

From:
To:
Cc:
Subject: Re: PINS ref EN010012 - Sizewell C
Date: 17 May 2021 13:38:57

Dear Mr Bull cc PINS

Thank you for bringing this document to my attention.

In my e-mail of 12 May I repeated my request for working Excel calculations in order to make any sense of the applicant's BNG claims. I have now asked for the applicant's 'workings out' on repeated occasions over the last year and each time this request has been evaded.

I ask the ExA to note how the document now submitted obstructs understanding and independent verification of the applicant's net gain claims, even for someone familiar with Metric 2.0 as I am. For example:

Paragraph 4.1.18: Retained habitats are only shown as biodiversity units within the report. The area of each retained habitat is needed in order to understand how the unit figure is arrived at.

Paragraph 4.1.19: Shows information on habitats undergoing enhancement and accelerated succession, however, it is unclear which grasslands are being referred to, so the metric calculations cannot be independently replicated or checked.

Paragraph 4.1.24 (Table 12): It is not clear which hedgerows are being retained so the metric cannot be replicated with the information provided. The categories are different from the ones used within the baseline (Table 9). Though the hedgerow units for both equal 117.26, it looks as if similar hedgerows from the baseline have been added together in groups. In Table 9 (Baseline) it states that 'Native hedgerows with trees' equal a total of 8.5272 units whereas in Table 12 it says the baseline hedgerow units for 'Native hedgerows with trees' equals 2.49. There is also a 'line of trees' category within the Table 12 that does not exist in Table 9.

Table 14- Hedgerows created and retained in one table. Again, for the retained hedgerows, it is not clear which of the hedgerows stated within the baseline these refer to so metrics cannot be calculated.

Table 16- Baseline conditions of off-site mitigation areas is stated, however there is no information on how these areas will be enhanced/ retained etc.

With reference to on site habitat data provided within the baseline, clear information is needed on the areas enhanced and area succession.

With reference to on site hedgerow data provided, clear information is needed on the lengths to be retained and enhanced.

With reference to the off- site habitat data provided, information is needed on the areas to be retained, enhanced and succession.

With reference to the off- site hedgerow data provided, information is needed on the lengths to be retained and enhanced.

The above are just a sample of the problems of obfuscation and lack of transparency within the latest BNG report.

I reiterate once again that until the applicant provides a transparent BNG assessment that can be independently checked and verified, it remains impossible for me to respond fully to the questions directed at me in the FWQs and indeed it remains impossible for any interested party or the ExA itself to have a full understanding of whether the BNG strategy is robust and, by extension, what weight can be placed on it in decision making.

The ExA would presumably not consider it acceptable that a traffic modelling study that concluded there would be no significant traffic impacts on local communities would be presented in a way that prevented any independent review or verification?

The Applicant previously suggested it was going to respond to my concerns about absence of transparency by way of a 'review'. Instead it has changed its BNG strategy and issued another document that suffers from the same opaqueness as the previous ES appendix on this issue.

It is clear from the content of the report that the applicant has filled out the Metric 2.0 spreadsheet and must therefore be able to provide a working copy of that file in order that the 'workings out' can be considered, and a proper understanding of the BNG strategy provided. Why is it so reluctant to do so?

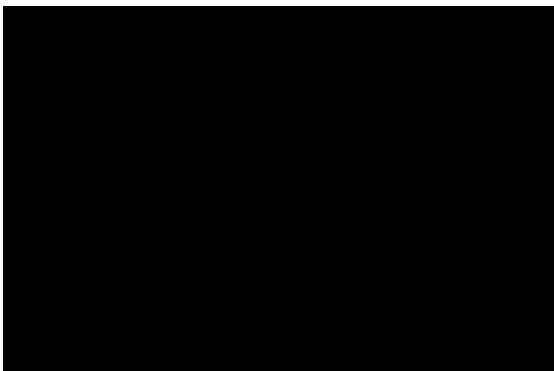
If these full Excel calculations can be provided it might be possible to meet the deadline for responses to the FWQs, otherwise my previous concerns about avoidable use of Examination time and/or the risk of decision making being rendered unsound by an absence of clarity over important points of detail will resurface.

I appeal again to the Applicant to be transparent on this matter and for the Examining Panel to intervene by way of a direction if it continues to refuse to do so. This has to be in the interests of sound decision making.

