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Volume 7B Proposed Development (Offshore) Appendices

Appendix 6-6 Offshore Ornithology Consultation Agreement Log

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Acronyms and Abbreviations

CEF	Cumulative Effects Framework
CRM	Collision Risk Modelling
DAS	Digital Aerial Survey
Defra	Department for Environment, Food and Rural Affairs
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
HPAI	Highly Pathogenic Avian Influenza
HRA	Habitats Regulations Appraisal
LSE	Likely Significant Effects
MD-LOT	Marine Directorate – Licensing Operations Team
MLS	Most Likely Scenario
MMFR	Mean-Maximum Foraging Range
NAF	Nocturnal Activity Factors
NEEOG	North East and East Ornithology Group
NEOG	North East Ornithology Group
OECC	Offshore Export Cable Corridor
OWF	Offshore Wind Farm
PVA	Population Viability Analysis
RSPB	Royal Society for the Protection of Birds
SNCB	Joint Statutory Nature Conservation Body
SPA	Special Protection Area
WCS	Worst Case Scenario

1 Introduction

1.1.1.1 This appendix provides a summary of key consultation agreements between Caledonia Offshore Wind Farm Ltd (the Applicant) and key ornithology stakeholders during the pre-application stage for the Caledonia Offshore Wind Farm (OWF). This includes discussions during consultation meetings and written feedback provided by the following stakeholders:

- Marine Directorate – Licensing Operations Team (MD-LOT);
- NatureScot; and
- Royal Society for the Protection of Birds (RSPB).

1.1.1.2 Agreements used by the Applicant to inform the Environmental Impact Assessment (EIA) and Habitats Regulations Appraisal (HRA) accompanying the consent application are provided in Section 2.

2 Agreement Log

2.1 Overview

2.1.1.1

Summaries of the following ornithology topics/discussions points and agreements with key ornithology stakeholders are provided in the following tables:

- Baseline (Table 2-1);
- Distributional responses (Table 2-2);
- Collision risk modelling (CRM) (Table 2-3);
- Combined impacts (Table 2-4);
- Apportioning (Table 2-5);
- Population Viability Analysis (PVA) (Table 2-6);
- Cumulative impacts (Table 2-7);
- Wet storage (Table 2-8);
- Lighting (Table 2-9);
- HRA screening (Table 2-10); and
- Derogation and compensation (Table 2-11).

2.2 Baseline

Table 2-1: Summary of key consultation agreements relating to baseline.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Baseline Data				
B1.1	Confirmation of defined seasons to inform assessments	Discussed at Consultation Workshop 25/05/2023 - The post-breeding and pre-breeding seasons presented within the NatureScot guidance were combined with the non-breeding season to create one singular non-breeding season.	04/07/2023 - NatureScot provided written comments by email regarding the defined seasons. Provided confirmation of seasons to use for kittiwake, great black-backed gull, herring gull, great skua, guillemot, razorbill, puffin and gannet.	25/05/2023- Action - NatureScot to confirm defined seasons used to inform displacement assessment (and other preliminary assessment – CRM, apportioning), including comment on the peak puffin count in August of the Year One data, and comment on preliminary apportioning approach (i.e., splitting Furness (2015 ¹) seasons to align with NatureScot seasons, and thus avoid duplication of impacts. 04/07/2023 - Agreed to use the confirmed seasons in email dated 04/07/2023.
B1.2	Confirmation of defined seasons to inform apportioning	Discussed at Consultation Workshop 25/05/2023 - For relevant species, migratory seasons were foreshortened to allow for	04/07/2023 - NatureScot provided written comments by email regarding the defined seasons. Provided confirmation of seasons to use for kittiwake, great black-backed gull, herring gull, great skua, guillemot, razorbill, puffin and gannet.	04/07/2023 - Agreed to use the confirmed seasons in the email dated 04/07/2023.

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apportioning with the Furness (2015 ¹) BDMPS.				
B1.3	Alteration of the seasonal definition for puffin in the Year 1 data (awaiting Year 2 data at time of initial query)	Discussed at Consultation Workshop 25/05/2023 - Puffin abundances suggest an earlier migration in the Year 1 data.	04/07/2023 - NatureScot noted the autumn migration date is variable (Furness 2015 ¹), however need to see the second year of survey data and also the breakdown between adults and immatures for all species within the full set of digital aerial survey (DAS) results before providing further specific guidance on how the data should be used to inform distributional responses assessments.	04/07/2023 - Action - To discuss after the Year 2 data has been analysed. Completed - Discussed at consultation meeting 01/07/2024, no formal response provided by NatureScot. The Applicant has decided to present a Guidance (based on NatureScot guidance) and Applicant Approach for the distributional responses assessment. The Applicant Approach includes the Year 1 August DAS count in the non-breeding season rather than during the breeding season due to the Year 1 August abundance from the baseline DAS being considered to reflect migration rather than individuals present in the breeding season.
B1.4	Low identification (ID) rates for Auks within Year 1 DAS data	Originally discussed at Consultation Workshop 25/05/2023 - to be discussed when Year 2 DAS data has been received.	03/10/2021 - NatureScot noted low rates of auk ID in some months (non-breeding season) is a potential issue for distributional responses assessment. NatureScot provided written comments by email and suggested using 4 scenarios:	25/05/2023 - Action – The Applicant to check with APEM on the ID rates for unidentified auk species (in particular guillemot and razorbill) presented in the Year 1 DAS Report and provide

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>Discussed at Consultation Workshop 01/06/2023 - The Applicant provided a summary of preliminary ornithological assessment work completed to date. In terms of availability bias, this was undertaken to account for species diving (underwater) when the DAS was undertaken, using specific rates for guillemot (24%), razorbill (17%) and puffin (14%)</p> <p>Discussed at Consultation Workshop 09/05/2024</p>	<ul style="list-style-type: none"> ▪ Razorbill: using APEM approach to apportioning ▪ Razorbill: worst case scenario (i.e., assuming that all birds in the "Guillemot and/or Razorbill", "Auk species" and "Auk and/or shearwater species" groups are razorbills) ▪ Guillemot: using APEM approach to apportioning ▪ Guillemot: worst case scenario (i.e., assuming that all birds in the "Guillemot and/or Razorbill", "Auk species" and "Auk and/or shearwater species" groups are guillemots). <p>01/06/2023 - NatureScot noted the low ID rates for some auk species as part of the Year 1 DAS Report, particularly razorbill. It was noted that this has been captured as part of a separate ornithology consultation (25/05/2023). This is being considered further by NatureScot and The Applicant team.</p> <p>09/05/2024 - NatureScot hoped to have a look at proportions used for Moray East/West OWFs, given close proximity, as auk ID/ratios would (likely) be fairly similar. This would provide further support for using APEM apportionment approach.</p> <p>RSPB-suggested the worst-case scenario approach does feel slightly excessive. There is always a balance to be struck by the need for precaution. RSPB considers that APEM approach</p>	<p>feedback to NatureScot. Key points to report on (1) why the ID rate is low, (2) does this impact the validity of the assumptions for attributing unidentified auks to species level, and (3) does this impact the validity of the displacement assessment.</p> <p>03/10/2023 - Action - To discuss after the Year 2 data has been analysed.</p> <p>09/05/2024- Action - NatureScot to provide written feedback. 12/07/2024 - NatureScot confirmed use of APEM standard approach. Proposed apportioning approach agreed.</p>

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			seems sensible, but would like to see NatureScot review to confirm given potential for double counting.	
B1.5	Inclusion of April 2023 count in Year 1 DAS data to provide two full years	Discussed at Consultation Workshop 09/05/2024	<p>09/05/2024 - NatureScot noted that the key thing is looking at inter-annual variation. There have been some mortality events over this time. Seems logical, but when interpreting there may need to be some commentary if some differences for population over this time period. If looking different to rest of the year, commentary would be useful. RSPB noted nothing to add.</p> <p>The Applicant suggested worth bearing in mind when interpreting the CRM outputs more so than displacement. NatureScot agreed.</p>	09/05/2024 - Agreed
B1.6	Model-based data vs Design-based data	<p>Discussed at Consultation Workshop 01/07/2024 and followed up by an email dated 11/07/2024</p> <p>Discussed at Consultation Workshop 01/06/2023 - The Applicant noted that model-based abundances were not presented using the Year 1 DAS data, although this may be considered when Year 2 DAS data is received (currently being processed</p>	<p>07/08/2024- NatureScot provided written advice within and email dated 07/08/2024:</p> <p>We broadly agree with your proposed approach to abundance estimates. Regarding your additional queries with regards to Collision Risk Modelling (CRM) and abundance estimates for gulls and skua, we also agree with your proposed approach. Where the breeding season and non-breeding season approaches differ, this must be clearly justified in the application. You may wish to include the data comparison spreadsheet that you shared with us as an annex in your application for this purpose, along with a statement in the body of the application regarding your approach for each species. With</p>	07/08/2024 - Agreed

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		<p>by APEM, anticipated July 2023).</p>	<p>respect to presenting the different figures, you must ensure that the figures are clearly presented, and easy to follow from one table to another. This is to enable a clear understanding of the approach and which figures are being taken through to assessment.</p> <p>Advice on abundance estimates by species</p> <p>Guillemot: You propose to use MRSea for all surveys for displacement analyses. We are content with this approach.</p> <p>Puffin: You propose to use MRSea for the abundance estimates for puffin for displacement analyses in the breeding season and the design-based abundance estimates for the non-breeding season. This is due to zero counts and low numbers influencing the model-based estimates. We are content with this approach.</p> <p>Razorbill: You propose to use MRSea for the abundance estimates for razorbill for displacement analyses in the breeding season and the design-based abundance estimates for the non-breeding season. This is due to zero counts and low numbers influencing the model-based estimates. We are content with this approach.</p> <p>Gannet: You propose to use the design-based estimates for gannet displacement analyses for both the breeding and non-breeding season. We are content with this approach.</p> <p>Kittiwake: For kittiwake displacement analyses you propose using MRSea for the breeding</p>	

