

## **Appendix 3 – Daily bird monitoring updates**

**From:** Matthew Smedley  
**Sent:** 11 December 2008 14:42  
**To:** 'Ian Bond'  
**Cc:** Stuart Green; Richard Teece; Colin Bonnington; Kevin Durose; David Broughton; Neil Stephenson  
**Subject:** Able bird monitoring

**Importance:** High

**Attachments:** Hartlepool Dock Project Timings CB 09.12.08.xls

Dear Ian,

Colin has recently e-mailed a quick summary of the Hartlepool bird survey findings this week. In summary:

- None of Able UK's activities has resulted in causing significant disturbance to the bird population during any of the surveys, as of this morning's low tide survey (Thurs 11 Dec: 05.59-09.59 am).
- As we move away from neap tides, the area of mudflats exposed in the survey sector has increased. As a result, the overall abundance of birds within the survey sectors in the period around low tide has also increased. Species collectively recorded include oystercatcher, shelduck, curlew, gulls (various species) and redshank.
- Disturbance to birds has been recorded in association with hunting peregrine falcons, grey heron activity and ship activity not connected to Able UK.
- At times, Able UK activity has been noted to be limited. For example, last night piling took place between 17.32 - 17.45 hrs and then recommenced between 17.58 - 18.35 hrs. The dredging operations did not occur during the duration of the survey because sea/ weather conditions were inappropriate for use of these vessels.
- Bird movements have been described on survey maps that will be incorporated into tomorrow's report. These include both 'natural' movements of birds and those movements caused by a particular disturbance. All available survey sheets will be scanned and included within the report.

Lastly, please see attached a timetable of the proposed monitoring regime.

Please do not hesitate to contact either myself or Neil Stephenson should you have any additional queries.

Regards,

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Hartlepool Dock  
Project Timing...

**From:** Matthew Smedley  
**Sent:** 12 December 2008 15:46  
**To:** 'Richard Teece'; Ian Bond  
**Cc:** 'Stuart Green'; Kevin Durose; Colin Bonnington; Neil Stephenson; Adrian Milton  
**Subject:** Hartlepool bird update

**Importance:** High  
Dear [Ian](#), Richard,

Please find attached an interim report describing bird monitoring work undertaken as part of the derogation:

This report will be added to as the monitoring continues, and a final report will be issued upon completion.

Please find below a summary of recent bird monitoring events that we have just received, and which have not yet been incorporated into the report.

The summary below includes both last night's survey and this morning's.

**Thu 11 Dec survey 18:31 - 22:31 hrs (low tide 20:31 hrs and 1.1 m in height)**

- The only Able UK activity was dredging, which took place from the start of survey (18:31 hrs) and continued for the duration of the survey period.
- The mudflats within all survey sectors were exposed to a significant degree compared with exposure earlier in the week.
- Species recorded include gulls (various), curlew, oystercatcher, and grey heron.
- During the survey period, two instances of bird disturbance were recorded :
  1. A grey heron flying within Sector 017 flushed an oystercatcher, which flew >200 m and landed within the same sector (017). This is a Category 2 ('local displacement') disturbance event.
  2. During the dredging by Able UK, a 'minor disruption' (Category 1) disturbance to some birds was recorded. At 19.30 hrs, the dredging works terminated for 5 - 10 minutes. At 19.30 hrs 70 gulls (various) landed on a sandy ridge between Sectors 019 and 018 that had just become exposed. This position of the gulls was an estimated 400 - 500 m from the dredging works. At 19.40 hrs, the dredging started again and the 70 gulls took flight and landed 80 m away along the same sandy ridge.

**Fri 12 Dec Survey 06:56 - 10:56 hrs (low tide 08:56 hrs and 1.0 m in height)**

- Able UK activity included dredging and piling. Dredging took place from 08:00 hrs. Major piling works started at 09:30 hrs (although short periods of limited piling were noted prior to this time).
- The mudflats within all survey sectors were again exposed to a significant degree compared with levels of exposure earlier in the week.



- Species recorded include gulls (various), grey plover, curlew and wigeon.
- During the survey period, there was one instance of bird disturbance recorded:

1. Bait digger within Sector 018 flushed 50 wigeon from the mudflats in addition to a number of waders and gulls (various). The wigeon landed <200 m away within the same sector (018). This is a Category 1 disturbance. The waders and gulls (various) flew >200 m in multiple directions and landed in other areas within the survey area e.g. Sector 013. This is a Category 2 disturbance.

Please do not hesitate to contact either myself or Neil Stephenson should you have any queries. We will continue to monitor birds around the low-tide period over the weekend, and will update you with summary findings again early next week.

Regards,

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**From:** Matthew Smedley  
**Sent:** 15 December 2008 16:52  
**To:** 'Stuart Green'; Ian Bond; Richard Teece  
**Cc:** Kevin Durose; Colin Bonnington; Neil Stephenson; Adrian Milton;  
'dmp.waxwings@btinternet.com'  
**Subject:** RE: Hartlepool bird update  
Stuart, Ian, Richard,

Firstly, apologies, we are still transferring the annotated maps into an electronic format for inclusion with the amended report. However, we are aiming to provide you with that report by midday tomorrow - we hope this slight delay is acceptable.

Please see below the survey updates from the weekend and earlier today:

**Fri 12 Dec Survey 19:23 – 23:23 hrs (low tide 21:23 hrs and 0.8 m in height)**

- Able UK activity involved only dredging, which was noted to occur from 19:40 – 22:58 hrs.
- The mudflats within all survey sectors were exposed to a significant degree compared with levels of exposure earlier in the week.
- Species recorded include gulls (various), ringed plover, eider duck and oystercatcher.
- During the survey period, there were no instances of disturbance to birds caused by Able UK activities or any other activity.

