the impact of cable protection, and how its deployment may impact on the achievement of the conservation objectives of the site. We note that, despite having highlighted this previously, there is no provision for monitoring in the context of conservation objectives of the designated sites.

We are disappointed that the monitoring proposals and suggestions put forward by Natural England in May 2021 as part of the Benthic Steering Group consultations have not been progressed further. These previous comments still stand, and we urge Hornsea Project Three to carefully consider further amending the scope of the monitoring to reflect this advice.

Table 3. Detailed Comments on Appendix 2 – Environmental Monitoring Plan

Ref. point	Section	Initial Comments	Current position	
51	Section 1.2 Purpose of this Document Paragraph 5	We would expect any monitoring of the recovery of the areas of the SACs impacted by the development to also include those areas identified for compensation. This is needed to ascertain whether said compensation has been successful in the context of the conservation objectives of the designated site.	See our comment at Point 2 above.	
52	Section 2.2 Post-approval Consultation Paragraph 9	'*The MMO will become the regulator of the EMP and all further consultation on the EMP will be conducted with MMO and the relevant SNCBs'* We query why the MMO is deemed to be the regulator of this EMP for the SBIPs, given the relevance of its findings to the compensatory measures that the SoS has mandated. We also feel the rest of the Steering Group, should be given the opportunity to provide consultation responses to the EMP, not just the SNCBs.	This comment remains outstanding. Natural England and JNCC are concerned that a compensatory Environmental Monitoring Plan (EMP) is very distinct from a standard EMP. Therefore, we question how any outputs will be openly and transparently consulted upon when the DML condition referred to only relates to the MMO in consultation with the relevant SNCB. We believe that there is a wider requirement for BEIS and other stakeholders to be made aware of the outcomes, not only so that evidence gaps can be	

			filled, but so that lessons can be learnt (even if this is only to modify/standardise monitoring methodologies).	
53	2.2 Post- approval consultation		Natural England note the additional post-approval consultation that will be required of us in relation to the EMP, in addition to the usual statutory duties associated with an OWF.	
54	3 Aims of Environmental Monitoring		SNCB are of the opinion that environmental monitoring does not directly compensate for habitat loss resulting from the deployment of cable protection within the NNSSR SAC, but recognise that DCO condition 13 of Schedule 14 includes Environmental Monitoring Plans (EMPs) for the cable protection deployed within the SACs.	

55	3 Aims of environmental monitoring 4.3.2		Natural England and JNCC highlight that monitoring should be undertaken to understand the impact of cable protection, and how its deployment may impact on the achievement of the conservation objectives of the site. We note that, despite having highlighted this previously, there is no provision for monitoring in the context of conservation objectives of the designated sites.	
56	3 Aims of environmental monitoring		There is currently no monitoring proposed specifically in relation to the recovery of geogenic reef, if debris is removed from this habitat.	
57	3.1.1 Monitoring potential change in sediment movement		Natural England note that far field assessments are not proposed. As previously raised, without further evidence Natural England cannot agree with certainty that the placement of cable protection along 6 export cables in the near shore area is unlikely to impact on coastal process/far field effects. Therefore, we would support further aims, objectives and monitoring to determine whether this is the case.	
58	3.1.3 Monitoring recovery		There is currently no aim in relation to the hypothesis that all cable protection will be successfully retrieved. Natural England would welcome the inclusion of an objective to quantify the cable protection used during construction and operation and maintenance, and the proportion that is successfully removed and that which could not be removed.	