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			<p>season assessment (as per our advice on 01/07/24). In the non-breeding season, there are data gaps and zero counts so you propose using the design-based abundance estimates. However, peak counts were available for the non-breeding season months with highest abundances. We are content with this approach.</p>	
B1.7	Additional queries regarding model-based vs design-based	Discussed at Consultation Workshop 01/07/2024 and followed up by an email dated 11/07/2024	<p>07/08/2024 - NatureScot provided written advice within and email dated 07/08/2024: Your question: Abundance estimates were calculated by summing the grid cells across the prediction surface at the temporal scale specified by the exploratory analysis. To calculate abundance estimates within the survey area, we summed grid cells that fall within the boundary or touch the edges, ensuring that grid cells at the boundary are clipped to the boundary footprint and adjusted for the new area. The upper and lower confidence limits of the population estimate were calculated by determining the 95% confidence limits of the 1000 bootstrapped surfaces. The bootstrap outputs were not normally distributed, and the mean was more sensitive to outliers therefore the median was chosen as a more representative measure of central tendency when presenting abundance estimates. As noted above, the median was chosen as a more representative measure of central tendency. Therefore, an SD is not available for model-based estimates for inclusion within stochastic collision risk modelling. As such, design-based estimates</p>	07/08/2024- Agreed

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<p>would be used for collision risk modelling to conform with NatureScot guidance for collision risk modelling. Does NatureScot agree with this approach? <i>We are content with this approach.</i></p> <p>Your question: In addition to the information above relating to the use of the median, we present additional information with regards to the following species for which assessments for collision are being undertaken: great black-backed gull, herring gull and great skua. Great black-backed gull - MRSea was run for flying birds, however, due to the limited number of observations, it was more appropriate to model great black-backed gulls by survey year rather than month. Model fit was poor with a marginal R squared value of 0.004 and root mean squared error of 0.01. As above, the approach taken would be to use design-based estimates. Herring gull and great skua - Due to the limited number of observations, MRSea could not be run for flying birds. Therefore, as above, the approach would be to use design-based estimates. <i>We are content with this approach.</i></p>				
<p>2. Use of sabbaticals in assessments</p>				
B2.1	Confirmation of sabbatical rates for relevant species (kittiwake, gannet,	Discussed at Consultation Workshop 13/11/2023 - The Applicant plans to use sabbatical rates within	13/11/2023 - NatureScot agreed with rates for kittiwake and gannet, but will provide further comments following the consultation.	13/11/2023 – Action - NatureScot to provide feedback on proposed use of sabbatical

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	large gulls, auks and great skua)	assessments and presented those within previous EIAs (Berwick Bank and West of Orkney OWF) for relevant species.	14/12/2023 - NatureScot responded by email with an advice note and provided sabbatical rates. Agreed with Kittiwake/gannet (10%), large gulls (35%), auks (7%) and Fulmar/tern (0%). Suggested a rate of 8.9% (Catry et al., 1998 ²) for great skua, and also using a range of rates between 0 and 8.9% as a precaution.	rates, and which rates apply to which species. 14/12/2023 - Agreed - NatureScot agreed on sabbatical rates and proposed using a range from 0 - 8.9% for great skua.
3. Avian Influenza				
B3.1	Gannet colony count at Bass Rock	Discussed at Consultation Workshop 01/07/2024 - The Applicant explained that the gannet population will be used to assess against for the Bass Rock Colony. Counts were last made in 2014 and 2023 and queried which population count would NatureScot advise should be used in light of the Bass Rock 2024 colony.	01/07/2024 - RSPB queried whether the 2023 data was the same as produced by University of Edinburgh which had carried out the counts using a drone. These were published by the Seabird Centre and will be able to provide context for how the colony size was affected by the Highly Pathogenic Avian Influenza (HPAI) outbreak. It was confirmed later in the discussion that the 2023 data was the same as published by University of Edinburgh. NatureScot recommends that both 2023 and 2014 count data are displayed and contextualised, use most recent drone count for the assessments. Also to note in application that newer drone counts are to follow later. NatureScot highlights survey data needs to be comparable to colony data for assessments - that currently available count needs to be used in assessment. It helps to show the colony's resilience which is likely to be different in light of	Completed - The Applicant would like to thank NatureScot and RSPB for this useful discussion regarding the gannet Bass Rock colony count. In line with advice received from NatureScot that "the survey data needs to be comparable to colony data for assessments", both the 2014 count and 2021 count (Harris <i>et al.</i> , 2023 ³) have been displayed due to the reasons outlined below: The Applicant has used Harris <i>et al.</i> (2023 ³) Bass Rock colony count in assessments. The DAS occurred between April 2021 and April 2023 therefore means seasonal peak would occur during the HPAI. Although a

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<p>the HPAI outbreak, and may influence compensation options. Newer counts coming later can be used for context on what has happened in population, and to inform compensation discussions.</p> <p>RSPB agreed with NatureScot, and added that other aspect is understanding additional mortality, and that ability of population to respond to outbreak is ongoing question - in terms of compensation, there will be no point in time where a clear answer will be available.</p>				
B3.2	East Caithness Cliffs Special Protection Area (SPA) colony counts	Discussed at Consultation Workshop 01/07/2024 - The Applicant queried how assessments should be undertaken based on the age of the colony count data not conforming to NatureScot.	<p>01/07/2024 - NatureScot responded that this year's data would be preferred. Trend information may not be true representation of what has happened at colony (e.g., due to avian flu/marine heatwaves) - this would need to be included in any updates that incorporate the trend information. It would also be beneficial to look at a way to incorporate productivity data due to reports of guillemots being present on cliffs but not laying eggs. NatureScot suggested that Bob Swann would be a good person to contact due to his extensive knowledge of the site.</p> <p>The Applicant confirms the North East and East Ornithology Group (NEEOG) is undertaking guillemot counts for this year. The Applicant queried what to use in the absence of that data given our timelines. RSPB recommends a qualitative approach may be used in addition to</p>	<p>Completed - The Applicant has used East Caithness Cliffs colony counts from Swann (2016⁴) for the assessments due to discrepancies noted between this report and the Seabird Monitoring Programme, this is in line with consultation responses received for Green Volt OWF. Assessments have taken into account recent population trends in a qualitative manner.</p>

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			the older count data. NatureScot agrees - interpret outputs of PVA model with older published data in context of the recent population changes, qualitatively.	
B3.3	Effects of HPAI on DAS data (Year 1 and 2)	Discussed at Consultation Workshop 01/06/2023 - it was noted that mass mortality occurred during the 2022 breeding season, and thus overlapping with the DAS. This has perhaps not influenced the Year 1 DAS data, but potentially Year 2, and therefore a key aim is to identify what is considered 'typical'.	01/06/2023 - No further comments from NatureScot and RSPB. However, it was noted that these outputs were discussed with NatureScot and RSPB as part of ornithology specific consultation, and early sight of preliminary results was welcomed.	01/06/2023 - No further actions.

2.3 Distributional Responses

Table 2-2: Summary of key consultation agreements relating to distributional responses.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Baseline Data				
D1.1	Species vulnerable to distributional responses	Discussed at Consultation Workshop 25/05/2023 - Species to be assessed include guillemot, razorbill, puffin (breeding season only) and gannet. Discussed at Consultation Workshop 09/05/2024	25/05/2023 - NatureScot and RSPB agreed with the species included [see below for request to include kittiwake]. 12/07/2024 - Agreed with NatureScot the list of species to be assessed for distributional response, including red-throated diver. As per discussion at the meeting, advise fulmar are considered qualitatively.	25/05/2023 - Agreed. 12/07/2024 – Action - undertake qualitative assessment for barrier effects on fulmar. Completed - Barrier effects on Fulmar presented in Volumes 2, 3 and 4, Chapter 6: Offshore Ornithology.
D1.2	Kittiwake distributional responses evidence	Discussed at Consultation Workshop 25/05/2023 - Species scoring to be included, based on Joint Statutory Nature Conservation Body (SNCB) interim displacement advice note (Joint SNCBs, 2022 ⁵), but kittiwake was below 3 against these factors. Discussed at Consultation Workshop 13/11/2023 - The Applicant queried if	25/05/2023 - NatureScot noted that some of the existing post-consenting monitoring of kittiwake is quite varied, with some sites suggesting evidence of kittiwake displacement. NatureScot recommended to follow the NatureScot guidance rates for kittiwake displacement. 13/11/2023 - NatureScot still expect kittiwake to be included and are not in a position to change their advice on this. RSPB agreed no change is advised. RSPB also noted a lot of kittiwake tracking is taking place on the east coast this year - is more related to construction rather than operational impacts and would prefer the ongoing Hornsea monitoring to be multi-year.	13/11/2023 - Action - the Applicant to review the relevant evidence on kittiwake displacement. 14/12/2023 - Agreed - Kittiwake has been assessed for distributional responses as requested by NatureScot during consultation; however, the Applicant remains of the position that kittiwake do not require assessment for distributional responses due to the evidence base detailed within Volume 7B,

