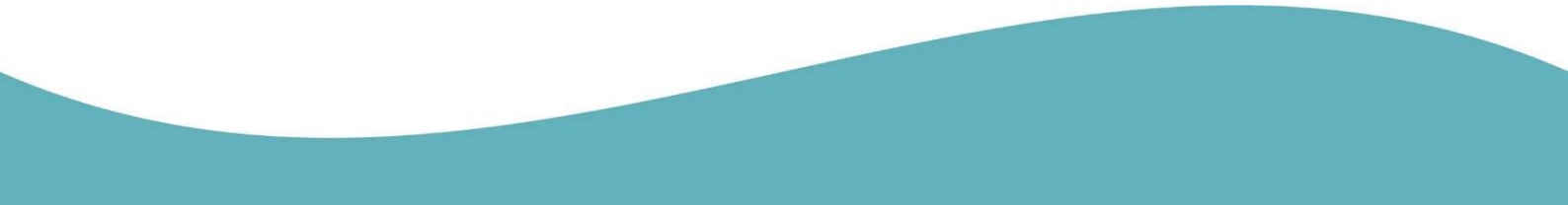




F I V E 
ESTUARIES
OFFSHORE WIND FARM

FIVE ESTUARIES
OFFSHORE WIND FARM
HRA COMPENSATORY SITES FOR
LESSER BLACK-BACKED GULLS
CONSULTATION DOCUMENT

Document Reference	N/A
Revision	1.0
Date	December 2023





Project	Five Estuaries Offshore Wind Farm
Sub-Project or Package	Stage 3 Consultation
Document Title	HRA Compensatory Sites for Lesser Black-Backed Gulls
Document Reference	N/A
Revision	Final

COPYRIGHT © Five Estuaries Wind Farm Ltd

All pre-existing rights reserved.

This document is supplied on and subject to the terms and conditions of the Contractual Agreement relating to this work, under which this document has been supplied, in particular:

LIABILITY

In preparation of this document Five Estuaries Wind Farm Ltd has made reasonable efforts to ensure that the content is accurate, up to date and complete for the purpose for which it was contracted. Five Estuaries Wind Farm Ltd makes no warranty as to the accuracy or completeness of material supplied by the client or their agent.

Other than any liability on Five Estuaries Wind Farm Ltd detailed in the contracts between the parties for this work Five Estuaries Wind Farm Ltd shall have no liability for any loss, damage, injury, claim, expense, cost or other consequence arising as a result of use or reliance upon any information contained in or omitted from this document.

Any persons intending to use this document should satisfy themselves as to its applicability for their intended purpose.

The user of this document has the obligation to employ safe working practices for any activities referred to and to adopt specific practices appropriate to local conditions.

Revision	Date	Status/Reason for Issue	Originator	Checked	Approved
1	Dec 2023	Issued for Use	GoBe	VE OWFL	VE OWFL



CONTENTS

1	Introduction	5
1.1	Purpose of the consultation	5
1.2	Project background.....	6
2	Proposed options and work for LBBG compensatory areas.....	6
2.1	Site options.....	6
2.2	Scope of the works	9
3	Consultation	13
3.1	Have your say.....	13
3.2	How to respond	13
3.3	Contact us	13

TABLES

Table 2.1	Potential impacts of a LBBG compensatory area.....	11
-----------	--	----

FIGURES

Figure 2.1	Proposed LBBG compensation areas.....	8
Figure 2.2	Example predator exclusion fence	9



DEFINITION OF ACRONYMS

Term	Definition
LBBG	Lesser Black-Backed Gulls
SPA	Special Protection Area
DCO	Development Consent Order
MW	Megawatts



