

**Application by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (Ref: EN010125)**

**Action points arising from Issue Specific Hearing 5 (ISH5) on Offshore coastal processes, marine ecology and the Habitats Regulations Assessment (HRA) on 10 April 2025**

Action No	Directed to:	Action	Deadline
1	Natural England (NE)	Confirm whether it believes that all relevant information regarding abundance estimates has been submitted by the applicants into the examination.	4
2	The applicants	Consider NE's request for a cumulative displacement impact on auks using a buffer greater than 2 kilometres (km) and consider whether an assessment in accordance with NE's proposed approach could be carried out. If so, confirm at which deadline this assessment could be submitted into the examination.	4
3	NE	<ul style="list-style-type: none"> <li>a) Confirm with the applicants what buffer distance would be appropriate for an assessment for action point 2.</li> <li>b) Comment on the applicants' opinion given in the hearing of whether a reassessment using a buffer greater than 2km would make a notable difference to the assessment conclusions.</li> </ul>	4
4	NE	Confirm whether it believes that there are any outstanding issues regarding the provision of the information by the applicants relating to collision risk.	4
5	RSPB	Respond to Dr Trinder's (the applicants) comments during ISH5 on the applicants' quality assurance of the digital aerial survey.	4
6	The applicants	Submit a detailed explanation as to why a greater air gap could not be provided (as approved under the Hornsea Four Development Consent Order (DCO)) to reduce the impact on bird collision with less turbines, whilst maintaining commercial viability.	4
7	NE	Respond to Dr Trinder's (the applicants) comments during ISH5 on ornithological mitigation including: <ul style="list-style-type: none"> <li>a) The applicants' position on the size of the blade tip clearance (air gap).</li> <li>b) appropriate foraging ranges.</li> </ul>	4

		c) why the applicants have not included hotspot modelling to identify particularly high impact areas as a mitigation option to inform array reductions.	
8	NE	Respond to the applicants' comments during ISH5 on in combination totals and project compensation for kittiwake at the Flamborough and Filey Coast Special Protection Area (SPA).	4
9	NE	Respond to the applicants' comments during ISH5 on the starting population for the Population Viability Assessments for kittiwakes.	4
10	NE	Respond to the applicants' comments during ISH5 on submission on density dependence modelling and the range of potential future growth rates for seabird population trends to inform the Population Viability Assessments.	4
11	The applicants	Update Table 5-1 in the Project Level Kittiwake Compensation Plan <a href="#">[REP2-010]</a> to include compensation ratios of 1:1, 1:2, or 1:3.	4
12	The applicants	Submit their position on whether their compensation plans could provide sufficient nesting spaces for kittiwakes to meet the full range of estimates within Table 5-1 <a href="#">[AS-174]</a> , including the most conservative estimates at a 3:1 ratio.	4
13	The applicants	Submit their reasoning for reduction from three to two breeding seasons to achieve compensation for kittiwakes in advance of first operation of the proposed development.	4
14	NE and the Royal Society for the Protection of Birds (RSPB)	Respond to the applicants' comments during ISH5 on their reasoning for the reduction from three to two breeding seasons to achieve compensation for kittiwakes in advance of first operation of the proposed development.	4
15	NE	<p>a) Respond to the Examining Authority's (ExA's) question on the likelihood that the information from NE's commissioned methodology review by the British Trust for Ornithology will be able to be submitted prior to the close of the examination.</p> <p>b) Respond to the applicants' comments during ISH5 on NE's commissioned methodology review by the British Trust for Ornithology and the timeframe they may require to respond.</p>	4

16	NE	Confirm if there is any additional information outstanding regarding auk compensation quanta which the applicants should provide.	4
17	The applicants	Submit as much information as possible in unredacted form from the Guillemot [and Razorbill] Compensation Site Shortlist Refinement Report <a href="#">[REP3-019]</a> , which should include at least unredacted information from the Isles of Scilly.	4
18	The applicants	Submit a summary of their latest position on proposed compensatory measures for auks.	4
19	NE and the RSPB	Respond to the applicants' comments during ISH5 on auk compensation.	4
20	The applicants	Provide an update regarding changes to the location of the planned exit pits and the likelihood of impacts to red throated diver in the Greater Wash SPA.	4
21	NE	Respond to the applicants' comments during ISH5 regarding changes to the location of the planned exit pits and the likelihood of impacts to red throated diver in the Greater Wash SPA.	4
22	Any Interested Party (including NE and the RSPB)	Submit, if required, comments on any ornithological aspect that has been discussed during ISH5.	4
23	NE and the Marine Management Organisation (MMO)	Respond to the applicants' comments during ISH5 on the sound exposure level single strike threshold for the assessment of underwater noise impacts on herring and suggested appropriate behavioural threshold.	4
24	The applicants	Undertake an assessment of underwater noise impacts on herring from the south west corner of the proposed development shown in Figure 2-1 <a href="#">[AS-105]</a> as NE advise and submit this into the examination along with commentary comparing results to the applicants' original assessment.	5
25	NE	Provide its latest position on the need for seasonal restrictions for piling and potential disturbance to spawning herring.	4
26	The applicants, NE, the MMO and Centre for Environment, Fisheries and Aquaculture Science (Cefas)	Consider whether similar conditions to conditions 26 and 28, regarding piling restrictions, in schedule 11 of the recent Rampion 2 made order might be appropriate for the Deemed Marine Licence(s) in the draft DCO.	4
27	NE	Respond to the applicants' comments during ISH5 on the need to assess the additional cables for possible heat impacts to sandeel, which they stated has been carried out.	4