59	Section 3.2 Addressing Evidence Gaps	We would like to refer Hornsea Project Three back to previous comments regarding the benthic aspects of The Offshore Wind Environment Evidence Register (OWEER). OWEER includes expert prioritisation of various research projects undertaken in relation to effects of cable protection and research gaps. Given the methodology laid out in Appendix 2 looks to fill evidence gaps we encourage Hornsea Project Three to incorporate the knowledge around evidence gaps and ongoing research into their thinking when OWEER is available.	This is now resolved	
60	Section 4 Environmental Monitoring Survey Methodology	Natural England is concerned that there is no information provided on who (Ørsted/OFTO) will undertake monitoring in the longer term, and that only the MMO in consultation with the relevant SNCB will be commenting of the effectiveness of the monitoring. We question why BEIS, as having mandated the compensation, and the wider benthic steering group would not be afforded this opportunity.	Natural England notes the intension to provide copies of the report to the core steering group members, but it remains unclear how consultation responses and further requirements will be taken forward.	

61	Section 4.1, and 4.3.2 Environmental Monitoring Survey Methodology	We note that the survey methodology referred to in this section relates solely to geophysical surveys and Drop- Down Video (DDV). As such, we understand that Hornsea Project Three mean to survey epifauna only (with no infaunal analysis) and would refer back to a previous comment made stating that "*We do not consider that looking at the nature of epifaunal assemblage change to be an appropriate part of monitoring, given that in many sandbank habitats, mobile and sessile epifauna may be sparse and not major parts of characteristic communities*"[1].	Please see response to Point 2 provided above.	
62	4.1.2 Identifying sample locations		Following completion of construction, target sample locations where cable protection has been deployed will be selected for monitoring. It is not clear to Natural England how HP3 will be able to keep to the 1 and 5 km intervals, will this not depend on where cable protection was required and the length of the deployment? Or do they propose to pick the nearest cable protection to the preconstruction transects?	

[1] Hornsea 3 BSG meeting #3 (27th April) written comments

63	Section 4.3 Operational Monitoring, Paragraph 40 & Section 4.4 Post-decommissioning Monitoring Paragraph 46	In determining the timeframes for monitoring, it would be useful to understand what evidence of feature recovery timescales has been used. We would expect any monitoring plan to be tailored to the expected recovery timeframes of the specific features being monitored. This would also apply to any post-decommissioning monitoring (Section 4.4, paragraph 46).	Natural England notes that consideration of recovery timeframes has now been included. However, it would be helpful to have monitoring designed to demonstrate that this has occurred within the predicted timeframes.	
64	Section 5.3 Adapting Monitoring According to Results	Natural England queries how adaptive monitoring will be agreed.	This is now resolved	

Comments on Appendix 3 – Indicative Disposal Location Study

Table 4. Detailed Comments on Appendix 3 – Indicative Disposal Location Study

Ref. point	Section	Initial Comment	Current position
65	Section 1.3 Scope Paragraph 8	Natural England notes that the data are 3-5 years old (data collected in 2016 and 2018) and therefore queries how this will bolstered to ensure that the proposed disposal locations are fit for purpose.	Natural England welcomes that Annex I surveys will be used to inform the disposal locations as well as historic surveys.
66	Figure 1	This Figure is difficult to interrogate due to the scale – we would welcome a clearer presentation.	Natural England welcomes the inclusion of the additional figures which provide the necessary detail.
67	Figure 3	The SNCBs are concerned that an area within Saturn Reef to be managed as reef has been identified as requiring sandwave levelling and therefore disposal. We would welcome further discussions in relation to this matter as disposal at this location may have further ramifications. In addition, we again raise the point in relation to the cobble reef within the western ('dalek') arm and the need to avoid disposal within this location.	We welcome that areas to be managed as reef have now been excluded as areas for disposal.
68	3.1 Retention of sediment in the system		NE and JNCC welcome the assurance that there will be no net loss of sediment from within the SAC system, hence "disposal of any dredged sediments would be on the up-current side of the cable route and as close as possible to the location from which it was dredged, enabling the sediment to become retained within the local

			sediment transport system by natural processes to encourage the re-establishment of bedforms".
69	Section 3.2 Avoidance of *Sabellaria spinulosa* Reef	Natural England would welcome further clarity on why areas to be managed for reef are included within the disposal locations. Our default position is that disposal should avoid both geogenic and biogenic reef.	See our comment on point 50 above.