**Sat 13 Dec Survey 07:46 – 11:46 hrs (low tide 09:46 hrs and 0.9 m in height)**

- Able UK activity involved periods of dredging and piling throughout the monitoring period.
- The mudflats within all survey sectors were exposed to a significant degree compared with levels of exposure earlier in the week.
- Species recorded include gulls (various), oystercatcher and curlew. There was a relatively high level of gull activity noted on site, with individuals leaving the site. Based on the experience of the surveyor, the activity was consistent with the behaviour of gulls moving to foraging grounds inland.
- During the survey period, there were no instances of disturbance to birds caused by Able UK activities or any other activity.

**Sat 13 Dec Survey 20:15 – 00:15 hrs (low tide 22:15 hrs and 0.6 m in height)**

- Able UK activity involved periods of dredging and piling.
- The mudflats within all survey sectors were exposed to a significant degree compared with levels of exposure earlier in the week.
- Species recorded include gulls (various), ringed plover and curlew. There were a number of instances when territorial behaviour, particularly of curlews, was recorded within Sector 017. This included individuals chasing-off other curlews that ventured close to them. During this survey, gulls (various) were recorded harassing redshank. This mobbing activity was recorded whilst the redshank were feeding /probing into the mud (i.e. the

gulls (various) may have been interested in the prey items the redshank was exposing from the mudflat).

- During the survey period, there were no instances of disturbance to birds caused by Able UK activities or any other activity.

**Sun 14 Dec Survey 08:35 – 12:35 hrs (low tide 10:35 hrs and 1.0 m in height)**

- Able UK activity involved periods of dredging and short periods of piling. (Other activities recorded include welding/ cutting within close proximity to Sector 019).
- The mudflats within all survey sectors continued to be exposed to a significant degree compared with levels of exposure earlier in the week/ last week.
- Species recorded include gulls (various, including yellow-legged gull), oystercatcher and curlew. It was considered that the bird abundance within the survey sectors was lower than during previous day's surveys (at a similar time). A fox was also observed in Sector 017.
- During the survey period, there were no instances of disturbance to birds caused by Able UK activities or any other activity.

**Sunday 14/12/08 21:06 - 01:06 hrs (low tide 23:06 hrs & 0.6 m).**

Able UK activities included dredging and periods of piling.

- Mudflat exposure was considerable for all survey sectors (017, 018, 019 and 013).
- Bird species recorded include gulls (various), oystercatchers and curlew.
- One disturbance event was recorded in the bird population. This was caused by the activities of a small Able UK craft adjacent to Sector 18, which flushed gulls and waders (including curlew).
- Able UK were approached for further information, and it was confirmed by Able UK that the vessel was a 'surveying boat'. Able UK maintained that the vessel movements were unconnected to dredging or piling activities, but that the activities were part of important, ongoing activities unrelated to Condition 13 that were unable to be rescheduled at that time. The level of disturbance was consistent with a Category 3 disturbance because some birds flew >200 m and vacated the survey sectors.

**Monday 15/12/08 09:24 - 13:24 hrs (low tide 11:24 hrs & 1.1 m).**

- Able UK activities included dredging and piling.
- Mudflats exposure was considerable for all survey sectors.
- Bird species recorded include gulls (various), redshank, wigeon and eider duck. Additional sightings included 25 grey seals and a stoat in close pursuit to a rabbit within Sector 017 near the survey VP.

- No disturbance to the bird population was recorded caused by Able UK activities during the survey.

I have not replied to all but would again be happy for you to circulate as required (I will also forward the amended report to all those included in this e-mail). Please do not hesitate to call should you have any further queries.

Regards

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**From:** Matthew Smedley  
**Sent:** 18 December 2008 11:22  
**To:** 'Ian Bond'; Richard Teece  
**Cc:** Stuart Green  
**Subject:** Field update - Hartlepool bird survey  
Ian, Richard,

Here is the latest bird monitoring reports:

**Tuesday 16/12/08 22:42 - 02:42 hrs (low tide 00:42 hrs and 0.6 m)**

- Able UK activities included dredging, and both welding and cutting of a beam near the water's edge.
- The proportion of mudflats exposed within all survey sectors was considerable.
- Bird species recorded include curlew, oystercatcher and grey plover.
- No Able UK activity was observed to cause any disturbance to the bird population within the survey sectors.

**Wednesday 17/12/08 11:01 - 15:01 hrs (13:01 hrs and 1.5 m)**

- Able UK activities included dredging. In addition to activities associated with Condition 13, a small Able UK vessel (possibly the 'surveying boat') was also observed to be active in the area.
- The proportion of mudflats exposed within the survey sectors was reduced considerably from previous surveys this week. This would be expected to influence the estuarine birds within the survey sectors.
- Bird species recorded include grey plover, wigeon, ringed plover and redshank.
- One disturbance to the bird population was recorded during the survey period. A small Able UK vessel (directly comparable with that previously observed on Sunday 14/12/08 during the 21:06 - 01:06 hrs low tide monitoring period) was noted to be active near the entrance to the 'basin'. This activity flushed two cormorants, which then flew approximately 150 m away. Both birds returned to an area of water in close proximity to their original position after the vessel had passed. This is consistent with a Category 1 disturbance ('minor disruption') to cormorants, although the activities were not interpreted to be related to either dredging or piling operations.
- No Able UK dredging or piling activity was observed to cause any disturbance to the bird population within the survey sectors.

Regards,

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**From:** Matthew Smedley  
**Sent:** 19 December 2008 09:58  
**To:** 'Ian Bond'; Richard Teece  
**Cc:** Stuart Green  
**Subject:** Hartlepool bird survey update  
Richard, Ian,

Please find attached the results from the most recent sets of bird monitoring.

**Wednesday 17/12/08 23:39 - 03:39 hrs (low tide 01:39 hrs and 0.8 m)**

Able UK activity during the survey comprised dredging.