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		<p>there was an update on whether kittiwake should be included in the distributional responses assessment.</p> <p>Discussed at Consultation Workshop 01/07/2024- The Applicant noted that current literature would suggest that kittiwake have no response/ attraction to OWFs.</p>	<p>14/12/2023 - NatureScot still expect kittiwake to be included and are not in a position to change their advice on this.</p> <p>01/07/2024- NatureScot acknowledged that such literature exists, but that NatureScot would dispute it and is currently in the process of carrying out its own review. Current NatureScot position is that there is conflicting evidence, thus advice as is will remain the same; NatureScot advises kittiwake is assessed as per the current guidance. They will look at working with other stakeholders and organisations whilst carrying out their review but would suggest that their advice will continue as it is.</p>	<p>Appendix 6-2, Annex 4: Review of Relevant Evidence suggesting kittiwake show limited behavioural response to OWFs.</p>
D1.3	Kittiwake displacement in the non-breeding season	<p>Discussed at Consultation Workshop 25/05/2023 - The Applicant noted that the Berwick Bank OWF application solely considered kittiwake for the breeding season based on MSS guidance.</p> <p>Discussed at Consultation Workshop 09/05/2024</p>	<p>25/05/2023 - NatureScot noted that displacement of kittiwake in the non-breeding season is dependent on the abundances in the aerial surveys, as Berwick Bank OWF application did not record many during the winter.</p> <p>14/12/2023 - NatureScot request kittiwake is assessed in the breeding and non-breeding season</p> <p>09/05/2024 - NatureScot noted will need to check consistency on what is being advised. NatureScot is reviewing some in-combination advice on baseline. RSPB noted nothing further to add, but with them being central placed foragers, in some ways barrier effects are less</p>	<p>25/05/2023 - Action - The Applicant to review Year 2 DAS data, once available, to consider relative importance of the Caledonia OWF (array area) for kittiwake in the breeding and non-breeding seasons.</p> <p>14/12/2023 - Agreed - Kittiwake to be assessed for breeding and non-breeding season.</p> <p>09/05/2024 - Action - NatureScot to provide written response</p>

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<p>important in non-breeding seasons. Depends on locality of prey supply. 500 birds is perhaps at a level that needs consideration.</p> <p>12/07/2024- NatureScot advise that displacement in the non-breeding season does need to be assessed for kittiwake. For further information, refer to our Guidance Note 8.</p> <p>Agreed - Kittiwake has been assessed for distributional responses as requested by NatureScot during consultation; however, the Applicant remains of the position that kittiwake do not require assessment for distributional responses due to the evidence base detailed within Volume 7B, Appendix 6-2, Annex 4: Review of Relevant Evidence suggesting kittiwake show limited behavioural response to OWFs.</p>				
D1.4	Kittiwake seasonal adjustment	Discussed at Consultation Workshop 09/05/2024 - The Applicant proposed including the Year 3 April count in the breeding season rather than during the spring migration breeding season	09/05/2024 - NatureScot noted this may be breeding site attendance, not necessarily associated with nest building as such. RSPB suggested the need to think through a bit about the implications to assessment.	<p>09/05/2024 - Action - The Applicant to provide NatureScot and RSPB with kittiwake numbers via email.</p> <p>Agreed - Kittiwake has been assessed for distributional responses as requested by NatureScot during consultation; however, the Applicant remains of the position that kittiwake do not require assessment for distributional responses due to the evidence base detailed within Volume 7B, Appendix 6-2, Annex 4: Review of Relevant Evidence suggesting kittiwake show limited behavioural response to</p>

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				OWFs. As such an Applicant Approach for kittiwake has not been presented and kittiwake seasons have been assessed as per NatureScot guidance.
D1.5	Proposed approach to assessment for distributional responses for Caledonia North and Caledonia South	Discussed at Consultation Workshop 13/11/2023 - Proposed approach to the assessment for distributional responses, aiming to assess the overall project, Caledonia North and Caledonia South. With the potential for double counting due to overlap in the 2km buffer used for assessment (between Caledonia North and Caledonia South), the Applicant team proposed using predicted mortalities from the full site as precedent within cumulative and in-combination assessment.	13/11/2023 - NatureScot suggested there was nothing specific to comment at this time. RSPB suggested the approach seemed sensible. 14/12/2023 - NatureScot agreed with the proposed method set out by the Applicant with the buffer applied to each application for the distributional responses and collision assessment. With regards to the cumulative assessment, we note you intend to use no buffer (or a whole site approach). If, however, the Cumulative Effects Framework (CEF) is available during your assessment process, this may require consideration of the use of a buffer. NatureScot advise that the phased approach to assessment may result in the survey data becoming out of date to inform post-consent/pre-construction monitoring requirements, if consented	13/11/2023 - Action - NatureScot to provide a formal response on the approach. 14/12/2023 - NatureScot Agreed with proposed approach.
D1.6	Puffin seasonal adjustment	Discussed at Consultation Workshop 09/05/2024 - August 2022 puffin numbers suggest early autumn migration. Count	09/05/2024 - NatureScot noted this has this come up on a couple of other sites. NatureScot advised seeking if anyone monitoring or managing colonies, and thus have information on when birds left, seemed to be leaving, as this	09/05/2024 - Action - NatureScot to provide written response Completed - Discussed at

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		<p>was in first half of August. The Applicant queried if this was an early migration rather than breeding season count.</p>	<p>could provide good justification for the change. Can see the point being made. If some evidence on colonies being monitored, this could quite easily be agreed to. If switching from the guidance, useful to have this evidence. RSPB suggested what NatureScot proposed seems a good suggestion</p>	<p>consultation meeting, no responses provided. The Applicant has decided to present a Guidance (based on NatureScot guidance) and Applicant Approach for the distributional responses assessment. Applicant Approach includes the Year 1 August DAS count in the non-breeding season rather than during the breeding season, due to the Year 1 August abundance from the baseline DAS being considered to reflect migration rather than individuals present in the breeding season.</p>
D1.7	<p>Puffin displacement assessment in the non-breeding season</p>	<p>Discussed at Consultation workshop 09/05/2024 - Proposed to not assess puffin for distributional responses during the non-breeding season</p>	<p>12/07/2024 - NatureScot to follow up with further advice</p>	<p>09/05/2024 - Action - NatureScot to provide written response</p> <p>12/07/2024 - Awaiting further information.</p> <p>Completed - The Applicant has presented puffin distributional response for puffin the non-breeding season as a precautionary measure.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
2. Displacement and Mortality Rates				
D2.1	Preliminary distributional responses assessment	<p>Discussed at Consultation Workshop 01/06/2023 - The preliminary displacement assessment was undertaken using the matrix approach in NatureScot guidance, but SeabORD has not been used at this stage. The Applicant will consider the use of SeabORD with the Year 2 DAS data, but this will be discussed further with stakeholders. Approach also used NatureScot guidance rates for displacement. The Applicant presented the preliminary displacement assessment results, which suggest annual total estimated mortalities of guillemot are the highest (relative to other species assessed; razorbill, puffin, gannet and kittiwake).</p>	01/06/2023 - No further comments from NatureScot and RSPB. However, it was noted that these outputs were discussed with NatureScot and RSPB as part of ornithology specific consultation, and early sight of preliminary results was welcomed.	No actions.
D2.2	The evidence base for the NatureScot guidance rates and	Discussed at Consultation Workshop 25/05/2023 - Queried evidence the	25/05/2023 - RSPB noted that evidence-based approach always applied in preparation of NatureScot guidance. NatureScot will take these	25/05/2023 - Action – The Applicant to consider how relative size/scale of existing

