



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

Morgan Offshore Wind Farm: Generation Assets

**Appendix B5 to the Natural England Deadline 5 Submission**

**Natural England's Comments on Offshore Ornithology**

For:

The construction and operation of the Morgan Offshore Wind Project: Generation Assets located approximately 37 km from the Northwest English Coast in the Irish Sea.

Planning Inspectorate Reference: EN010136

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16 January 2025

## **Appendix B3 to the Natural England's Deadline 5 Submission - Natural England's Comments on Offshore Ornithology**

### **1. Comments on the Applicant's Updated Ornithological Assessment**

In formulating these comments, the following documents have been considered:

- [REP1-010] Annex 4.5 to Response to Hearing Action Point 15: Offshore Ornithology CEA and In-combination Gap-filling of Historical Projects Note
- [REP1-011] Displacement Rates Clarification Note
- [REP1-012] Annex 4.7 to Response to Hearing Action Point 15: Apportioning Sensitivity Analysis
- [REP2-021] Treatment of Birds in Flight Data in Abundance Estimation
- [REP2-022] Great black-backed gull regional populations
- [REP-018] Inclusion of Awel y Môr in Cumulative Assessments – Clarification note
- [REP3-019] Review of Cumulative Effects Assessment and In-Combination Assessment: Offshore ornithology
- [REP3-020] Kittiwake apportioning clarification note

#### **Overarching comment**

In Natural England's relevant representations [RR-026], we highlighted a number of issues with the Applicant's ornithological assessment where the methodology used differed from our advised methodology. In response, the Applicant submitted a number of documents at Deadlines 1, 2 and 3 comparing the effect of using Natural England's advised method for a particular issue against the Applicant's preferred method, and concluding that the differences found did not affect the conclusions presented in the Environmental Statement or ISAA.

The nature of ornithological assessments is such that many different parameters are used to calculate final estimated impact figures. Therefore, Natural England advised that a full assessment would not have been carried out in accordance with our advice until all figures following our advised methods were incorporated and propagated through a single coherent assessment. We set this out in our responses at Deadlines 3 and 4 [REP3-046] and [REP4-042], where we commented that the technical documents submitted by the Applicant amounted to 'stress-testing' of individual points of methodological difference and that we would be unable to reach conclusions regarding potential impacts until we were presented with a full revised assessment.

Since then, we have discussed and provided advice on the required updated assessments with the Applicant during a series of meetings held on; 13 November 2024, 16 December 2024 and 08 January 2025. We have worked with the Applicant to address our concerns and have assisted them to produce tables of impact figures which follow our advised methods. The Applicant shared a draft version of the impact figures with Natural England via email on 19 December 2024, in advance of their Deadline 5 submission, and we have had the opportunity to discuss any outstanding issues which should be addressed in the Applicant's Deadline 5 submission.

We can confirm that the documents shared with us have addressed our concerns with the Applicant's assessment and that based on these, we are able to provide a position on the assessment's conclusions. This advice is provided under the proviso that the figures submitted by the Applicant at Deadline 5 are in accordance with those that they have shared with us.

## **Natural England's EIA conclusions for offshore ornithology**

### **Project alone**

Significant adverse effects at the EIA scale due to the Project alone can be ruled out for all impact pathways for all offshore ornithological receptors.

### **Cumulative assessment:**

#### **Displacement effects**

In the final version of the cumulative assessment shared with us by the Applicant, the total displacement impacts exceed 1% of baseline mortality for three species; guillemot, razorbill and Manx shearwater. These are discussed further below.

#### ***Guillemot***

The displacement impact on guillemot exceeds 1% of baseline mortality for the UK Western waters Biologically Defined Minimum Population Scale (BDMPS) when the upper end of the range of advised displacement and displacement mortality rates are considered. At a displacement rate of 70% and a mortality rate of 10%, the cumulative impact is 8,040 mortalities per annum, which is 5% of baseline mortality. At a displacement rate of 70% and a mortality rate of 5%, the cumulative impact is 4,020 mortalities per annum, which is 2.5% of baseline mortality. We have advised the Applicant to carry out Population Viability Analysis (PVA) to further explore the potential impact.

Guillemot are listed as Amber in Birds of Conservation Concern 5a (BOCC5a) (Stanbury and others, 2024). While there is some empirical evidence to support the displacement levels for auks, we do not know what the likely mortality impacts of displacement are. We therefore consider it appropriate to consider a range of mortalities from 1-10%. However, on the basis that the projects that have been scoped into the cumulative assessment largely lie in areas of the UK western waters that represent low to medium levels of guillemot density during both the breeding (where relevant) and non-breeding seasons (Marine Ecosystems Research Programme - MERP), it is assumed that areas of low/medium density will be less important/desirable feeding areas and therefore mortality impacts of displacement from less important areas would be lower than displacement from optimal/important areas. Therefore, we do not expect mortality rates to be towards the top of the range considered.