The mudflats were considerably exposed within the survey sectors.

Bird species recorded include oystercatcher, curlew, shelduck and grey plover.

No Able UK activity was observed to cause any disturbance to the bird population within the survey sectors.

One non-Able UK activity caused disturbance to the bird population within the survey sectors. An otter was recorded walking along a mudflat within Sector 018 and was noted to flush a flock of gulls (various). The gulls returned to a similar position on the mudflat (<200 m from original position) after the otter had moved away. This otter disturbance was consistent with a Category 1 disturbance to the birds ('minor disruption').

**Thursday 18/12/08 11:52 - 15:52 hrs (low tide 13:52 hrs and 1.7 m)**

Able UK activity during the survey involved dredging, limited periods of piling and welding/ cutting on land near the water's edge.

The proportion of mudflat exposed within survey sectors 017, 018 and 019 was relatively limited in comparison to surveys undertaken at the beginning of this week. However, a considerable proportion of mudflat within Sector 013 was exposed.

Bird species recorded include shelduck, eider duck, curlew and cormorant.

No Able UK activity was observed to cause any disturbance to the bird population within the survey sectors.

One non-Able UK activity caused disturbance to the bird population within the survey sectors. A jogger running adjacent to Sector 017 flushed 1 curlew, 17 redshank and 3 herring gulls from the mudflats. The birds flew >200 m but remained in the survey area. This disturbance was consistent with a Category 2 disturbance ('local displacement').

**Fri 19/12/08 00:34 - 04:34 hrs (low tide 02:34 hrs and 1.1 m)**

Able UK activity involved a short period of dredging only.

The mudflat within Sectors 017, 018 and 019 were only partly exposed, although Sector 013 was exposed to a greater extent.

Bird species recorded include oystercatcher, curlew and redshank.

No Able UK activity was noted to cause any disturbance in the bird population within the survey sectors.

One non-Able UK activity caused disturbance in the bird population. A fox walking within Sector 017 flushed 2 ringed plover. Both birds landed <200 m distant from their original position after the fox moved away. This was consistent with a Category 1 disturbance to the birds.

Whilst grey seal activity south of Sector 017 has been observed throughout the monitoring period, and small numbers have been regularly noted within Sector 018, territorial behaviour amongst the seals within Sector 018 was observed to be relatively intensive during this monitoring period. Specifically, seals were observed to be generally more active and aggressive toward each other.

Bait diggers were also observed to be active within Sector 017. Although no disturbance to the bird population was recorded during the survey, it was noted that a limited number of birds were active within Sector 017 during the survey, perhaps a consequence of the bait diggers' activity.

We understand that Saturday 20th December remains the last day for which bird monitoring visits are required, and that consequently the 13:51 - 17:51 hrs survey on that day will be the final visit.

Because of the onset of the Christmas period, we will need to be informed soon of any additional survey visits to be undertaken, either after this period or in the New Year.

Regards,

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**From:** Matthew Smedley  
**Sent:** 22 December 2008 11:41  
**To:** 'Richard Teece'; Ian Bond  
**Cc:** Stuart Green; Adrian Milton; Neil Stephenson; 'Dave Pearce'  
**Subject:** Hartlepool Survey Updates 19th & 20th December 2008  
Richard, Ian,

Please find the following Hartlepool survey updates for the 19th and 20th December 2008.

**Friday 19th December 2008. Survey 12:48 - 16:48 hrs (low water 14:48 hrs - 1.9 m)**

Able UK activity appeared reduced. This may be a reflection of greater wind speed experienced (c. 30 mph). No dredging or piling works were noted, although there was some crane activity on berth. A small Able UK boat was recorded to be active off the berth at c. 13:20 hrs and the Teesport vessel 'Wilton' was recorded in Seaton Channel from 14:00 hrs.

Exposure of mudflats in survey sectors slightly reduced from the most recent previous surveys.

Species recorded included 415 knot and 208 shelduck on sector 013, 19 curlew and 14 oystercatcher on sector 017, and few birds on sector 019 including an adult yellow-legged gull, (which was also noted in sector 018 later). Many birds were present in sector 018, including 112 oystercatcher, 53 grey plover and 313 herring gulls, plus a single eider duck and 40+ wigeon. A kingfisher flew over the vantage point towards the basin at 13:43 hrs.

Gulls (herring, great black backed, common and black headed) arrived onto the site from the west from 15:00 hrs and also from the north-east; consistent with flights from nearby landfill sites in both directions.

During the survey period there was no instance of disturbance attributed to activities by Able UK or any other activity.

**Saturday 20th December 2008. Survey 01:33 - 05:33 hrs (low water 03:33 hrs - 1.3 m)**

Able UK activity appeared reduced with no piling or dredging works apparent, although welding/cutting works were observed later in the survey period when wind speed reduced.

Exposure of mudflats was similar to the previous survey.

Species recorded included a small group of herring gulls and great black back gulls on sector 017, with local movements noted and calls heard. Waders were observed throughout the survey, mainly curlew and oystercatcher but also grey plover, redshank and ringed plover.

An otter was observed to exit the rock bank west of the vantage point onto the mud of sector 017 at 02:58 hrs. It ran across the mud and was lost from view as it entered the water. This activity did not cause any disturbance movements but generated much anxiety calling from nearby Curlews until c. 03:07 hrs.

During the survey period there were no instances of disturbance attributed to activities by Able U.K. or any other activity.

**Saturday 20th December 2008. Survey 13:50 - 17:50 (low water 15:50 hrs - 2.6 m)**



Able UK activity appeared centred on the manoeuvring and lowering of a large steel structure, which was first raised up on the berth and then lowered into the channel by crane. Welding/cutting works associated with this activity were also noted ongoing. No piling or dredging works were apparent.

