

Dear Sir/Madam

This is the Wildlife Trusts' (TWT) response for Examination Deadline 8 Submissions for Dogger Bank South Offshore Wind Farm. The documents TWT is submitting at Deadline 8 are as follows:

1. TWT Comments on the Guillemot and Razorbill Compensation Plan [Annex A]
2. TWT Comments on the Updated Benthic and Intertidal ecology chapter and the Updated Ecological Halo Technical Note [Annex B];
3. TWT Comments on the Updated Draft Marine Mammal Mitigation Protocol and the Updated In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation [Annex C];
4. Final Statement of Common Ground [Document to be submitted by the Applicant].

Further to the above documents, we would also like to notify the Examining Authority that this is the last response that TWT intend to submit to this examination, unless otherwise required, due to the proximity of the close of the examination (11th July) and our internal working capacity. Thank you for taking our response into consideration. We are happy to provide more detail if required.

Yours sincerely



Marine Planner

North Sea Wildlife Trusts

Annex A

The Isles of Scilly Wildlife Trust, TWT and RSPB have been working since early 2023 with several stakeholders on the development of a predator eradication programme on the Isles of Scilly. The applicant has identified the Isles of Scilly as a potential location for the delivery of predator eradication as compensation to impacts of Auks. As previously stated, we can only progress with a predator eradication scheme at the Isles of Scilly as a strategic measure.

TWT welcome that the applicant agrees that the strategic compensation is the most appropriate approach to deliver a predator eradication scheme on the Isles of Scilly.

We understand that the applicant is simultaneously pursuing project-led predator eradication measures at other sites, the sites being considered by the applicant are close to the mainland and TWT maintain that all suggested sites would have a significant risk of reincursion by predators and therefore be unsustainable in terms of habitat provision.

Annex B

TWT has significant concerns regarding further development on Dogger Bank SAC. The SAC is of great ecological importance within the North Sea and remains in unfavourable condition.

We were disappointed to see the Applicants' use of their own figures for physical damage area impacts which were significantly lower than figures published previously in the Plan-Level HRA. TWT does not agree that impacts agreed in the plan level HRA can be overturned by project level studies (as suggested in **Review of evidence on recovery of sandbank habitat following sandbank damage** [AS-025]). The applicant has recently made concessions to include the disturbance/abrasion footprint as part of the compensation measures. This has significantly increased the footprint of effects compared to the applicants' original figures, though this is still considerably less than the figures presented in the Plan-Level HRA.

Discussions have been ongoing throughout examination regarding ecological halo effects. Whilst applicant initially claimed that there would be no such effects on dogger bank and that the bank is highly recoverable (see **Review of evidence on recovery of sandbank habitat following sandbank damage** [AS-025]). The applicant now argues that whatever impact the ecological halo effect may have, the resulting ecosystem will still be some variation of sandbank ecosystems within the EUNIS classification (ISH5 part 3). We are concerned that the new habitats associated with the sessile colonisers of hard substrate (barnacles, bivalves and macroalgae) would represent a shift to a coastal habitat classification, such as infralittoral rock and infralittoral sediment. These are not habitat classifications that would have been present in the Dogger Bank SAC previously due to the lack of hard substrate and would therefore represent a significant impact on the seafloor habitat. Literature cited by the applicant (Hutchinson et al. 2020) has shown that such ecological change can be measured at least 90m from the installed infrastructure.

The Dogger Bank SAC is currently in an unfavourable condition based on its protected benthic features. We would like to point to advice given regarding other MPAs in a similar situation by Natural England, the North Norfolk Sandbanks and Saturn Reef SAC:

"As some of the features and sub features of this SAC are considered to be in unfavourable condition, adding further pressure to the SAC with cable laying and associated cable protection would be likely to have a significant impact on the conservation objectives of the SAC and may impede restoration of the features"

We consider the Dogger Bank SAC to mirror this situation, with any physical damage to the sandbank habitat to be impairing the conservation objectives of the site. If a plan or project is likely to undermine the conservation objectives of the site, it must necessarily be considered likely to have a significant effect on integrity (Case C-127/02 "Waddenzee" at [36]).

Annex C

Since DEFRA's release of an Underwater Noise paper in early 2025, TWT have been pushing for the application of "best endeavours" with regards to implementation of noise abatement systems (NAS) in line with DEFRA's guidance. We are welcome of the applicant's recent revision to commit to the implementation of NAS and we will be interested to see how the applicant assesses the different options available. Though the applicant states that they have modelled underwater noise scenarios with a 10dB reduction, we would appreciate a clear commitment by the applicant that any NAS implemented would be done with the target of reducing underwater noise by at least this amount.

TWT still holds concerns that the decisions on the choice on whether to employ specific NAS systems will not be made until the Marine Mammal Mitigation Protocol, which will be written post-consent, and therefore this issue will not be settled before the close of this examination. We consider that any matters of environmental mitigation that could lead to adverse impacts to MPAs, for example if the area-based noise thresholds for the Southern North Sea SAC are exceeded, must be secured before consent to satisfy the Offshore Habitats Regulations. In this instance, even without DEFRA's noise paper (which was published at the start of examination), the location of Dogger Bank South OWF within the Southern North Sea SAC (which is designated for marine mammals) should have resulted in a deeper study of the NAS options available than has been provided at this stage.

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