Best regards

Dominic Woodfield CEcol CEnv MCIEEM
Director

Bioscan (UK) Ltd



COVID-19

Although the Bioscan office has re-opened, some staff are working from home and therefore clients are asked to make contact via e-mail or mobile. In accordance with the latest public health advice we will be using remote alternatives to attendance at and travel to meetings except where there is a proven necessity. We will also be following the latest CIEEM advice in respect of fieldwork.

On Mon, 17 May 2021 at 09:25, Richard Bull [REDACTED] > wrote:

Dear Dominic,

We have now submitted Appendix 14E Biodiversity Net Gain Report at Deadline 1

which can be found [here](#) . Interested Parties are able to respond to any of the submissions made into the examination via the PINS process.

I hope that this is helpful.

Kind regards
Richard

Richard Bull

DCO Programme Manager

Sizewell C Nuclear Development

From: Dominic Woodfield [REDACTED]
Sent: 05 May 2021 09:56
To: Richard Bull [REDACTED]
Cc: Tom McGarry <[T](#)>; Carly Vince
<[REDACTED]>
Subject: Re: PINS ref EN010012 - Sizewell C

Dear all

I write with reference to the 'review' process mentioned in your e-mail to me of last September (as below) and in the context that the Examination has now started and a response to the ExA's first written questions is required in fairly short order.

In those first written Qs, I have been asked to articulate my concerns with the BNG claims being made by the Applicant. I am aware that since I submitted by RR on this matter, and since the correspondence below, a significant number of changes have been made to the proposals for achieving BNG. However I am yet to see where these additions and changes to the strategy for achieving BNG are clearly set out in one holistic strategy. I am also, still, yet to be furnished with an interactive (e.g. Excel) version of the completed metric in order that I can assess matters of detail and determine whether my concerns about the inadequacy of the original BNG proposals have been satisfied by the new additions and expansions to them.

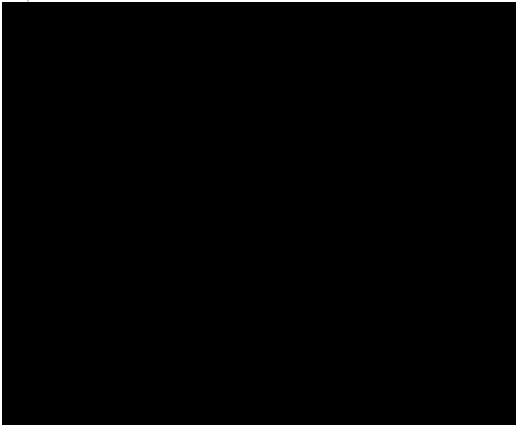
By copy of this e-mail to PINS and the ExA, I ask them to note that until I have this information it will be impossible for me to respond fully to the question directed at me in the FWQs. I believe that the Applicant has suggested that new BNG reports may be issued around mid-May, which would leave very little time to respond to the detail before the response deadline. If the BNG report/s are accompanied by full Excel calculations, it might be possible to meet the deadline for responses to the FWQs, otherwise this seems unlikely and my previous concerns about avoidable use of Examination time would resurface.

Can I therefore ask the Applicant to confirm a) when the new BNG information will be formally made available to the Examination and IPs (in its entirety) and b) to confirm that it will include full calculations in an Excel file format (or confirmation that these can be separately provided) so that independent verification is facilitated.

Best regards

Dominic Woodfield CEcol CEnv MCIEEM
Director


Bioscan (UK) Ltd



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On Thu, 10 Sept 2020 at 16:23, Dominic Woodfield

 > wrote:

Dear Richard

Thank you for your reply and your apologies for the delay in sending it.

We acknowledge that you have commissioned a further BNG calculation and review exercise and that it is your expectation that this should provide further confidence in the outputs relied upon in the submitted material. I note that you say that results from this further commission will be made available via the examination process. We note that you still do not appear to be prepared to provide a functional copy of the submitted calculation for our review.

Your suggestion that it is open for any party to undertake an independent calculation from first principles is misplaced. While it is possible for us to attempt calculation of an output figure from first principles (and indeed we have already attempted to do so), it is not possible to relate that to the outputs in the submission material for the reasons I have explained. There is therefore no reliable means for us to explore why our calculator outputs from this exercise are different even when we have adopted as much of the detail as we can from the submission material. We are interested in exploring these differences and the reasons for them as part of our review. One reason is that disparate habitat polygons have been grouped into cumulative input figures with the same condition and strategic multipliers - it is not possible to tease these lumped figures apart by back calculation. In short, it is not possible to see how your calculator outputs have been arrived at from the submission material. This obscures a full understanding of the process that has been gone through and does not facilitate the process of narrowing down where there may be differences of opinion as opposed to (for example) simple numerical errors - both of which could explain the difference in outputs that we have arrived at using the submitted data.