Exposure of the mudflats was much reduced due to the low water height of 2.6 m, with no visible mud exposed in sector 019 and only a small proportion in sector 017 at the far western end. Some mudflat was exposed in sectors 018 and 013.

Due to the reduced areas of exposed mud, birds were more concentrated in distribution (mostly in sectors 013 and 018 with no birds observed in 019 and few in 017). In sector 013 a flock of 250 wigeon and 2 drake shoveler were present at the start of the survey, and a further flock of c. 250 were noted to fly in from the west at 15:25 hrs. Birds were also recorded in sector 013, and included 66 shelduck and 102 oystercatcher.

In sector 018, birds were largely present on the partly exposed mussel-bed. The birds present within this group included 110 oystercatcher, 31 redshank and 1 eider duck.

Birds on the partly exposed mud included 200+ knot, 12 shelduck, 9 grey plover and 4 curlew. The majority of bird species were gulls with numbers increasing to c. 400 herring gull, c. 500 black headed gulls and 40+ great black backed gulls towards dusk.

During the survey period there were no instances of disturbance attributed to activities by Able UK or any other activity.

Regards

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**From:** Adrian Milton [569milto@armymail.mod.uk]

**Sent:** 26 December 2008 09:10

**To:** smithm540@tesco.net; ian.bond105@ntlworld.com;

mike.quigley@naturalengland.org.uk; gwheeler@ableuk.com; gdoubleday@ableuk.com

**Cc:** Neil Stephenson; Matthew Smedley

**Subject:** TERRC Bird Monitoring

Gents,

Summary of the festive bird monitoring. As you can see no disturbance to birds has been recorded as a result of the activities permitted under the Condition 13 derogation.

23/12 - am: No dredging activity or disturbance observed.

pm: Dredging ongoing with no disturbance to birds.

24/12 - am: Two seals in the harbour, increased bird activity towards the end of the survey when it was lighter. Dredging ongoing with no effect to the birds.

pm: Dredging ongoing with no disturbance to the birds, no alarm calls.

25/12 - am: Sea fog was present. Lots of bird activity, it was light almost from the beginning of the survey. Dredging ongoing with no disturbance. Also porpoise and two seals observed moving up the estuary.

Hope you all are having a good Christmas

Adrian

**From:** Matthew Smedley  
**Sent:** 05 January 2009 13:34  
**To:** 'Ian Bond'  
**Cc:** Stuart Green; Adrian Milton; Neil Stephenson  
**Subject:** Bird Monitoring over the Christmas period  
Ian,

Monitoring of bird disturbance as a result of activities permitted under the Condition 13 derogation was carried out over the Christmas and New Year holiday period. Unfortunately, due to last minute staffing difficulties, we were unable to monitor the New Years Eve late-night low tide. We apologise for not being able to supply you with data for this period. Despite this, the activities undertaken during the New Years Eve late-night low tide period were limited to dredging which has not previously caused any disturbance to birds. Also, Able were not informed that there would be no monitoring during that period.

We have been in regular contact (telephone conversations and email) with the monitoring teams and have received no reports of any activities permitted under the derogation resulting in significant disturbance to birds in the area. A category 2 disturbance event was recorded on the 30<sup>th</sup> December, which was caused by movement of the small survey boat.

We are awaiting the return of the formal monitoring sheets and mapping from the monitoring teams and will issue an updated report as soon as these are received and collated.

We have spoken with Mark Patterson (Able UK) this morning who has informed us that dredging activities will cease on 8<sup>th</sup> January 2009, although piling will continue. We have a full monitoring programme (all low tides) in place up to and including the 8<sup>th</sup> January. Subsequently, since piling activities only take place during the day we have put in place a continuation of monitoring during those low tides which fall within the permitted 07:00 hrs to 19:00 hrs piling window.

The monitoring will be undertaken by Colin Bonnington and Dave Pearce who have both been involved in the monitoring undertaken to date. We will forward detailed timing when they have been finalised.

In the meantime, we hope the above is all that you require. Please do not hesitate to contact myself or Adrian Milton should you have any queries.

Regards,

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**From:** Matthew Smedley  
**Sent:** 06 January 2009 16:06  
**To:** 'Ian Bond'  
**Cc:** Stuart Green; Neil Stephenson; Colin Bonnington  
**Subject:** 5th and 6th January survey summaries  
Ian,

Provided below is the survey summary for the last 2 surveys:

**5 Jan Monday 13:41-17:41 hrs (low tide at 15:41 hrs 2.1m)**

Able UK activities included piling, dredging, welding/cutting on land near the water's edge and movement of a small survey vessel.

Bird species recorded included gulls (various), curlew, dunlin, knot and shelduck.

There was limited mudflat exposure within all survey sectors with the exception of mudflats within Sector 013 which were substantially exposed.

No disturbance to the bird population was recorded caused by either Able UK activities or non-Able UK activities.

**6 Jan Tuesday 02:21-06:21 hrs (low tide 04:21 hrs 1.7m)**

Able UK activities recorded during the survey consisted only of dredging during the last 10 minutes of the survey.

Bird species recorded included curlew, oystercatcher and gulls (various).

Mudflat exposure within survey sectors was considerably greater than during the survey on 5 Jan (13:41-17:41 hrs) with the exception of Sector 013 where the mudflat exposure was similar to that of the previous survey.

No disturbance to the bird population was recorded caused by either Able UK activities or non-Able UK activities.

Regards,

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**From:** Matthew Smedley

**Sent:** 07 January 2009 08:59

**To:** 'Ian Bond'

**Cc:** 'Stuart Green'; Neil Stephenson; Adrian Milton; Colin Bonnington

**Subject:** 6th and 7th Jan survey summaries

Ian,

Provided below is the survey summary for the last 2 surveys:

**6 Jan Tues 14:54-18:54 hrs (low tide 16:54 hrs 2.1m)**

Able UK activities included dredging and welding/cutting, and piling which was limited to a 10 minute period at the start of the survey.