1 INTRODUCTION

1.1 PURPOSE OF THE CONSULTATION

- 1.1.1 The purpose of this consultation is to seek feedback on proposed compensatory measures associated with the Five Estuaries Offshore Windfarm project ('the Project') for Lesser Black-Backed Gulls (LBBG).
- 1.1.2 As part of our ongoing assessment of the potential environmental impacts, we have identified that the Project is predicted to impact LBBG, a number of which are associated with the Alde Ore Estuary Special Protection Area (SPA).
- 1.1.3 LBBG are a qualifying feature of the Alde-Ore Estuary SPA and are listed in Annex 2.2 of the Birds Directive (Directive 79/409/EEC) and as an 'amber' list species of conservation concern in the UK (BoCC5)¹.
- 1.1.4 The Habitats Regulations require that where a protected site may be adversely affected, and effects cannot be avoided, the impacts are compensated for or offset by measures such as improving habitat and breeding success for those bird species affected. Therefore, compensatory measures are required to compensate for the predicted LBBG loss (of around ten birds annually).
- 1.1.5 The breeding population of LBBG within the Alde Ore Estuary SPA has declined to 1,749 pairs since the site was first classified in October 1996. The exact reasons for this decline are not clear, but some factors may include:
 - > Disturbance from human activity at the site thus reducing their breeding success;
 - > Predation by other animals, such as foxes and rats.
- 1.1.6 As a result of this decline, Natural England (the government's adviser for the natural environment) has advised that the population of LBBG within this SPA should be restored to a level above 14,074 pairs.
- 1.1.7 The compensatory measures proposed by the Project would aim to target the reasons for decline outlined above, by firstly reducing the opportunity for predation by other animals and secondly providing suitable breeding habitat that is unlikely to be disturbed by human activity.
- 1.1.8 Therefore, we are proposing that a suitable area of land is secured by Five Estuaries to provide a site to enable the breeding population of LBBG to increase and compensate for any losses from the Project and contribute towards the recovery of the population. The focus of this search has been on and around Orford Ness where a population of LBBG already exists.

¹ Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. 2021. The status of our bird populations: 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* 114: 723-747.



1.2 PROJECT BACKGROUND

- 1.2.1 The Project is a proposed extension project to the operational Galloper Offshore Wind Farm (Galloper) off the coast of Suffolk. The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation.
- 1.2.2 All onshore electrical infrastructure would be located in Tendring, Essex. No onshore works in Suffolk are required to connect the Project to the national electricity transmission network.
- 1.2.3 As the Project has a proposed generating capacity in excess of 100MW, it is considered a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project.