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
	<p>whether recent studies will be taken into account</p>	<p>NatureScot guidance rates is based on, and whether recent studies would be taken into account in defining displacement and mortality rates.</p> <p>Discussed at Consultation Workshop 13/11/2023 - The Applicant queried if there are any further updates from NatureScot and RSPB on guidance following outputs from Beatrice and Moray East OWFs as the Applicant considers these data very applicable to the Caledonia OWF.</p>	<p>comments on board, however guidance will only be updated when evidence fully publicly available and peer reviewed.</p> <p>13/11/2023 - NatureScot noted their awareness of the reports but NatureScot has not changed its guidance due to the conflicting evidence. NatureScot are unlikely to change current advice in time for the application. RSPB noted there is a lot of variability in the extent of displacement that is supported in a variety of studies. It was appreciated that the Beatrice and Moray East OWF studies are in relative locality to the Caledonia OWF but may not be applicable due to other potential contributing factors. Studies are completed in narrow windows but factors like prey species and whether there are any cluster effects need to be considered.</p> <p>14/12/2023 - NatureScot accept the inclusion of additional information provided it does not form the primary displacement assessment. They advise that the primary assessment should follow our guidance regarding displacement rates.</p> <p>12/07/2024- NatureScot expect Guidance Note 8 to be followed as the main approach for displacement. However, can also present own approach, in addition to the NatureScot approach.</p>	<p>OWFs within the Moray Firth could influence the scale and consequences of potential displacement from the Caledonia OWF.</p> <p>13/11/2023 - The Applicant to present the evidence on the displacement and mortality rates used within the Environmental Impact Assessment Report (EIAR).</p> <p>14/12/2023 - Agreed - Inclusion of additional info and evidence provided but will not form the primary distributional responses assessment.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
D2.3	Beatrice OWF post-consent monitoring	Discussed at Consultation Workshop 25/05/2023 - The findings of the Beatrice OWF post-consent monitoring suggest lower displacement and mortality rates compared to the NatureScot guidance.	25/05/2023 - NatureScot and RSPB noted awareness of the Beatrice OWF work and encouraged peer-review/publication of this work.	13/11/2023 - Action - The Applicant to present the evidence on the displacement and mortality rates used within the EIAR. Completed - Evidence provided in Volumes 2, 3 and 4, Chapter 6: Offshore Ornithology.
D2.4	Applicant Approach to auk displacement rates	Discussed at Consultation Workshop 09/05/2024 - The Applicant proposed an applicant approach of applying auk displacement rates that are lower than suggested by NatureScot guidance. The Applicant noted guidance-based approach (NatureScot guidance) will be provided, but also lean on available Beatrice/Moray East data for applicant approach, due to its particularly high geographical relevance to the Caledonia OWF. Discussed at Consultation	09/05/2024 - NatureScot trying to develop a workshop that will enable industry stakeholders to look at different pieces of evidence available and methods used (sometimes conflicting) on auk displacement. This is in the early stages, and thus will not be relevant for the Caledonia OWF, but looking to close the loop in taking this evidence on board. RSPB noted auk displacement rates, evidence gathered from Moray Firth (recently published) is very interesting. Meso-displacement from OWFs perhaps more appropriate description. Not necessarily applicable to wider displacement. 01/07/2024 - NatureScot noted they would be happy for The Applicant to present their own approach. Berwick Bank was suggested as a good example. It was noted that the scoped approach should be used in the RIAA.	09/05/2024 - Action - NatureScot to provide a written response. Completed - Following consultation 01/07/2024, an Applicant Approach has been presented for auks distributional response assessment.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
<p>Workshop 01/07/2024 - The Applicant queried thoughts on presenting an applicant approach using lower displacement rates based on recent OWF evidence.</p>				
<p>3. SeabORD</p>				
D3.1	Use of SeabORD	<p>Discussed at Consultation Workshop 25/05/2023</p> <p>Discussed at Consultation Workshop 13/11/2023 - The Applicant noted the inclusion of SeabORD within the CEF tool and outlined queries regarding SeabORD</p>	<p>25/05/2023 - NatureScot noted the tool has been used for an application outside of the Forth and Tay (Pentland Firth demonstration project). Noted the Marine Directorate is considering a further review based on the contents of Natural Power’s SeabORD review contained within the Berwick Bank application. Noted this review raises a number of very important issues which require further consideration by stakeholders.</p> <p>13/11/2023 - NatureScot is aware SeabORD has been used outside of the Forth and Tay. NatureScot noted the guidance has not changed - if not possible to use tracking studies, use distance decay instead. NatureScot suggested a refresh of SeabORD is coming up and users can apply >6 colonies. NatureScot recommend that the Applicant speak to Marine Directorate.</p> <p>14/12/2023 - As above. SeabORD can be used outside of the Firth of Tay by applying a homogenous distribution. Where regional</p>	<p>13/11/2023 - Action – The Applicant to request the SeabORD package from the Marine Directorate. The Applicant suggested end of January 2024 for a cut-off point to receive a working version of SeabORD based on project timelines.</p> <p>14/12/2023 - Action - As above.</p> <p>Following advice from MD-LOT regarding the use of SeabORD, the Applicant attempted to use this tool for Atlantic puffin, common guillemot, razorbill and black-legged kittiwake during the breeding season with the intention to provide the results as an additional note. However, the tool provided would not run and, after troubleshooting and</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
			tracking data is not available or suitable, this distance decay function can be used.	consultation with MD-LOT, it was agreed that SeabORD outputs would not be required.
D3.2	Accuracy of SeabORD outputs outside of the Firth of Forth (within Moray Firth)	Discussed at Consultation Workshop 25/05/2023 - The Applicant queried the accuracy of SeabORD outputs when used in the Moray Firth since the model contains many inputs that pertain to Firth of Forth seabird populations.	25/05/2023 - NatureScot noted the tool has been used for an application outside of the Forth and Tay (Pentland Firth demonstration project). NatureScot suggested there is more biological realism in SeabORD approach against matrix approach. Noted that Marine Directorate is considering a further review based on the contents of Natural Power’s SeabORD review contained within the Berwick Bank application. Noted this review raises a number of very important issues which require further consideration by stakeholders.	25/05/2023 - Action - The Applicant to collate queries relating to ornithological assessment work, such as the use/application of SeabORD, to be put to Marine Directorate and forward to NatureScot for comment. Complete - meeting (with NatureScot in attendance) on 20/08/2023.
D3.3	Release of new version of SeabORD in R (opposed to the previous version in MATLAB)	Discussed at Consultation Workshop 25/05/2023	25/05/2023 - NatureScot noted that the team would need to ask Marine Directorate. If SeabORD is used within the assessment, NatureScot suggested that the report needs to be clear on parameters/assumptions used.	25/05/2023 - Action - The Applicant to collate queries relating to ornithological assessment work, such as the use/application of SeabORD, to be put to Marine Directorate and forward to NatureScot for comment. Complete - meeting (with NatureScot in attendance) on 20/08/2023.
D3.4	Approach to SeabORD	Discussed at Consultation Workshop 09/05/2024	12/07/2024 - NatureScot confirm they agree to the approach presented during consultation.	12/07/2024 – Agreed (also see D3.1)

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
4. Vessel Disturbance				
D4.1	Scoping out operational disturbance and displacement assessment based on the revised offshore export cable corridor	Discussed at Consultation Workshop 25/05/2023 - the offshore export cable corridor has been refined since submission of the Offshore Scoping Report. Previously, the extent marginally overlapped with the Moray Firth SPA, but is now separated from that area.	04/07/2023 - NatureScot provided a written response by email. Stated given the information presented on the refined offshore export cable corridor, this impact pathway can be scoped out in the RIAA with respect to the corridor and the qualifying interests of the Moray Firth SPA. However, the EIA should still consider potential disturbance and displacement impacts on marine and coastal birds. NatureScot also noted that, depending on the shore bases used for all phases of the development (construction, operation, decommissioning) and associated vessel routes, and the types, frequency and duration of vessel movements along these routes to and from the development, both EIA and HRA assessments may be required.	25/05/2023 - Action - NatureScot to provide confirmation on whether suitable to scope out operational disturbance and displacement associated with the offshore export cable route as a result of the area being refined since scoping (no longer a direct overlap with the Moray Firth SPA). 25/05/2023 - Action - The Applicant to consider potential disturbance from operation and maintenance vessel traffic within SPAs, regardless of overlap with the Caledonia OWF. 04/07/2023 - Agreed.
VD1.2	Red-throated diver vessel disturbance	Discussed at Consultation Workshop 25/05/2023 - Disturbance buffer for red-throated diver guidance calls for 10km in offshore wind assessments; however, vessel disturbance will be around 2km.	25/05/2023 - NatureScot noted the buffer areas to vessel disturbance need to be confirmed and suggested details on vessels moving in and around designated would be useful. Need to understand which port used, number of vessels, daily/weekly transits, etc. Once more info available, The Applicant can discuss further with NatureScot.	25/05/2023 - Awaiting further information. 12/07/2024 - Action - review information provided by NatureScot and undertake vessel disturbance assessment for red-throated diver.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
<p>Discussed at Consultation Workshop 09/05/2024</p> <p>12/07/2024 - NatureScot provided the following information: We note from that impacts of vessel traffic on red-throated diver at Moray Firth SPA are to be considered. However, we reiterate the advice we provided at Scoping (dated 4th November 2022): We note that the ECC [export cable route] overlaps with the Moray Firth SPA. The [Scoping] Report states that operational impacts would be highly localised and episodic. In general, we accept that impacts arising from operational phase within the ECC is likely to be limited. However, due to the overlap with the SPA, and potential disturbance from cable maintenance and vessel movement associated with the operational phase within the ECC, there is a likely significant effect with the qualifying species of the Moray Firth SPA.</p> <p>Since the submission of the Offshore Scoping Report (Volume 7, Appendix 2), the offshore export cable corridor (OECC) has reduced, and no longer overlaps with the Moray Firth SPA. However, the potential impact of vessel disturbance on red-throated diver has been considered within Application Document 13: Caledonia North Report to Inform Appropriate Assessment, Application Document 14: Caledonia South Report to Inform Appropriate Assessment and Volumes 2, 3 and 4, Chapter 6: Offshore Ornithology.</p>				
<p>5. Displacement Assessment during the Construction Phase</p>				
D5.1	Request confirmation from NatureScot that displacement assessments are not required for the construction phase	Query sent to NatureScot in an email dated 13/08/2024	21/08/2024 - Advice provided by NatureScot in an email: We would expect to see some consideration of displacement during construction. We anticipate that during the construction and decommissioning phase, the presence of physical infrastructure such as wind turbine generators will range from none to equal to the full operational Project. Therefore, the magnitude of distributional responses is assumed to be less than or equal to the magnitude of distributional responses predicted for the	21/08/2024 - Agreed.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
			<p>operational phase. There is no requirement for a quantitative assessment in your consideration of this issue. In addition, we would expect there to be an assessment of disturbance and displacement from vessel movements and construction related marine traffic during the construction phase.</p>	