Bird species recorded included gulls (various), goldeneye, turnstone and curlew.

Mudflat exposure was limited in all survey sectors, with the exception of Sector 013 which had moderate mudflat exposure.

No disturbance to the bird population was recorded caused by either Able UK activities or non-Able UK activities during the survey period.

**7 Jan Wed 03:32-07:32 hrs (low tide 05:32 hrs 1.7m)**

Able UK activities involved dredging only.

Birds recorded included ringed plover, shelduck, curlew, gulls (various) and oystercatcher.

Mudflat exposure was moderate in Sectors 017,018 and 013. Limited mudflat exposure was observed in Sector 019.

No bird disturbance was recorded caused by either Able UK activities or non-Able UK activities during the survey period.

Regards,

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**From:** Matthew Smedley  
**Sent:** 08 January 2009 17:18  
**To:** Ian Bond  
**Cc:** 'Stuart Green'; Colin Bonnington; Adrian Milton; Neil Stephenson  
**Subject:** Hartlepool bird survey summary  
Ian,

Please see below for last night's and this morning's survey summaries:

**7 Jan Wed 16:08 - 20:08 hrs (low tide 18:08 hrs 1.9 m)**

Able UK activities included dredging, cutting/welding on the berth, piling before 19:00 hrs and a small vessel motoring up and down the channel on occasion.

Bird species recorded included little grebe, shelduck, grey plover, gulls (various) and curlew.

Mudflat exposure was moderate within Sectors 017, 018 and 019 and considerable within Sector 013.

No bird disturbance was recorded caused either by Able UK activities or non-Able UK activities.

**8 Jan Thu 04:43 - 08:43 hrs (low tide 06:43 hrs 1.6 m)**

Able UK activities involved dredging only.

Bird species recorded included dunlin, gulls (various), turnstone and curlew.

A probable otter sighting was made within Sector 017 (based on shape and swimming behaviour). The individual was recorded swimming (approx 2 m from the land) close to the entrance of the basin and prior to the start of the survey period (at 04:40 hrs).

Up to 12 grey seals passed down the channel in an easterly direction within Sector 017 at approx 06:43 hrs.

Mudflat exposure was considerable in all survey sectors.

No bird disturbance was recorded that was attributable to Able UK activities.

A Category 2 disturbance to some birds was recorded when grey seal activity flushed 50 gulls (various) from the mudflats on the boundary of Sectors 018 and 013. The gulls flew >200 m but remained in the survey area.

A Category 1 disturbance was recorded when a curlew chased another curlew from the mudflats in Sector 017. The pursued individual flew to mudflats within Sector 018 (<200 m away).

A Category 2 disturbance was recorded when a great black-backed gull chased a curlew from Sector 018 to 017 (>200 m away). The gull was thought to be harassing the curlew in an attempt to steal food it had collected.

A Category 3 disturbance was recorded when approximately 150 gulls (various but mostly black-headed) were flushed from Sector 017 by 3 carrion crows, which appeared to be harassing some of the gulls. The majority of the gulls (approximately 100 birds) left the survey area flying north over the basin.

Lastly, Mark Patterson of Able UK has confirmed that dredging works will terminate on Sunday 11 January, although Mark is unsure exactly when the dredging works will be completed on that day (Colin in on standby should he be required to monitor the evening period).

Regards

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**From:** Matthew Smedley

**Sent:** 09 January 2009 15:07

**To:** 'Ian Bond'

**Cc:** 'Stuart Green'; Colin Bonnington; Neil Stephenson; Adrian Milton

**Subject:** Survey summary (inc. disturbance event)

**Importance:** High

Ian,

Please see below last night's and this morning's survey summaries:

**8 Jan Thu 17:17 - 21:17 hrs (low tide 19:17 1.6 m)**

Able UK activities included dredging, cutting/welding on the berth and intermittent piling up until 18:30 hrs.

Bird species recorded included red-breasted merganser, grey heron, redshank, grey plover and gulls (various).

Mudflat exposure was considerable in Sector 013 and moderate in Sectors 017, 018 and 019.

No disturbance to the bird population was recorded that could be attributable to either Able UK (or non-Able UK) activities.

**9 Jan Fri 05:49 - 09:49 hrs (low tide 07:49 hrs 1.4 m)**

Able UK activities included dredging and limited piling and welding/cutting on the berth.

Bird species recorded included curlew, gadwall, redshank, wigeon and elder duck.

A red fox was observed at 09:15 hrs. Up to 8 grey seals swam down the channel in an easterly direction between 07:00 - 07:40 hrs.

Mudflat exposure was considerable in all survey sectors (013, 017, 018 and 019).

There was one instance of bird disturbance caused by Able UK activities. At 08:25 hrs piling began on the east bank of the basin entrance. In this instance, no soft-start procedure was employed, and the area of piling was relatively close to the bird populations present. With the exception of the absence of soft-start procedures, the nature of the piling was similar to that previously experienced.

The resulting noise flushed approximately 500 gulls (herring and great black-backed), 12 red-breasted merganser and a single eider duck from Sector 018. The majority of the gulls left the survey area (consistent with a category 3 disturbance 'major displacement') and the mergansers and eider flew >200 m away but remained in the survey area (a category 2 disturbance 'local displacement').

Able UK was immediately contacted and the piling was terminated for the remainder of the survey period. Able UK representatives later advised the surveyor that the pile operator would be cautioned about the need for using soft-start procedures in future.

No non-Able UK activities were observed to cause disturbance to the bird population.

Regards

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**From:** Matthew Smedley  
**Sent:** 13 January 2009 15:01  
**To:** 'Ian Bond'  
**Cc:** 'Stuart Green'; Neil Stephenson; Colin Bonnington; Adrian Milton  
**Subject:** Hartlepool Survey Summary, 9th, 10th, 11th and 12th January  
Ian,

Please find the Hartlepool survey updates for surveys on the 9th, 10th, 11th and 12th January.