Based on the above, we consider that a significant adverse impact at the EIA scale to guillemot from cumulative operational displacement (plus underwater collision) is unlikely, though we await the Applicant's PVA before providing definitive advice on this matter.

#### ***Razorbill***

The displacement impact on razorbill only exceeds 1% of baseline mortality when the top end of Natural England's advised displacement and displacement mortality rates of 70% and 10%, respectively, are considered. At this level of impact, the total cumulative mortality predicted would be 1.8% of the baseline annual mortality of the UK Western waters BDMPS population. Razorbill are listed as Amber in BoCC5a (Stanbury and others, 2024). For the same reasons as for guillemot, we do not expect mortality rates to be towards the top of the range considered in this case, and we therefore consider that significant adverse effects can be ruled out for this species at EIA scale. PVA analysis is not required.

#### ***Manx shearwater***

The displacement impact on Manx shearwater only exceeds 1% of baseline mortality when the top end of Natural England's advised displacement and displacement mortality rates of 70% and 10%, respectively, are considered. At this level of impact, the total cumulative

mortality predicted would be 1.1% of the baseline annual mortality of the UK Western waters & Channel BDMPS population. PVA analysis is not required.

There is a lack of empirical evidence relating to displacement effects for Manx shearwater, and therefore high levels of uncertainty regarding their vulnerability, though they are generally considered to have low vulnerability to displacement impacts (Deakin *et al.*, 2022). Manx shearwater are listed as Amber in BoCC5a (Stanbury *et al.*, 2024). Based on the above information, we consider that significant adverse effects can be ruled out for this species at EIA scale. Given the uncertainty, we do consider it appropriate for monitoring to be carried out to explore the potential impacts to this species, with a collaborative approach across the three Round 4 projects in the Irish Sea most likely to yield results.

### **Collision**

The cumulative collision impacts exceed 1% of baseline mortality for two species; lesser black-backed gull and great black-backed gull.

#### ***Lesser black-backed gull (LBBG)***

The Applicant's indicative cumulative collision totals for LBBG of 299.4 birds, including gap-filled projects, equates to 1% of baseline mortality of the UK western waters BDMPS population. We note that there is uncertainty in the predicted collision figures due to the uncertainty/variability in the input parameters, and some degree of precaution in the cumulative total regarding build out scenarios of projects. It is also worth noting that there is limited evidence and therefore some uncertainty around baseline mortality rates (Horswill & Robinson 2015).

LBBG is classified as 'Least Concern' in the GB IUCN2a assessment (Stanbury and others, 2024). The species is Amber listed in BoCC 5a (Stanbury *et al.* 2024) due to the International importance of the UK breeding population, with the UK supporting a large proportion of the North Atlantic biogeographical populations (>30%) (Burnell and others, 2023).

Based on the above, we agree with the Applicant's conclusion of no significant adverse effect (i.e. no greater than minor adverse effect) from cumulative collision to LBBG at an EIA scale.

#### ***Great black-backed gull (GBBG)***

The relevant population for EIA impacts on GBBG is the South-west UK and Channel BDMPS population of 17,742 individuals. The Applicant's indicative cumulative impact of all projects included in the assessment is 170.7 collision mortalities per annum, which equates to 9.9% of the baseline mortality level for this population. The Applicant has provided a PVA which indicates that after 35 years the cumulative impact is predicted to lead to approximately a 30% reduction in population size compared to an unimpacted scenario.

GBBG is classified as 'Critically Endangered' in the GB IUCN2a assessment (Stanbury and others, 2024). GBBG is Red listed in BOCC5a (Stanbury and others, 2024), reflecting a long-term population decline of 56%.

Given the conservation status of GBBG and the current population declines, we therefore advise that a moderate adverse impact on great black-backed gull due to cumulative effects cannot be ruled out, which is a significant impact at EIA scale.

## **Natural England's HRA conclusions**

### **Project alone**

Based on the updated impact figures the Applicant has shared with us, we advise that an Adverse Effect on Integrity (AEol) can be ruled out for all English Special Protection Areas (SPA) for all impact pathways due to the Project alone.

### **In-combination**

#### **Collision**

The Applicant has shared updated in-combination assessments for impacts on herring gull as a feature of Morecambe Bay and Duddon Estuary SPA, and for great black-backed gull as a feature of the Isles of Scilly SPA. These include impact values for historical projects that were not included in the original assessment and have now been calculated in line with the advised approach provided by NE and NRW.

#### ***Herring gull – Morecambe Bay and Duddon Estuary SPA***

In the case of herring gull at Morecambe Bay and Duddon Estuary, we consider that the Project's contribution to the in-combination total is so small as to be immaterial, and therefore AEol can be ruled out.

#### ***GBBG – Isles of Scilly SPA***

In the case of great black-backed gull at the Isles of Scilly SPA, while the figures alone would if viewed uncritically suggest that an adverse effect may be possible, in this case we consider this to be an effect of the limitations of the BDMPS apportioning method. We agree with the Applicant's position that there is minimal connectivity between GBBG found in the Irish Sea and the Isles of Scilly SPA breeding population, and that as a result, the impacts apportioned to this site are likely to be significantly overestimated.