2.4 CRM

Table 2-3: Summary of key consultation agreements relating to CRM.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Species to be Assessed				
CRM1.1	Species to be assessed	Discussed at Consultation Workshop 13/11/2023 - Species to be assessed include kittiwake, herring gull, lesser black-backed gull, great black-backed gull, gannet and great skua, although this list is to be confirmed based on the Year 2 DAS data.	13/11/2023 - To comment after receiving the Year 2 DAS report. 12/07/2024 - NatureScot agree with the species included in the collision risk assessment	13/11/2023 - Action - The Applicant to confirm species to be included when sharing the Year 2 DAS report. Agreed - Species confirmed and agreed with NatureScot.
CRM1.2	Species to be assessed	Discussed at Consultation Workshop 09/05/2024- Not included lesser black-backed gull and terns in assessment due to low numbers	12/07/2024 - NatureScot agree that collision risk modelling does not need to be undertaken for lesser black-back gull due to the low numbers recorded in the Digital Aerial Surveys.	09/05/2024 - Action - NatureScot to provide written response. Agreed - Written response provided (12/07/2024).
CRM1.3	Species to be assessed	The sCRM tool currently cannot be run on great skua.	12/07/2024 - NatureScot agree that collision risk modelling does not need to be undertaken for lesser black-back gull and tern, but to include for great skua.	12/07/2024 - Action - CRM and sCRM to be run for great skua. Completed - used to inform ornithology assessment.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
2. Model Parameters				
CRM2.1	Preliminary CRM results	Discussed at Consultation Workshop 01/06/2023- The Applicant presented the preliminary CRM results, noting only stochastic model outputs shown as a slight error with the deterministic model was identified (raised with and resolved by the model developer). It was noted that the stochastic outputs were compared with the existing Band model, with similar results. The approach to CRM followed the NatureScot guidance, and the Applicant is checking with NatureScot on parameters for great skua.	01/06/2023 - No further comments from NatureScot and RSPB. However, it was noted that these outputs were discussed with NatureScot and RSPB as part of ornithology specific consultation, and early sight of preliminary results was welcomed	No action.
CRM2.2	Avoidance rates	Discussed at Consultation Workshop 25/05/2023 - A comparison of the NatureScot guidance with Ozsanlav-Harris <i>et al.</i> (2023 ⁶), the avoidance rates within the guidance	25/05/2023 - NatureScot noted it is unlikely to be updated to species-specific and suggested to continue referring to guidance.	25/05/2023 - Agreed.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
<p>are based on groupings rather than species specific outputs. The Applicant queried if species-specific rates will be prepared.</p>				
CRM2.3	Great skua parameters	<p>Discussed at Consultation Workshop 25/05/2023.</p> <p>Discussed at Consultation Workshop 13/11/2023 - The Applicant queried a potential typo in the parameters - if flight speed should be 14.9m/s as opposed to 4.9m/s in the advice provided.</p>	<p>07/07/2023 - NatureScot provided a written response with the parameters for great skua to be used in CRM assessment.</p> <p>13/11/2023 - NatureScot confirmed this a minor typo and to use 14.9m/s.</p>	<p>25/05/2023 - Action - NatureScot to provide confirmation on suitable parameters to use for great skua in CRM assessment.</p> <p>04/07/2023 - Action - NatureScot to confirm the parameters provided are correct, specifically flight speed. Complete - Response received on via email (07/07/2023).</p> <p>13/11/2023 - Agreed.</p>
CRM2.5	Nocturnal Activity Factors (NAF) values	Discussed at Consultation Workshop 09/05/2024	12/07/2024- NatureScot agree with the NAF presented however, for great skua we recommend the use of 0.125 (with no standard deviation), based on interpretation of Garthe and Hüppop (2004 ⁷).	<p>09/05/2024 - Action - NatureScot to provide written response.</p> <p>Completed - Written response provided (12/07/2024).</p>
CRM2.6	Model-based vs design based for abundance	Discussed at Consultation Workshop 01/07/2024	07/08/2024 - NatureScot agree with proposed approach. Where the breeding season and non-breeding season approaches differ, this must be	07/08/2024 - Agreed.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
	estimates for gulls and great skua		clearly justified in the application. You may wish to include the data comparison spreadsheet that you shared with us as an annex in your application for this purpose, along with a statement in the body of the application regarding your approach for each species. With respect to presenting the different figures, you must ensure that the figures are clearly presented, and easy to follow from one table to another. This is to enable a clear understanding of the approach and which figures are being taken through to assessment.	
CRM2.7	Error identified in the deterministic model	Discussed at Consultation Workshop 25/05/2023 - The Applicant has had discussions with the model developer and it is understood that these errors have since been resolved – a new version of the sCRM is now available which incorporates these changes. For comparison, Band model outputs provided similar results to the stochastic tool. Deterministic will be used alongside stochastic in the final assessment.	25/05/2023 - NatureScot thanked the team for the feedback on the deterministic tool and requested details be sent over to NatureScot. NatureScot noted this kind of feedback was really useful, and glad to hear deterministic outputs will be included in final assessment.	25/05/2023 - Action - The Applicant to forward details of the errors and resolution to the use of the deterministic CRM model. Completed - forwarded following meeting.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
3. Cumulative Impacts - Approach to CRM				
CRM3.1	The Applicant queried the approach cumulative impacts with Caledonia North and Caledonia South for the CRM assessment, providing consistency with the distributional responses assessment	Discussed at Consultation Workshop 13/11/2023	13/11/2023 - NatureScot noted the similar approach to displacement, but would want to agree position in writing.	<p>13/11/2023 - Action - NatureScot to agree position regarding approach to cumulative CRM impacts in writing.</p> <p>14/12/2023 - Agreed - NatureScot agreed with the proposed approach as per the advice on distributional responses (see D1.4).</p>
4. mCRM				
CRM4.1	Use of the mCRM shiny app	Discussed at Consultation Workshop 13/11/2023 - The Applicant queried if there are any key considerations for the assessment regarding the mCRM tool if the team is okay to use the tool for assessment as it is currently based on a beta version.	13/11/2023 - NatureScot agreed they are happy for the team to use the tool and there are no key points to note but NatureScot will provide further advice within a written response. RSPB agreed there was nothing further to add and is happy for the team to use the tool in both forms including the 'raw' code.	13/11/2023 - Agreed.

2.5 Combined Impacts

Table 2-4: Summary of key consultation agreements relating to combined impacts.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Preliminary Combined Impact Assessment				
CoI1.1	Preliminary combined impact assessment results	Discussed at Consultation Workshop 01/06/2023 - The Applicant presented results of combined impacts (distributional responses and collision risk) for two species (kittiwake and gannet), noting this involved an additive approach. The proposed approach to assessing combined impacts is to be discussed further with NatureScot.	01/06/2023 - No further comments from NatureScot and RSPB. However, it was noted that these outputs were discussed with NatureScot and RSPB as part of ornithology-specific consultation, and early sight of preliminary results was welcomed.	No action.
2. Macro-avoidance in CRM				
CoI2.1	Potential for overestimations as a result of additive approach	Discussed at Consultation Workshop 25/05/2023 - Potential for overestimations as a result of additive approach, with collision and displacement mortalities simply added together. Suggested the potential solution of using macro-avoidance within the CRM	25/05/2023 - NatureScot noted this has been flagged and is being looked into - suggested keeping in line with the guidance but are aware Natural England is undertaking work on this. Once available, NatureScot will consider whether to update the guidance. 13/11/2023 - NatureScot suggested their guidance is not changing. NatureScot is	13/11/2023 – Action - The Applicant to present the evidence on the displacement and mortality rates used within the EIAR. 14/12/2024 - Action - The Applicant to check assessment approach for gannet and

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>assessment, as per the Natural England guidance for gannet.</p> <p>Discussed at Consultation Workshop 13/11/2023 - The Applicant reiterated the potential for overestimation of impacts and requested any updates to the NatureScot guidance.</p>	<p>aware of differences in guidance compared to other SNCBs but suggested more OWF sites are nearer to breeding seabird colonies in Scotland</p> <p>RSPB agreed with NatureScot.</p> <p>14/12/2023 - NatureScot noted there are no current plans to update their guidance with respect to the combined assessment approach for collision and displacement for gannet and kittiwake. NatureScot advise that the additive approach is used in the application. NatureScot are aware of differences in approach with other SNCBs. However, due the inherent differences in Scotland, particularly the proximity of offshore renewable devices with breeding colonies in Scottish waters, we advocate for an additive approach until such a time as more evidence is available. NatureScot are aware of work ongoing in Scotland, particularly tagging work in the Forth and Tay of gannets, which should improve this evidence base.</p> <p>12/07/2024 - NatureScot - For species such as kittiwake and gannet, where both collision risk and distributional responses (displacement and barrier effects) are considered we are aware that work is ongoing to understand how best to combine these impacts (Pavat <i>et al.</i>, 2023⁸). However, this paper was only able to derive</p>	<p>kittiwake regarding the use of macro-avoidance and update following NatureScot advice</p> <p>12/07/2024 - Agreed - The Applicant has presented a Guidance Approach and Applicant Approach for gannet.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
			<p>values from a small number of studies and unable to explore any seasonal variation. Due to these issues and the known differences in foraging behaviour between and within breeding seasons NatureScot advises that we do not agree with the adoption a macro-avoidance rate for gannet during the breeding season, however, we accept its use during the non-breeding season.</p>	
CoI2.2	Provision of a most likely scenario (MLS) and worst-case scenario (WCS)	<p>Discussed at Consultation Workshop 09/05/2024 - Guidance note 7 requests to present both MLS and WCS for CRM, but due to commercial availability of turbines and other factors, not able to provide a MLS. The Applicant noted having spoken to a number of engineering colleagues, great deal of uncertainty around turbine procurement, not able to credibly select a MLS, as essentially do not know yet. Could define a MLS, but this does not seem appropriate.</p>	<p>09/05/2024 - NatureScot understood how this makes things quite difficult. The use of a MLS can help interpret the results, such as stochastic, and thus levels of precaution. It is a recommendation as it is helpful, but if not available that is fine to only present WCS.</p>	09/05/2024 - Agreed.
CoI2.3	Macro-avoidance rates for gannet	<p>Discussed at Consultation Workshop 09/05/2024 - The Applicant proposed the use of</p>	<p>12/07/2024 - NatureScot noted they are looking to provide update to CRM note which will consider macro-avoidance rates. There is</p>	09/05/2024 - Action - NatureScot to provide a written response