**Friday 9th January 2009. Survey 18:22 - 22:22 hrs (low water 20:22 hrs, 1.2 m).**

Dredging activity commenced at 19:30 hrs, becoming more intensive at 19:50 hrs following a change of position by Cork Sand. There was small Able UK boat activity in the channel on an intermittent basis.

Exposure of mudflats in survey sectors 017, 018 and 019 was reasonable, with considerable exposure in sector 013.

A very large flock of roosting gulls was observed, mainly on sector 017 and between 017 and 013, with gulls also congregating on the sandbank of 018. A grey heron was observed to land on the sandbank at 19:18 hrs, flushing small number of gulls c.100 m (consistent with a category 1 disturbance 'minor disruption'). A single large gull disturbed a group of c.10 shelduck that were feeding on sector 013 at 19:48, and the shelducks consequently moved a short distance (again consistent with a category 1 disturbance 'minor disruption').

A large movement of gulls was observed to occur at 20:12 hrs that resulted in >50% of the group leaving toward the east (consistent with a category 3 'major displacement'). A further 25% of the total group flew away (also in an easterly direction) at 20:20 hrs (again consistent with a category 3 'major displacement').

The subsequent departure of several large groups of gulls (to the east) between 20:30 - 20:50 hrs (consistent with a category 3 'major displacement') was associated with a general interchange observed between sector 018 and roosting areas. Specific records include the continued departure of gulls to the east at 21:00 hrs and again at 22:00 hrs (both consistent with a category 3 'major displacement'), leaving only small numbers on site at the end of the survey period. Possible reasons for gulls leaving the site include an increase in wind speed during the survey period combined with a falling temperature, resulting in a wind chill of approximately -4 C.

Grey seal activity was relatively low with only four animals hauled-out to the far west (off sector 017) and two individuals present in the channel (displaying aggressive behaviour).

During the survey period there were no instances of disturbance attributed to activities by Able UK.

**Saturday 10th January 2009. Survey 06:48 - 10:48 hrs (low water 08:48 hrs, 1.2 m).**

Dredging was observed off the berth from 07:30 hrs, and a small Able UK boat was active in the channel intermittently. No piling activity was noted.

A red fox was observed at 07:27 hrs and was present in the area until 09:40 hrs, when it departed west along a bank north of sector 017.

Exposure of mudflats in survey sectors 017, 018 and 019 was reasonable, with considerable exposure in sector 013.

Views south were restricted during the early phases of the survey period due to strong sunlight and associated glare. Wind chill throughout survey was estimated to be between -7 C and -11 C). Bird movements were restricted to local feeding movements and displacement by wind conditions. Species recorded included: 86 shelduck in sector 013; 48 curlew and 279 dunlin in sector 017; c.200 wigeon, 55 grey plover and 179 knot in sector 018; and only a few birds in sector 019.

Grey seal activity was relatively low, with only two animals observed in the channel during the survey.

During the survey period there were no instances of disturbance attributed to activities by Able UK.

**Saturday 10th January 2009. Survey 19:20 - 23:20 hrs (low water 21:20 hrs, 0.8 m)**

Dredging was observed off the berth from shortly after the start of the survey period at 19:20 hrs, and ceased at 22:55 hrs (when Cork Sand left the berth area and motored out of the channel).

Exposure of mudflats in survey sectors 017, 018 and 019 was reasonable, with considerable exposure in sector 013.

A gull roost was present, although total numbers were less than those observed in previous nights survey. Most birds were observed between sector 013 and sector 017, with mainly black headed gulls in sector 017. Large gathering of great black-backed and herring gulls were observed on the sandbank in sector 018. Flocks were observed to lift and several groups left to the north (consistent with a category 3 'major displacement'), although the reason for this behavioural event were unknown. Some birds returned to sector 018, whilst others joined a roosting flock in sector 017.

Curlew, oystercatcher and redshank were observed feeding along the tideline beside the vantage point during the survey, as was a single grey plover. Birds were present throughout the dredging works undertaken, and were unaffected. Shelduck were observed feeding on the exposed mud within sectors 017 and 018, together with oystercatcher, curlew and redshank. A small amount of activity related to local feeding/ territorial movements were noted.

A strong south-westerly wind was experienced throughout the survey period.

Grey seal activity was relatively low, with two individual animals observed on the sandbank of sector 018 from 21:30 hrs, and one animal observed in the channel off sector 017 at 21:53 hrs.

During the survey period there were no instances of disturbance attributed to activities by Able UK.

**Sunday 11th January 2009. Survey 07:41 - 11:41 hrs (low water 09:41 hrs, 1.1 m)**

Dredging was undertaken off the berth from the start of the survey, whilst piling was undertaken intermittently from 08:45 hrs. Welding and cutting activity was also noted on the berth itself. The vessel 'Wilton' moved into the channel at 11:25 hrs.

Exposure of mudflats in survey sectors 017, 018 and 019 was reasonable, with considerable exposure in sector 013.



Observations were constrained at times due to the significant strength of the wind. From the start of the survey, flocks of black-headed gulls were observed to arrive into the survey area, flying low over the water via the basin. Most continued in a south-westerly direction, whilst others landed in sector 017.

Large gulls congregated on the sandbank of sector 018, with gulls noted to be intermittently in-flight over the whole recording area throughout the survey period due to windy conditions (Force 6-7 south-westerly).

A single cormorant was observed at 10:25. It circled and left north without landing.

Much territorial activity was observed by oystercatchers on-shore, including driving other oystercatchers and waders off the area. Species recorded included: 459 shelduck in sectors 013; 126 dunlin in sector 017; 147 oystercatcher, 53 grey plover and 509 herring gulls in sector 018; and only small numbers of birds in sector 019 (including a maximum of 13 herring gulls).