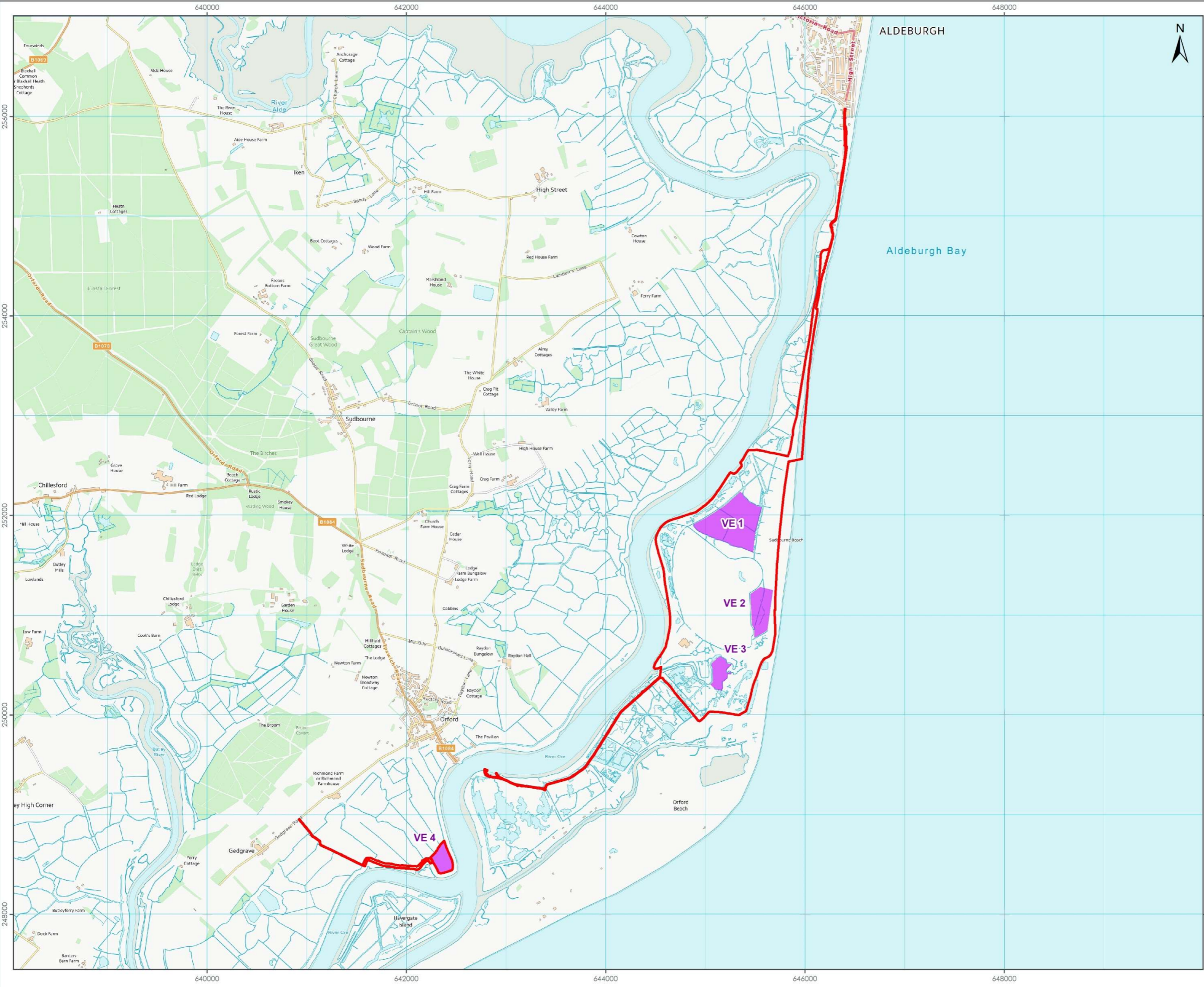
2 PROPOSED OPTIONS AND WORK FOR LBBG COMPENSATORY AREAS

2.1 SITE OPTIONS

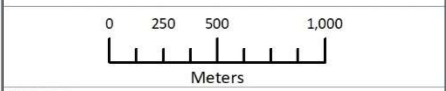
- 2.1.1 The focus of the search for a compensatory site has been at and around Orford Ness, within and close to, the Alde-Ore Estuary SPA. This has resulted in four sites being brought forward for consultation.
- 2.1.2 These sites were picked based on the following criteria:
- > Sites with connectivity to existing LBBG colonies at Orford Ness and Havergate Island;
 - > Suitable habitats that will require minimal / moderate management; and
 - > Sites which have known predation and / or disturbance issues and would benefit from measures to reduce these pressures.
- 2.1.3 Figure 2.1 below shows the proposed red line boundary for construction activity, including access and highlights the proposed sites which have been put forward for consideration.
- 2.1.4 The three sites in the north, labelled VE1, VE2 and VE3 in Figure 2.1 could provide good connectivity with nearby LBBG colonies at the southern tip of Orford Ness and Havergate Island. These northerly sites are also adjacent to an existing LBBG compensation site for the Norfolk Vanguard and Boreas Projects, and would therefore provide additional LBBG breeding habitat in a similar setting and location. The habitat of all three sites appears suitable with minimal requirement for habitat renovation. Renovation at these sites may for example include strimming / mowing of the vegetation to improve the sites for LBBG.



- 2.1.5 The site to the south, labelled VE4 in Figure 2.1, north of Havergate Island, is a rough grassland/grazing area. A moderate amount of habitat renovation and creation would be required to reduce the amount of vegetation and create some shingle / bare ground areas. The addition of sleepers for the LBBG to nest against would also be required at this site.