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>an applicant approach applying 70% macro-avoidance for gannet year-round</p>	<p>concerns in the breeding season this being applied. RSPB agreed on macro-avoidance rates. Evidence is limited around breeding seasons. Some tagging for gannet. Actively gathering data, but timescales unlikely to align for Caledonia. RSPB opinion on macro-avoidance rates, seeing birds flying through OWFs. Not seeing those levels of displacement/avoidance.</p>	<p>12/07/2024 - Agreed - an Applicant and Guidance approach has been provided for gannet.</p>

2.6 Apportioning

Table 2-5: Summary of key consultation agreements relating to apportioning.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Preliminary Apportioning Results				
A1.1	Preliminary apportioning results	Discussed at Consultation Workshop 01/06/2023 - Initial apportioning, which is a live workstream, were presented by the Applicant. Apportioning was commenced to see which SPAs may be the focus of the assessment. It was noted that preliminary apportioning has required various caveats, such as the combined impacts did not include macro-avoidance, additionality of impacts (overestimation for kittiwake and gannet) and no sabbatical rates were applied. The two highest weightings were presented for the breeding season. The Applicant presented non-breeding season preliminary apportioning results for great black-back gull and herring gull.	01/06/2023 - No further comments from NatureScot and RSPB. However, it was noted that these outputs were discussed with NatureScot and RSPB as part of ornithology-specific consultation, and early sight of preliminary results was welcomed.	No action.
2. Release Date for Guidance Note				
A2.1	Queried the release of the apportioning guidance note	Discussed at Consultation Workshop 25/05/2023. Discussed at Consultation Workshop	25/05/2023 - NatureScot noted that the apportioning guidance note had not been released due to a lack of time/resources. It is hoped that the	13/11/2023 - Noted, the Applicant to progress with the current methodology for apportioning. Suggest end of

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>13/11/2023 - The Applicant queried the release of Guidance Note 10 in relation to apportioning. Also noted the timings will be key if to be incorporated within the Caledonia assessment.</p> <p>Discussed at Consultation Workshop 09/05/2024 - The Applicant queried the release of Guidance Note 10.</p>	<p>guidance will be published in the next three months, alongside the CEF tool. NatureScot suggested the use of the Marine Scotland tool for kittiwake, guillemot, razorbill (and shag), and for other species use the NatureScot apportioning approach (interim guidance).</p> <p>13/11/2023 - NatureScot noted this has been discussed internally for a plan to take the apportioning note forward, but no timescale as yet. Suggesting to continue to work based on previous guidance, and if NatureScot manage to get out the updated guidance note then will forward to the Applicant.</p> <p>14/12/2023- NatureScot noted the apportioning guidance note (Guidance Note 10) has been in abeyance due to capacity constraints. However, when this is available NatureScot will notify the Applicant. If it is not available within application timescales, their interim advice note should be used.</p> <p>09/05/2024- NatureScot had hoped this would be available already, but high level of case work. Content for older NatureScot approach (interim</p>	<p>February for a cut-off point to include new methodology for apportioning based on project timelines.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
			guidance) to be used in the meantime.	
3. Approach to Guillemot Apportioning				
A3.1	Approach to guillemot population numbers (differed from other species)	Discussed at Consultation Workshop 25/05/2023 - The Applicant noted guillemot non-breeding regional population size has been estimated through colonies within Mean-Maximum Foraging Range (MMFR) (+1SD) as per the NatureScot guidance, opposed to the other species which are based on the BDMPS defined in Furness (2015 ¹). The Applicant submitted the methodology as an action from the workshop.	<p>03/10/2023 - NatureScot provided an email response to the note. NatureScot noted the Applicant was correct in interpretation of the NatureScot Guidance Note with respect to determining regional populations of guillemots in the non-breeding season. NatureScot advised that shortest (straight line) distance (rather than at-sea) as measured for closest points of proximity of the colony (including any marine extension) and development area boundary (rather than centres) should be used to determine which colonies may be within the relevant range for calculation of regional populations.</p> <p>12/07/2024- NatureScot agree with the approach proposed within the briefing note. However, would recommend commentary on this is provided within the assessment and consideration of any implications are included within the conclusions.</p>	<p>25/05/2023 - Action – The Applicant to summarise approach to guillemot population numbers used in the preliminary assessments to enable NatureScot review and comment.</p> <p>03/10/2023 - Agreed.</p> <p>12/07/2024 - Action - provide commentary regarding the approach taken for auk apportioning within the assessment and consider implications within conclusions.</p> <p>12/07/2024 - Completed - Approach used and presented within Application Document 13, Appendix 13-1: Apportioning Technical Report and Application Document 14, Appendix 14-1: Apportioning Technical Report.</p>

2.7 PVA

Table 2-6: Summary of key consultation agreements relating to PVA.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. PVA Threshold				
PVA1.1	Advice from NatureScot on how the PVA threshold was derived	Discussed at Consultation Workshop 25/05/2023 - The Applicant discussed the threshold for PVA to be applied within the assessment, a change to the adult annual survival rate of 0.02 percentage points. Preliminary apportioning results looked at which species/sites would exceed this threshold, which has indicated the potential for over 30 PVA assessments required for project alone assessments, and potentially 100's for in-combination effects. This will result in a very long assessment.	03/10/2023 - NatureScot reviewed the Applicant's note on the approach used to calculate the number of SPAs requiring PVA (Document titled "Caledonia Offshore Wind Farm Population Viability Analysis (PVA) Threshold Calculation" by GoBe Consultants Ltd). NatureScot were content for the Applicant to adopt the approach for calculating changes in survival rate as set out in the note.	25/05/2023 - Action - The Applicant to review the NatureScot PVA guidance and provide a short note on the approach used to calculate the number of designated sites requiring PVA. 03/10/2023 - Agreed.
PVA1.2	Use of a <i>de minimis</i> threshold for PVA	Discussed at Consultation Workshop 13/11/2023 - The Applicant had previously noted potentially high number of PVA required based on preliminary	13/11/2023 - NatureScot noted wanting to keep guidance applicable to all applications and thus could be difficult to defend for NatureScot - appreciate that some numbers likely to be small, but 0.2 percentage point change is fixed from NatureScot perspective.	13/11/2023 - Agreed.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>assessment (Year 1 DAS data only). The Applicant queried any thoughts from consultees on potential for use of a <i>de minimis</i> threshold for PVA. The Applicant team queried what would this mean in terms of assessment, or whether a potential <i>de minimis</i> rate could be applied.</p>	<p>NatureScot noted it is unfortunate that still early days of post-consent monitoring and can't determine how precautionary the threshold is at this stage. RSPB agreed with NatureScot.</p> <p>14/12/2023 - NatureScot noted, as they advised during discussions, we do not advocate for a change in the threshold for PVA. The threshold is set to be consistent across applications and to understand the cumulative impacts across Scotland. As advised at the meeting, NatureScot anticipate two assessments to be carried out with and without in-combination impacts with Berwick Bank. NatureScot noted they would be happy to discuss this further once they have sight of the Project's ornithological impact assessment results.</p>	
PVA1.3	Running PVA in R	<p>Discussed at Consultation Workshop 13/11/2023 - Queried the use of running PVAs in R based on the potentially high number of PVAs required.</p>	<p>13/11/2023 - RSPB also noted that the key thing is that outputs are standardised, so consider if running in R and liaise with Marine Directorate if some way the R-code could be packaged. RSPB suggested running some comparative runs to the shiny app and check same outputs.</p> <p>14/12/2023 - NatureScot agreed with the approach in using R, but to make sure it is fully audited within the application.</p>	13/11/2023 - Agreed.

2.8 Cumulative Impacts

Table 2-7: Summary of key consultation agreements relating to cumulative impacts.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. CEF Tool				
CuI1.1	The release date of the CEF	Discussed at Consultation Workshop 13/11/2023 - The Applicant queried when the CEF tool might be available for use - understood it has been sent over to NatureScot and RSPB to trial the tool.	13/11/2023 - NatureScot suggested asking for updates from Marine Directorate on when likely to come out, as this is a little unclear. Suggested to add to agenda for meetings with Marine Directorate.	13/11/2023 - Action - The Applicant to request release data of the CEF from the Marine Directorate. The Applicant suggested end of January 2024 cut-off point for a working version of the CEF based on assessment timelines and uncertainty on CEF.
2. Cumulative Approach				
CuI2.1	Approach to the cumulative impact assessment should the CEF tool not be available in time	Discussed at Consultation Workshop 13/11/2023 - The Applicant noted that if the situation arises where the CEF tool is not available in time to take forward as part of the application, the Applicant team would seek to agree a common starting point for cumulative/in-combination assessment, either with the North East	13/11/2023 - NatureScot recognised this given the uncertainty around the tool availability. 14/12/2023 - NatureScot noted updates on the status of these tools and methods to be used should be sought from Marine Directorate. If the CEF is unavailable, then the assessment should be carried out following NatureScot guidance and using the currently available tools. 14/12/2023 - NatureScot noted in the absence of the CEF for the cumulative assessment, NatureScot agree that the applicant can	13/11/2023 - Action - NatureScot to provide formal written responses to queries raised within briefing note and during the meeting. Completed - Written advice should be received week commencing 11/12/2023. NatureScot confirmed the proposed cumulative assessment