We therefore advise that AEol can be ruled out for this site due to the effects of the Project in-combination with other projects.

#### ***Other English SPAs***

We advise that, based on the updated project alone and in-combination impact figures that the Applicant has presented in line with our advice (provided that they are in accordance with the figures that have been shared with us in advance of Deadline 5), AEol can be ruled out for all English sites from collision effects, both due to the Project alone and in-combination with other projects.

This being the case, the single outstanding issue as regards the impacts of Morgan OWF on SPAs relates to disturbance/displacement effects from vessel movements on the red-throated diver feature of Liverpool Bay SPA, regarding which please see our advice on REP4-018 overleaf.

### **Further advice on collision risk modelling**

Given that the Applicant has undertaken collision risk modelling on a deterministic basis, it should be possible to replicate the outputs. Natural England has attempted to do so and produced similar, but not identical figures. We have therefore requested that the Applicant provides Natural England with log files for the model runs so we can understand the minor discrepancies and to enable future strategic work. These could be submitted into the Examination. However, this is a minor issue and so in the interests of issue resolution, Natural England has provided assessment conclusions based on the figures as presented.

## **2. Comments on other Deadline 4 submissions in relation to Offshore Ornithology**

In formulating these comments, the following documents have been considered:

- [REP4-029] S D4 19 Project alone and cumulative assessment for the Great Orme's Head SSSI
- [REP4-031] S D4 21 Differences Morgan G and Mona OF Project in abundance estimates used in CEA
- [REP4-032] S D4 22 Morgan Gen\_Outline Offshore Construction Method Statement
- [REP4-018] S D4 11 Morgan Gen\_Outline Offshore Environmental Management Plan

### **[REP4-029] S D4 19 Project alone and cumulative assessment for the Great Orme's Head SSSI**

Natural England is not the Statutory Nature Conservation Body (SNCB) for Welsh sites and therefore provides no comment on this matter.

### **[REP4-031] S D4 21 Differences Morgan G and Mona OF Project in abundance estimates used in CEA**

We note that this document does not provide any technical detail on the nature of the differences highlighted. It simply states in broad terms where the differences arise from and that they make no difference to the assessment. This does not allow us to understand or comment on these differences, however, it is stated that they only are relevant to the displacement assessment for black-legged kittiwake. Natural England does not consider black-legged kittiwake to be sensitive to displacement and does not require this impact to be assessed for this species. Therefore, this document does not affect our assessment conclusions.

### **[REP4-032] S D4 22 Morgan Gen\_Outline Offshore Construction Method Statement**

Natural England has no comments to make with regards to offshore ornithology for this document.

### **[REP4-018] S D4 11 Morgan Gen\_Outline Offshore Environmental Management Plan**

The Applicant refers only briefly in this document to rafting birds disturbance management, as they are considered by the Applicant to be addressed in Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (APP-070) and Outline vessel traffic management plan (REP2-017). It is stated that these documents accord with Natural England's Best Practice Protocol on displacement advice, but the reference given is incorrect. It refers to the Joint SNCB interim displacement advice note (2022), which does not contain advice on vessel management or avoidance of disturbance impacts. The two other documents referred to do not reference Natural England's best practice protocol either.

We consider this matter to be readily resolvable. To follow Natural England's Best Practice Protocol, we advise that the Applicant also includes the following points to minimise disturbance:

- selecting routes that avoid known aggregations of birds;

- maintaining direct transit routes (to minimise transit distances through areas used by divers)
- avoidance of over-revving of engines (to minimise noise disturbance)

The plan should also be clear that these and other measures relating to Natural England's red-throated diver Best Practice Protocol should be applied both within the SPA and out to 2km from the SPA boundary. For reference, we have submitted Natural England's Best Practice Protocol into examination (Appendix M5 – Natural England's Best Practice Protocol for Vessels in Red Throated Diver SPAs). Should this be adopted by the Applicant, we will be able to conclude no AEOI on the red-throated diver feature of Liverpool Bay SPA.

## References

BURNELL, D., PERKINS, A.J., NEWTON, S.F., BOLTON, M., TIERNEY, D.T. and DUNN, T.E. (Eds) 2023. Seabirds Count. A census of breeding seabirds in Britain and Ireland (2015-2021)

DEAKIN, Z., COOK, A., DAUNT, F., McCLUSKIE, A., MORLEY, N., WITCUTT, E., WRIGHT, L., and BOLTON, M. 2022. A review to inform the assessment of the risk of collision and displacement in petrels and shearwaters from offshore wind developments in Scotland.

STANBURY, A.J., BURNS, F., AEBISCHER, N.J., BAKER, H., BALMER, D.E., BROWN, A., DUNN, T., LINDLEY, P., MURPHY, M., NOBLE, D.G. and OWENS, R., 2024. The status of the UK's breeding seabirds: an addendum to the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds*, 117, 471-48