- LEGEND**
- Proposed Red Line Boundaries
 - Potential LBBG Compensation Sites



Data Source:

PROJECT TITLE:
FIVE ESTUARIES OFFSHORE WINDFARM

DRAWING TITLE:
Potential LBBG Compensation Areas

VER	DATE	REMARKS	Drawn	Checked
1	30/11/2023	For Information	BPHB	MB

DRAWING NUMBER: **Figure 2.1**

SCALE: 1:35,000 PLOT SIZE: A3 DATUM: OSGB1936 PROJECTION: BNG





2.2 SCOPE OF THE WORKS

- 2.2.1 The works associated with the compensatory measures will be small in scale and relatively unobtrusive. The main element would be predator exclusion fencing installed around the perimeter of the site. An example of the type of fencing that would be used is provided in Figure 2.2.



Figure 2.2 Example predator exclusion fence²

CONSTRUCTION

- 2.2.2 Fence installation and any additional works would be expected to take around three weeks, with up to six personnel onsite. Any works would be undertaken outside of the bird nesting period.
- 2.2.3 Site access during the installation works to VE1, VE2 and VE3 shown in Figure 2.1, would be by boat from Orford Quay, across the River Ore to an existing jetty or slipway and then along existing tracks to the red line boundary and internal tracks to the selected site. Site VE4 shown in Figure 2.1, would be accessed via Gedgrave Road, leading to tracked access to the site.
- 2.2.4 Fencing materials, machinery and plant would be transported to the site using standard low loaders. A small excavator and dump truck would be used to support the works (e.g. movement of soil or vegetation removal).
- 2.2.5 A temporary laydown and welfare area, for the duration of the construction work would be required. This would be within the red line boundary shown in Figure 2.1 and identified following further site visits. An area of hard standing would be used if available. Welfare facilities and surplus materials would be removed once the installation is complete.

² Ultimate Predator Fence (farmandcountryfencing.com)



OPERATION & MAINTENANCE

- 2.2.6 Habitat manipulation (strimming of grass) would be undertaken once or twice a year outside of the LBBG nesting season. This would seek to create a patchwork of shorter and taller grass to offer greater habitat diversity for nesting.
- 2.2.7 Access would use the same routes identified above, with the additional option to walk along the edge of the coast from Aldeburgh to sites VE1, VE2 and VE3 shown in Figure 2.1.
- 2.2.8 Routine maintenance visits would be required to inspect the integrity of the fencing and ensure that the measures are continuing to perform as intended. Typically, one scheduled maintenance inspection would be expected per year. This would be conducted outside of the LBBG nesting season.
- 2.2.9 Annual monitoring of LBBG nesting success would be carried out by a qualified ornithologist during each breeding season. This would confirm and ensure that the compensation measure is working as intended. This would include counts of the number of birds, the number of occupied nests, and the number of eggs/chicks visible.

POTENTIAL IMPACTS

- 2.2.10 Potential impacts at each of the proposed sites from construction and use as a LBBG compensatory area are highlighted in Table 2.1. It should be noted that the works described throughout this document are small in nature, scale and construction time (i.e., the installation of fencing would take around three weeks). Therefore, no significant effects to receptors are expected.



Table 2.1 Potential impacts of a LBBG compensatory area

Receptor	Impacts
Landscape & Visual Impact Assessment	There is no potential for likely significant effects to arise in respect of any of the landscape or visual receptors, either at the local or wider level of the proposed sites. This is due chiefly to the relatively small-scale of the proposed fence, the localised nature of the potential effects and the extent of limited existing human influences in both the wider and local landscapes.
Onshore Archaeology & Cultural Heritage	There are a number of cultural heritage receptors within relatively close proximity of VE1, VE2 and VE3, mainly old military buildings. However, the proposed fencing is unlikely to be visible from these receptors and would be unobtrusive in nature. Site VE4 is surrounded by farmland with no nearby receptors. As such, no likely significant effects related to cultural heritage are anticipated.
Hydrology & Flood Risk	A Flood Risk Assessment for the proposed fencing at all proposed sites will be undertaken and submitted with the application. The proposal is not predicted to increase the risk of flooding to others over the development lifetime.
Air Quality	Given the isolated location of the proposed fencing combined with its restricted public access, as well as the limited scale of any earthworks, plant and machinery use, no likely significant effects related to air quality are anticipated.
Airbourne Noise & Vibration	There are no noise sensitive human receptors in proximity to the proposed sites (residential or other properties). The locations of the proposed fencing at sites VE1, VE2 and VE3 are close to a National Trust walking route. However, the works would be relatively brief (approximately three weeks) and would not be dissimilar to ongoing habitat management activities that take place throughout the National Trust owned land. Site VE4 is surrounded by farmland. On this basis no likely significant effects related to noise and human receptors are anticipated.
Traffic & Transport	Given the small-scale of the fence installation works and future monitoring and maintenance, using standard construction vehicles, there is not anticipated to be any potential for traffic disruption to arise as a result of the installation of the proposed fencing at any of the sites. No likely significant effects, related to traffic and transport, are anticipated.