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>Ornithology Group (NEOG) or NEEOG.</p> <p>Discussed at Consultation WorkShop 09/05/2024 - The Applicant noted the CEF tool is still unavailable for use and therefore the cumulative approach developed by the NEEOG will be taken.</p>	<p>undertake an assessment as per previous applications without the CEF. The specific projects for inclusion should be agreed by Marine Directorate. Additional complexity will be introduced if the developer intends to put in their application prior to a decision being reached regarding Berwick Bank. If this is the case then NatureScot will request two parallel cumulative assessments – one including Berwick Bank impacts and one excluding them.</p> <p>09/05/2024 - NatureScot appreciated the work the NEEOG are doing for cumulative assessment, and noted this is a great way of tackling the issues in absence of the CEF.</p>	<p>approach via email on 29/08/2024.</p>
CuI2.2	Inclusion of Berwick Bank in cumulative assessments	<p>Discussed at Consultation Workshop 25/05/2023.</p> <p>Discussed at Consultation Workshop 13/11/2023.</p>	<p>25/05/23 - NatureScot – Raised that the Applicant will need to look at Berwick Bank OWF for in-combination effects and may want to plan for cumulative/in-combination effects to be prepared with and without the Berwick Bank OWF proposal, and what developers are expected to do when an application is not yet determined.</p> <p>13/11/2023 - NatureScot is advising developers to consider doing an assessment with and without the Berwick Bank application. NatureScot not sure if aspiration timeline for Berwick Bank application of 9 months still applies. NatureScot has been asking for updates, but do not know yet.</p>	<p>25/05/2023 - Action - NatureScot to provide formal response to Berwick Bank OWF application. Completed - Provided on 25/05/2023.</p> <p>25/05/2023 - Action - RSPB to provide formal response to Berwick Bank OWF application. Completed - Provided on 25/05/2023.</p> <p>13/11/2023 - Agreed.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
CuI 2.3	West of Orkney numbers	Discussed at Consultation Workshop 09/05/2024 - The Applicant noted some issues with numbers from the West of Orkney OWF application, but only numbers available at present.	09/05/2024 - NatureScot noted it is difficult in terms of timings for different applications, so suggest best coming from MD-LOT. RSPB agreed it is not an easy solution. Going to re-submit but may not align with Caledonia timescales. Agreed, need to discuss with MD-LOT, in absence of numbers we can rely on. NatureScot will look to discuss with MD-LOT, but could request advice directly.	NatureScot acknowledged that the Applicant was unable to obtain revised West of Orkney numbers within the project timeframe via email on 29 September 2024. Use of West of Orkney numbers has been retained on a precautionary basis.

2.9 Wet Storage

Table 2-8: Summary of key consultation agreements relating to west storage.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Update Regarding Wet Storage Assessment				
WS1.1	Wet storage assessment	<p>Discussed at Consultation Workshop 25/05/2023 - The Applicant is looking for more discussion on what would be required to undertake the assessments, as there are uncertainties on how to assess wet storage for floating turbines.</p> <p>Discussed at Consultation Workshop 13/11/2023 - requested any updates from NatureScot.</p> <p>Discussed at Consultation Workshop 09/05/2024 - queried if any updates on guidance/stance on wet storage.</p>	<p>25/05/2023 - NatureScot suggested this question should be put to Marine Directorate. If staging and storage of floating turbines can be captured within port activities, it was suggested to consider this route. NatureScot is trying to get some clarity on wet storage, but there are benefits to query this with Marine Directorate. RSPB noted that it would be good to have further discussions on this, including stakeholders, ports/harbours, industry, etc. NatureScot noted issues on how to approach from a regulatory and consenting perspective, but agreed for estuarine and marine SPAs the key impact would be displacement.</p> <p>13/11/2023 - NatureScot noted they are still pushing Marine Directorate and Offshore Wind Directorate about what is happening around wet storage. It is assumed this will likely be through a separate consenting process, not something individual projects will be doing unless within the array or export cable corridor. However, this does not mean it is not going to get assessed. NatureScot suggested the team keep pushing Marine Directorate also noted. If within the Caledonia Scoping Report/Opinion, NatureScot</p>	<p>25/05/2023 - Action - The Applicant to collate queries relating to wet storage to the Marine Directorate. Completed - meeting (with NatureScot in attendance) on the 20/08/2023.</p> <p>13/11/2023 - Action - The Applicant to review reference to wet storage within the Scoping Report and Scoping Opinion, and consider whether necessary to request formal update from Marine Directorate.</p> <p>Following consultation, it was concluded that consideration of wet storage would not be necessary within this assessment as this impact will be assessed through other marine licences as required.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
			<p>suggested the Applicant team may want to get in writing from the Marine Directorate that a wet storage assessment is no longer required.</p> <p>14/12/2023 - NatureScot noted that advice pertaining to the assessment process for wet storage should be sought from Marine Directorate.</p> <p>09/05/2024 - NatureScot suggested nothing further to update at this time but anticipating some guidance on wet storage to come from MD-LOT in due course.</p>	

2.10 Lighting

Table 2-9: Summary of key consultation agreements relating to lighting.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Lighting Assessment				
L1.1	How to incorporate the potential impacts of lighting within assessment	<p>Discussed at Consultation Workshop 25/05/2023 - The Applicant queried is it is generally brighter, bigger lights than those on vessels/windfarms that cause the potential attraction issues.</p> <p>Discussed at Consultation Workshop 09/05/2024</p>	<p>25/05/2023 - RSPB confirmed their review is underway and provided a link to the collision and displacement in petrels and shearwaters literature review. RSPB suggested this is a general issue to be aware of and can be more of a locational impact. Not necessarily applicable to Caledonia, but generally to be considered. NatureScot noted lighting is unlikely to be a major issue at the Caledonia OWF, but suggest reviewing other desk-based evidence sources. Previous Moray West OWF survey picked up sooty shearwaters. While no SPAs in northern waters for this species, they do occur in UK waters. Need to think about in terms of mitigation (e.g., vessels operating at night). RSPB noted consideration on the colour of the light.</p> <p>09/05/2024 - RSPB noted the risk to CRM from lights might lead to attraction and amend flight heights. Current CRM uses flights heights based on boat based surveys, but may not reflect turbines present. A lot of variation across colonies in terms of behaviour. RSPB also noted a key thing is there needs to be some narrative provided. NatureScot noted being in a position where we are not able to provide anything other than qualitative consideration.</p>	Completed - The Applicant has qualitatively assessed the potential impacts from artificial lighting for petrel and shearwater species within the Caledonia OWF.

2.11 HRA Screening

Table 2-10: Summary of key consultation agreements relating to HRA screening.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Screening Approach				
SA1.1	Screening Approach	Discussed at Consultation Workshop 01/06/2023	01/06/2023 - NatureScot provided a clarification on the approach to screening for ornithological features, advocating a 2-stage approach. Firstly, prepare a longlist, with direct line of connectivity. At the second stage, refining this down using various considerations. It was suggested by NatureScot not to go straight into Likely Significant Effects (LSE), but to consider connectivity first. The Applicant noted the distances used took into account for those species with foraging ranges, and the HRA Screening Report had screened out sites on the West coast based on around land approach. However, it was acknowledged that the precautionary approach would use direct line of connectivity (i.e., first stage suggested by NatureScot).	01/06/2023 - Action - The Applicant to review ornithological features/designated sites screened into the HRA based on direct line of connectivity to prepare longlist, and then refine based around land approach where applicable. Updated list of ornithological features/designated sites screened in to be shared with NatureScot. Completed – updated screening approach outlined in Application Document 13: Caledonia North Report to Inform Appropriate Assessment and Application Document 14: Caledonia South Report to Inform Appropriate Assessment.