28	NE	Respond to the applicants' comments during ISH5 on the need for an assessment of fish habitat loss from unexploded ordnance clearance.	4
29	The applicants	Review and update any errors regarding the value and sensitivity assessment of Dogger Bank and Smithic Bank in Environmental Statement (ES) Chapter 8 <a href="#">[APP-080]</a> .	4
30	NE	Respond to the applicants' comments during ISH5 on the value and sensitivity assessment of Dogger Bank and Smithic Bank.	4
31	NE	Respond to the applicants' comments during ISH5 on NE's suggested commitment for the deposition of dredged material for areas along the export cable corridor utilising a fall pipe.	4
32	The applicants	Provide the sand wave clearance allowances that were made for Dogger Bank A, Dogger Bank B and Sofia, and how this would compare to the proposed allowances at the proposed development.	4
33	NE	Provide an update on any outstanding matters regarding disposal of dredged material.	4
34	NE	Confirm whether it is content with the additional information provided by the applicants on the required baseline information relating to sediment transport pathways. Or otherwise, clarify any outstanding matters and signpost to relevant guidance.	4
35	NE	Respond to the applicants' comments during ISH5 on the deployment and replacement of cable protection measures following the applicants' oral representation made during ISH5.	4
36	The applicants	Confirm how the rock placement which was conducted at Dogger Bank B between KP 1.557 - 1.606 was secured as part of the Dogger Bank B DCO and how this would compare to the proposed requirements/ suggested wording at Dogger Bank South?	4
37	NE	Confirm if there is any outstanding information on potential impacts to spawning habitat from cable protection scour and its current position on the matter.	4
38	NE	Provide an update on its position regarding ecological halo effects following the applicants' oral representation made during ISH5.	4
39	NE	Provide its opinion on the applicants' comments in ISH5 as to whether the applicants have done everything possible to	4

		mitigate for impacts on benthic habitats and have fully adhered to the mitigation hierarchy.	
40	NE	To confirm when the further evidence related to the disturbance/ damage of Annex I sandbanks within the Dogger Bank Special Area of Conservation (SAC) and that the length of time for recovery could be up to 25 years is likely to be available and if it will be submitted prior to the close of the examination.	4
41	The applicants	Submit an updated compensation plan to include for habitat loss and physical damage related to halo effects and abrasion/ disturbance.	4
42	NE	To confirm whether its response indicates its position is that a project assessment could not in principle supersede a plan level HRA conclusion or whether in this particular case it is the adequacy or inadequacy of the evidence provided that is hindering that.	4
43	NE	Provide an update on its position regarding how the measures put forward for cable bundling and rock protection would be secured following the applicants' oral representation made during ISH5.	4
44	The applicants	To provide a statement on their position regarding the concerns raised in relation to measures put forward for cable bundling and rock protection by NE.	4
45	MMO	MMO to respond to the Applicants' comments in ISH5 relating to the worst-case piling scenario(s).	4
46	NE	To provide a response to the points raised by the applicants during ISH5 in relation to noise abatement systems including the associated procurement.	4
47	NE and MMO	Confirm whether the documents submitted by the applicants fully adhere to Defra's Marine Noise Policy paper published 21 January 2025.	4
48	The applicants, NE and MMO	Provide their position and interpretation of 'first instance' in paragraph below from the Defra Marine Noise Policy paper published 21 January 2025. <i>'all offshore wind pile driving activity across all English waters will be required to demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods in the first instance'</i>	4

49	NE and MMO	Respond to the applicants' comments during ISH5 in relation to unexploded ordnance clearance.	4
50	MMO	Provide the applicants with draft condition wording in relation to monitoring and adaptive management provisions with regard to underwater noise.	4
51	The applicants	To provide an update on discussion with NE in relation to outstanding issues regarding the Interim Population Consequence of Disturbance modelling and any feedback from NE on the Marine Mammal Technical note: Significance of Effect for disturbance from piling and cumulative underwater noise <a href="#">[REP3-031]</a> .	4
52	The applicants	To confirm whether an in-combination assessment based on a commitment to utilise additional noise mitigation will be provided to demonstrate whether they have contributed to reducing the disturbed area of the Southern North Sea SAC.	4
53	NE and MMO	Respond to the applicants' comments during ISH5 in relation to the degree of commitment to additional noise mitigation and the related adverse effects on Southern North Sea SAC and Humber Estuary SAC.	4
54	The applicants	To provide their position on NE's deadline 3 detailed comments on the In Principle Monitoring Plan found in <a href="#">[REP3-056]</a> including Table 1 and the recent Rampion 2 SoS decision letter of 4 April 2025.	4
55	The applicants	To update the Habitats Regulations Derogation: Provision of Evidence <a href="#">[APP-051]</a> following changes to foundations and updates to ornithological information.	4
56	The applicants	To signpost where in the ES the assessment of potential impacts to spawning grounds can be found if the offshore infrastructure was to be left permanently in place.	4
57	NE	Provide its position as to whether the worst-case scenario has been assessed in the ES in relation to the impacts to spawning grounds if the offshore infrastructure was to be left permanently in place.	4