Receptor	Impacts
Ground Conditions & Land Use	Whilst parts of Orford Ness were subject to historic military use, based on the available evidence the risk of historic contamination and unexploded ordnance at the proposed Orford Ness sites VE1, VE2 and VE3 is considered low, with the possible exception of unexploded ordnance at VE3. If there is a high risk of unexploded ordnance at VE3, the site will be avoided. Site VE4 is farmland, with no expected contamination in soils. Best practice will be followed by the construction team to minimise fuel spills and leaks. Taking the above into account, no likely significant effects, related to potentially contaminated land, are anticipated.
Onshore Biodiversity	Due to the small nature of the works it is predicted that there will be no significant effects upon the current fauna and flora assemblages within the sites.
Public Health	Aside from construction workers, there are no human receptors within range of the impacts of the proposed works. Therefore no significant impact on public health is anticipated.
Climate Change	The nature and scale of the works will be minimal and in line with best practice. Therefore, the impact of the works on the climate through increased Green House Gas emissions or alterations to the natural environment will be minimal and insignificant. Future rising sea levels, increased storminess and temperature rises have the potential to impact the chosen site's integrity and intended purpose. However, no significant effects on the sites are expected from climate change.
Socioeconomics & Tourism	Due to the remote location and small scale of the proposed works at all sites, no significant effects are predicted.

PROJECT TIMELINE

- 2.2.11 Construction works will take a number of weeks.
- 2.2.12 The compensatory site is expected to be in place for the lifetime of the Project, up to 40 years. The Project expects to have the habitat improvements established before operation of the wind turbine generators.



3 CONSULTATION

3.1 HAVE YOUR SAY

- 3.1.1 Between **5 December 2023 and 31 January 2024**, we are consulting on the proposals set out in this document. Feedback to the consultation will be used in helping select a site and for developing a more detailed design.
- 3.1.2 We are particularly interested in any concerns or issues regarding the sites we have identified or the potential impacts of the compensatory measures. In addition, any preference for or against specific sites would be useful.
- 3.1.3 This Consultation Booklet and more detailed site plans can be found at www.fiveestuaries.co.uk/stage-3-consultation.
- 3.1.4 For more information about the Project, our published Preliminary Environmental Information Report (March 2023) and our draft Report to Inform Appropriate Assessments (May 2023) can be found at www.fiveestuaries.co.uk/document-library-general. The Preliminary Environmental Information Report is in the Stage 2 Consultation section of the document library.
- 3.1.5 If you require documents in other formats, please contact us using the details below. If you would like a paper copy of any document that has been published as part of this consultation or earlier in the Project, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

3.2 HOW TO RESPOND

- 3.2.1 The deadline for submitting responses to the consultation is 11:59pm on **Wednesday 31 January 2024**. Responses received after this time may not be considered.
- 3.2.2 You can respond to the consultation through the following channels:
- > Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

Freepost FIVE ESTUARIES

- > You can email your feedback at fiveestuaries@rwe.com. Please include 'FEEDBACK' in the subject line.

3.3 CONTACT US

- 3.3.1 If you have any questions about the Project, consultation or information published, please contact us at any time using the details below.

Telephone: 0333 880 5306

Email: fiveestuaries@rwe.com

F I V E
ESTUARIES
OFFSHORE WIND FARM



PHONE
EMAIL
WEBSITE
ADDRESS

COMPANY NO

0333 880 5306

fiveestuaries@rwe.com

www.fiveestuaries.co.uk

Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, SN5 6PB
Registered in England and Wales
company number 12292474