2.12 Derogation and Compensation

Table 2-11: Summary of key consultation agreements relating to derogation and compensation.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
1. Derogation Case				
DC1.1	Non-like for like measures	Discussed at Consultation Workshop 01/06/2023 - The Applicant queried the views of consultees on potential for non like-for-like compensation measures, and whether this would be considered appropriate.	01/06/2023 - Marine Directorate noted this is something being fed back to the Department for Environment, Food and Rural Affairs (Defra) on, specifically where Marine Directorate would like to see things going. This topic is progressing at pace, but there is no known timescale as yet. Net gain/enhancement is non like-for-like, it is being considered how this would be factored in.	No action.
DC1.2	Scale of required compensation measures	Discussed at Consultation Workshop 01/06/2023 - The Applicant noted there is a question of numbers in terms of worst case impacts, specifically the predicted (assessed) impacts versus the as built development, and this can result in differences to scale of required compensation measures.	01/06/2023 - Marine Directorate agreed the Appropriate Assessment would be completed on a worst case basis, but through the monitoring and adaptive management, if design was less harmful, could look to adjust compensation measures. It was also noted that this may alternatively require more compensation. It was noted that NatureScot are hoping the CEF will be published shortly, and this will be able to be run with as built figures. NatureScot suggested preparing the Report to Inform Appropriate Assessment with as realistic build parameters as possible.	Agreed - Presented in Application Document 13: Caledonia North Report to Inform Appropriate Assessment and Application Document 14: Caledonia South Report to Inform Appropriate Assessment.
DC1.3		Discussed at Consultation Workshop 01/06/2023 -	01/06/2023 - It was noted that Marine Directorate has not come to a position of this as	No action.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		<p>The Applicant queried the levels of adverse effects and other projects providing compensation, and how the creation of additional headroom through projects providing compensation is to be considered.</p>	<p>yet, but in the early stages of compensation measures review. RSPB suggested this has come up in some English sites, and RSPB position is until compensation measures has been shown to be a success, it would not be in a position to consider freeing up headroom. There will need to be a high level of likelihood of success, and evidence. Advice from Natural England is both cumulative impacts with/without compensation to be presented.</p>	
DC1.4	Potential Derogation Case	<p>Discussed at Consultation Workshop 09/05/2024 - The Applicant queried key considerations for suitable compensation options.</p>	<p>09/05/2024 - NatureScot noted that it is not advocating "kittiwake hotels" (artificial nesting structures). Reason is that in Scotland, populations are declining thus nest space is not necessarily the issue. Creating a new colony is not deemed to be going to resolve issues on sites. There may be management that may improve nesting habitat at colonies. Creation of new habitat linked to artificial nesting structures not something advocated for in Scotland. NatureScot noted they appreciate difficulties in compensation development without strategic structure/approaches - terms of principles to work towards, consider what the impacts are on species and aim to make what development is compensating as relevant as possible to this. Can be done at distances, could be away from the colony, at other colonies. Can consider colonies that are not SPAs for compensation. Within foraging range could be a useful measure of the search area suitable for compensation development. NatureScot advice being clear on</p>	No action.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
			<p>what the impact is, and what is the measure, and quantify improvements, to allow NatureScot to agree this will provide sufficient compensation. Regarding securing measures – need to show measures are achievable, perhaps legal consideration also, look to get relevant landowner discussions underway.</p> <p>RSPB noted that depending on what the measures are, under lessons learned, not just landowner permissions but perhaps planning constraints considered. As much detail as possible is needed.</p> <p>NatureScot suggest focusing on measures that are easier to calculate e.g., habitat the birds are using, to make it easier to justify measures are compensating. NatureScot is developing thinking on additionality. NatureScot open to discussion about what this means and aims to be pragmatic about the solutions being taken forward. Want delivery of what is going to get the most conservation benefit, and thus could make a positive difference. NatureScot suggests narrowing down on which species to focus on, will help consider what measures might be suitable.</p>	
DC1.5	Strategic measures and monitoring	Discussed at Consultation Workshop 09/05/2024 - Advice on use of strategic measures for compensation delivery,	09/05/2024 - NatureScot suggested having a discussion with Marine Directorate about this, as they are leading on this topic. In terms of the application, will likely need site-specific measures. Could look at strategic measures to	01/07/2024 - The Applicant had already approached the Marine Directorate who were not able to provide further information.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
<p>and monitoring to inform future measures.</p> <p>deliver adaptive management. NatureScot suggest liaising with Marine Directorate on strategic approach. Monitoring to inform compensation measures would useful – if identifying potential measures, consider any monitoring that would be worthwhile undertaking. Disturbance to a site could be monitored this breeding season and used to inform assessment down the line.</p> <p>Completed - The Applicant has followed advice when preparing Application Document 15, Appendix 15-3: Caledonia North Compensation Plan and Site Selection and Application Document 16, Appendix 16-3: Caledonia South Compensation Plan and Site Selection.</p>				
<p>2. Compensation Measures (Longlist/Shortlist)</p>				
DC2.1a	<p>Prioritisation of location vs. effectiveness/ monitoring ability</p>	<p>Discussed at Consultation Workshop 01/07/2024 - The Applicant explained that some measures may have the potential for local deployment (e.g., within MMF +-1SD) but have less evidence for effectiveness, whilst others may have low/no potential for local deployment but stronger evidence/potential for effectiveness. The Applicant asked whether preference would be to prioritise local more novel, or distant well-evidenced options.</p>	<p>01/07/2024 - NatureScot responded that European Union guidance recommends that measures should be like for like and as close to the impact as possible. NatureScot advised that the Applicant should try to be as flexible and creative as possible in their compensation development given the pipeline of wind farms. NatureScot have no guidance on what they would prefer, they advised approaching the Marine Directorate.</p>	<p>Completed - The Applicant has followed guidance when identifying/selecting compensatory measures.</p>

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
DC2.1b	Prioritisation of location vs. effectiveness/ monitoring ability	Discussed at Consultation Workshop 01/07/2024 - The Applicant queried whether funding could be allocated to existing management measures, and whether this would be considered "additional" under compensation principles.	01/07/2024 - NatureScot responded that if a measure is nearing an end, has been recommended but not commenced, or value can be added (either spatially or temporally), then NatureScot welcomes this approach.	Completed - The Applicant has followed guidance when identifying/selecting compensatory measures.
DC2.1c	Prioritisation of location vs. effectiveness/ monitoring ability	Discussed at Consultation Workshop 01/07/2024 - The Applicant asked whether there is the potential for compensation to be "banked".	01/07/2024- NatureScot responded that this may be included in the upcoming Statutory Instruments, but these questions would be better directed at the Scottish Government. It was noted that the Applicant had already approached Marine Directorate who were unable to provide further information. NatureScot responded that the Offshore Wind Directorate could also help.	No further action.
DC2.2	Avian predator control	Discussed at Consultation Workshop 01/07/2024 - NatureScot feedback on Avian Predator Control as compensation.	01/07/2024 - NatureScot noted concern about the aviation predator control compensatory measure and explained that many sites will have gulls and/or skua as a feature, which may be subject to an HRA which is likely to be consented. The Applicant noted these measures were selected due to their ecological effectiveness and will be investigated further on whether they could be implemented for legal and/or ethical reasons	Completed - The Applicant has further considered the use of avian control measures and is only proposing non-lethal options.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
DC2.3	Reduction of disturbance compensation measure	Discussed at Consultation Workshop 01/07/2024 - Discussion on disturbance measures.	01/07/2024 - NatureScot noted that baseline data may be needed to inform the reduction of disturbance compensatory measure. NatureScot advised that conversations with local site managers and looking at existing studies in the area could be beneficial. It was also noted that disturbance could be an issue for some colonies and not others. The Applicant noted that further investigation as part of the site selection process will help refine this, and information on data collection will be included in the relevant monitoring plans. RSPB noted that there could be different types of disturbance and the method for dealing with each will vary. The Applicant should be explicit on what time of disturbance the management is dealing with specifically. The Applicant noted that specific causes of disturbance are being identified, and that any measures will be specific to the type of disturbance experienced.	Completed - The Applicant has noted this advice when completing Application Document 15, Appendix 15-3: Caledonia North Compensation Plan and Site Selection and Application Document 16, Appendix 16-3: Caledonia South Compensation Plan and Site Selection.
DC2.4	Limited compensation measure options	Discussed at Consultation Workshop 01/07/2024 - The Applicant noted the limited number of compensation measures typically deemed suitable for compensation (in terms of additionality, effectiveness and ability to quantify/monitor) but noted that the team is	NatureScot suggested that the Applicant should keep an open mind when it comes to compensatory measures and keep NatureScot informed as they would be keen to hear about potential opportunities. NatureScot raised concerns that the same measures keep being put forward by projects, with limited areas and/or colonies where these measures can be implemented. NatureScot also noted that designated sites may not exist just for bird species, and that other designated sites (such as	Completed - The Applicant has noted this advice when completing Application Document 15, Appendix 15-3: Caledonia North Compensation Plan and Site Selection and Application Document 16, Appendix 16-3: Caledonia South Compensation Plan and Site Selection.

ID	Issue on which the Applicant Sought Agreement	The Applicant Comments	Consultee Comments	Agreed, Disagreed and/or Actions
		reaching out to local site managers and stakeholders and is very keen to explore alternative options as/when identified.	Special Areas of Conservation) may be within the vicinity. NatureScot reiterated the importance of ensuring that compensatory measures associated with the Caledonia project do not have any direct or indirect effects on other species and/or the objectives of other designated sites. The Applicant noted this advice, and will ensure any potential impacts beyond the target species are outlined in compensation documentation.	
DC 2.5	NatureScot review of compensation measures	Discussed at Consultation Workshop 01/07/2024.	NatureScot noted that a review is being undertaken on other measures for compensation, although it will be publicly available beyond timelines of Caledonia submission. The Applicant noted any preliminary findings/interim reporting would be gratefully received.	01/07/2024 - Noted. No preliminary information was available prior to the completion of the derogation and compensation documents.

3 References

- ¹ Furness, R.W. (2015) 'Non-breeding season populations of seabirds in UK waters: Population sizes for Biologically Defined Minimum Population Scales (BDMPS)'. Natural England Commissioned Report No 164
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- ³ Harris, M.P., Burton, E., Lewis, S., Tyndall, A., Nichol, C.J., Wade, T. and Wanless, S. (2023) 'Count of Northern Gannets on the Bass Rock in June 2023'. Available at: https://www.seabird.org/uploads/store/mediaupload/2181/file/Bass%20Rock%20Count%20Report_Final.pdf (Accessed 01/10/2024)
- ⁴ Swann, B. (2016) 'East and North Caithness Cliff SPAs monitoring 2013: plot counts and breeding productivity'. Scottish Natural Heritage Commissioned Report No. 622
- ⁵ Joint Statutory Nature Conservation Bodies (SNCBs) (2022) 'Joint SNCB Interim Displacement Advice Note'. Statutory Nature Conservation Bodies in this case comprising Natural Resources Wales, Department of Agriculture, Environment and Rural Affairs/Northern Ireland Environment Agency, Natural England, Scottish Natural Heritage (NatureScot) and Joint Nature Conservation Committee. Available at: <https://data.jncc.gov.uk/data/9aecb87c-80c5-4cfb-9102-39f0228dcc9a/joint-sncb-interim-displacement-advice-note-2022.pdf> (Accessed 01/05/2024)
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