Grey seal activity was relatively low, with only one animal observed in the channel at 09:50 hrs and hauled-out on the sandbank of sector 018 from 10:10 hrs.

During the survey period there were no instances of disturbance attributed to activities by Able UK.

**Sunday 11th January 2009. Survey 20:13 - 00:13 hrs (low tide 22:13 hrs, 0.5 m)**

No dredging or piling was undertaken after 19:00 hrs and therefore no night survey was undertaken.

**Monday 12th January 2009. Survey 08:30 - 12:30 hrs (low tide 10:30 hrs, 1.0 m)**

Able activities included piling throughout survey period, welding/ cutting on berth and movements of the small surveying vessel near the berth.

Bird species recorded included oystercatcher, ringed plover, dunlin, wigeon and redshank.

A red fox was observed at 08:35 hrs. A total of 12 grey seals were recorded during the survey, with 10 of these lying on mudflats on the southern boundary of Sector 017, and 2 swimming in the channel within Sector 017.

Mudflat exposure was considerable within all survey sectors.

No Able UK activities were noted to cause any significant disturbance of bird populations during the survey period.

One instance of non-Able UK activity caused a disturbance in the bird population. A walker passing along the bank of Sector 017 flushed 32 redshank, 4 curlew and 2 oystercatcher from Sector 017 into Sector 018 (>200 m away, consistent with a Category 2 disturbance 'local displacement').

**Monday 12th January 2009. Survey 21:02 - 01:02 hrs (low tide 23:02 hrs, 0.3 m)**

No dredging or piling was undertaken after 19:00 hrs and therefore no night survey was undertaken.

Please be aware that Mark Patterson (Able UK) has communicated an intention for piling to continue after the 18th January, including during the low tide period. He has also indicated that dredging works are scheduled to re-start on or around the 1st March.

We would assume that any piling works after the 18th January would be subject to a subsequent derogation arrangement, and await your instructions relating to such works as appropriate.

Apologies for the slight delay in providing you these summaries.

Regards,

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**From:** Matthew Smedley  
**Sent:** 14 January 2009 17:00  
**To:** 'Ian Bond'  
**Cc:** 'Stuart Green'; Neil Stephenson; Colin Bonnington; Adrian Milton  
**Subject:** Hartlepool Survey Summary 13th, 14th and 15th January  
Ian,

Please find below the survey updates for the 13th, 14<sup>th</sup> and 15th January.

**Tuesday 13th January 2009 09:16 - 13:16 hrs (low water 11:16 hrs, 1.0 m)**

Able UK activities included piling, movements of a survey vessel (the 'Water Guardian') measuring water depth in the channel, and welding/ cutting on the berth.

Bird species recorded included redshank, curlew, ringed plover and turnstone.

A red fox was recorded at 09:45 hrs. A total of 24 grey seals were recorded, with 8 seals lying on mudflats within Sector 017, and 16 seals on mudflats just outside Sector 017 to the south.

Mudflat exposure was considerable within all survey sectors.

No Able UK activities or non-Able UK activities caused disturbance to the bird populations.

**Tuesday 13th January 2009 21:48 - 01:48 hrs (low water 23:48 hrs, 0.3 m)**

No dredging or piling was scheduled for this period; therefore, no night survey was undertaken.

**Wednesday 14th January 2009 10:00 - 14:00 hrs (low water 12:00 hrs, 1.0 m)**

Able UK activities included piling and localised movements of vessels in and around the basin relating to the transportation of piling materials.

Bird species recorded included wigeon, eider duck, redshank, curlew and bar-tailed godwit.

A red fox was observed at 10:00 hrs. A total of 27 grey seals were recorded during the survey. The majority of the seals (c. 12) were lying on mudflats within Sector 017 and immediately south of Sector 017 (c. 13).

Mudflat exposure was considerable within all survey sectors.

No Able UK activities or non-Able UK activities caused disturbance to the bird populations during the survey period.

**Thursday 15th January 2009 22:32 - 02:32 hrs (low water 00:32 hrs, 0.4 m)**

No dredging or piling was scheduled for this period; therefore, no night survey was undertaken.

Regards

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**From:** Matthew Smedley

**Sent:** 16 January 2009 16:38

**To:** 'Ian Bond'

**Cc:** 'Stuart Green'; Neil Stephenson; Adrian Milton; Colin Bonnington

**Subject:** Hartlepool Survey Summary 15th January  
Ian

Please find below the survey update for the 15th January.

**Thursday 15th January 2009 10:41 - 14:41 hrs (low water 12:41 hrs, 1.2 m)**

Able UK activities were limited, with only movements of a small 'Able Tees 6' vessel recorded. This vessel was observed east of the entrance to the basin beside the berth, and activities appeared related to the piling works.

This small vessel (Able Tees 6) moved between a larger vessel (containing piling materials, and which was docked at the berth to the east of the basin entrance) and the basin entrance itself.

The larger vessel did not move for the duration of the survey period, and the small vessel remained a considerable distance from the bird populations on site.

Weather conditions were relatively harsh and the sea state was rough.

No piling events were recorded during the survey period.

Bird species recorded included grey plover, dunlin, knot and redshank.

Approximately 5 grey seals were recorded swimming in the channel in Sector 017.

Mudflat exposure within all survey sectors was considerable.

No Able UK activity or non-Able UK activity caused any disturbance in the bird population during the survey period.

Regards

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**From:** Matthew Smedley  
**Sent:** 18 December 2008 11:22  
**To:** 'Ian Bond'; Richard Teece  
**Cc:** Stuart Green  
**Subject:** Field update - Hartlepool bird survey  
Ian, Richard,

Here is the latest bird monitoring reports:

**Tuesday 16/12/08 22:42 - 02:42 hrs (low tide 00:42 hrs and 0.6 m)**

- Able UK activities included dredging, and both welding and cutting of a beam near the water's edge.
- The proportion of mudflats exposed within all survey sectors was considerable.
- Bird species recorded include curlew, oystercatcher and grey plover.
- No Able UK activity was observed to cause any disturbance to the bird population within the survey sectors.

**Wednesday 17/12/08 11:01 - 15:01 hrs (13:01 hrs and 1.5 m)**

- Able UK activities included dredging. In addition to activities associated with Condition 13, a small Able UK vessel (possibly the 'surveying boat') was also observed to be active in the area.
- The proportion of mudflats exposed within the survey sectors was reduced considerably from previous surveys this week. This would be expected to influence the estuarine birds within the survey sectors.
- Bird species recorded include grey plover, wigeon, ringed plover and redshank.
- One disturbance to the bird population was recorded during the survey period. A small Able UK vessel (directly comparable with that previously observed on Sunday 14/12/08 during the 21:06 - 01:06 hrs low tide monitoring period) was noted to be active near the entrance to the 'basin'. This activity flushed two cormorants, which then flew approximately 150 m away. Both birds returned to an area of water in close proximity to their original position after the vessel had passed. This is consistent with a Category 1 disturbance ('minor disruption') to cormorants, although the activities were not interpreted to be related to either dredging or piling operations.
- No Able UK dredging or piling activity was observed to cause any disturbance to the bird population within the survey sectors.

Regards,

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**From:** Matthew Smedley  
**Sent:** 19 January 2009 09:46  
**To:** 'Ian Bond'  
**Cc:** 'Stuart Green'; Colin Bonnington; Neil Stephenson; Jo Atkinson; Adrian Milton  
**Subject:** Hartlepool Survey Summary, 16th January  
Ian,

Please find below the survey update for the 16th January.

**Friday 16th January 2009 23:15 – 03:15 hrs (low tide 01:15 hrs at 0.6 m)**

No dredging or piling was scheduled for this period; therefore, no night survey was undertaken.

**Friday 16th January 2009 11:21 – 15:21 hrs (low tide 13:21 hrs at 1.4 m)**

Able UK activities were limited with only 15 minutes of piling at the quay and 10 mins of vibro-piling in the mouth of the basin. No disturbance to birds was attributed to Able UK activities.

Other activity related to the movements of the "Tees Navigator" survey boat (not related to Able UK), which continually moved up and down Sector 18 throughout the early part of the survey period and left the estuary at approximately 13:00 hrs.

The vessel "Wilton" (also not related to Able UK activities) was noted to be working in Sector 18, maintaining buoys from 13:40 hrs until the end of the survey period. The "Wilton" motored in a zig-zag motion and switched engines on and off several times. Engine switching on and churning of water (especially at the far eastern end of Sector 18) caused disturbance to gulls on the sandbank and mudflat in Sector 18 to a level consistent with a Category 2 disturbance. Most displaced birds left in a south-easterly direction and resettled toward the far end of Sector 13.

Mudflat exposure in all sections was considerable.

Bird species recorded included grey plover, ringed plover, knot, herring gull, black-headed gull, black-backed gull, shelduck, curlew, cormorant, red breasted merganser, redshank and oystercatcher.

Numerous grey seals were recorded, with a maximum of 15 animals being hauled-out in the far south-west corner of the estuary opposite Sector 17.

An update from the weekend will follow later today.

Regards,

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**From:** Matthew Smedley

**Sent:** 21 January 2009 10:50

**To:** Ian Bond

**Cc:** 'Stuart Green'; Neil Stephenson; Adrian Milton; Colin Bonnington; Jo Atkinson

**Subject:** Hartlepool Survey Update 17th, 18th & 19th January 2009

Ian,

Please find below the survey updates for the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> January.

**Saturday 17th January 2009 23:58 – 03:58 hrs (low water 01:58 hrs, 1.0 m)**

No dredging or piling was scheduled for this period; therefore, no survey was undertaken.

**Saturday 17th January 2009 12:04 – 16:04 hrs (low water 14:04 hrs, 1.7 m)**

Able UK activities involved piling.

Bird species recorded included wigeon, dunlin, curlew and oystercatcher.

Mudflat exposure was considerable in Sector 013 and moderate in Sectors 017, 018 and 019.

No Able UK activity or non-Able UK activity caused any disturbance in the bird population during the survey period.

**Sunday 18th January 2009 00.44 – 04.44 hrs (low water 02.44 hrs, 1.4m)**

No dredging or piling was scheduled for this period; therefore, no survey was undertaken.

**Sunday 18th January 2009 12:52 – 16:52 hrs (low water 14:52 hrs, 2.0 m)**

Able UK activities involved piling.

Bird species recorded included shelduck, gulls (various), oystercatcher and gadwall.

Mudflat exposure was moderate in Sector 013, limited in Sector 018 and no mudflat exposure was recorded in Sectors 017 and 019.

No Able UK activity or non-Able UK activity caused any disturbance in the bird population during the survey period.

**Monday 19th January 2009 01:37 - 05:37 hrs (low water 03.37 hrs, 1.8 m)**

No dredging or piling was scheduled for this period; therefore, no survey was undertaken.

**Monday 19th January 2009 13:57 - 17:57 hrs (low water 15:57 hrs, 2.2 m)**

Able UK activities involved welding/cutting on the berth. Piling activity commenced from 17:58 hrs and did not take place during the survey period.

Bird species recorded included ringed plover, turnstone, oystercatcher and curlew.

Mudflat exposure was moderate in Sector 013, limited in Sectors 017 and 018 and no mudflat was exposed in Sector 019.

No Able UK activity or non-Able UK activity caused any disturbance in the bird population during the survey period.

This concludes the surveys until further notice.

Regards,

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