I therefore repeat the point that without a functional copy of the completed metric a significant amount of examination time is likely to be required to get to the bottom of how EDFE have arrived at their calculations and whether errors material to the decision making process are implicated. Adding in a further calculation undertaken by a third party commissioned by yourselves is likely to further complicate the matter and result in even more examination time being required.

On the other hand if we are provided with a copy of the completed metric, we will rapidly (and in advance of the 'busy' end of the examination) be able to particularise where the significant discrepancies lie, and narrow down the matters requiring further discussion and exploration as part of the examination process. This will also, of course, help narrow the scope of the work you are asking this other organisation to do, reducing costs to EDFE.

I therefore ask you again for a functional copy of the completed metric in the interests

of transparency, accountability and the smooth running of the examination.

Best regards

Dominic Woodfield CEcol CEnv MCIEEM
Director

Bioscan (UK) Ltd

[REDACTED]

[REDACTED]

[REDACTED]

COVID-19

We do not have any cases of infection, suspected or otherwise, but in an effort to keep things that way staff are working from home as first priority and therefore clients are asked to make contact via e-mail or mobile. In accordance with the latest Government advice we will be using remote alternatives to attendance at and travel to meetings except where there is a proven necessity. We will also be following the latest CIEEM advice in respect of fieldwork. The current unprecedented situation is likely to exert a degree of drag on our productivity and we ask our clients to be patient and tolerant where this occurs. As a priority, we will use all best endeavours to ensure critical field seasons and licensing windows are not missed.

On Thu, 10 Sep 2020 at 15:11, Richard Bull <[REDACTED]> wrote:

Dear Dominic,

Apologies for the delayed response.

We recognise the importance of the Biodiversity Net Gain assessment and the results determined by it. In order to ensure that the results are as robust as possible, we have commissioned another organisation to undertake a second assessment from first principles. Once that assessment is complete, an exercise will be undertaken to evaluate whether there are any differences between the two outputs. All of the final material will be made available via the examination, including the matrices and this should provide further confidence in the outputs generated.

Any party is of course welcome to undertake an assessment from first principles and this is possible using the ecological baseline provided in the application, the landscape masterplans for the application and wider EDF Energy estate. This approach enables anyone to generate the relevant polygons required to measure the biodiversity units for both the baseline and end states. This would be the most robust way of verifying (or otherwise), the results obtained to date.

Kind regards

Richard

Richard Bull

DCO Programme Manager

Sizewell C Nuclear Development

From: Dominic Woodfield [REDACTED]
Sent: 09 September 2020 15:21
To: [REDACTED]
Subject: Re: PINS ref EN010012 - Sizewell C

Dear Mr Bull

I have still had no response to the query set out below, first sent on 21 June and followed up on 28 July.

Meantime I am aware that EDFE continue to claim that the Sizewell C project will deliver biodiversity net gain and indeed are using this in promotional publicity.

There can be no dispute that this claim requires to be tested, rather than taken at face value, during the course of the examination. In order for that to happen, there needs to be transparency around the processes EDFE have used in populating and using the Defra metric, in order that these can be checked for accuracy. If we are prevented from doing this in advance of the examination, it is likely to take up a significant amount of examination time to get to the bottom of how EDFE have arrived at their calculations and whether they are justified.

Being disadvantaged by the lack of response to this request to date, we have attempted to work around it by back-calculating the metric using the material in the submitted ES for the project. This process has revealed some startling discrepancies that already bring into serious question the veracity of the claims of net gain. However, because of the way the information is presented in the BNG report and ES, it is not possible to check everything fully. For example disparate land parcels assigned the same habitat type, condition and strategic location have been lumped together, preventing the accuracy of these attributions from being independently checked.

In view of the fact that there appear to be **very significant problems with the accuracy of the net gain calculations**, I am sure that PINS will agree that it is in the interests of the smooth and transparent running of the Examination for a functional copy of the metric calculation to be provided to us so that we can narrow and particularise the grounds that require examination time. I am sure that PINS would further agree that it is far from satisfactory for an interested party to be denied the ability to review and check the workings of quantitative outputs that are being relied upon to make claims of policy compliance, and also being used in promotional and publicity material.

Please could you respond as a matter of some urgency?

Best regards

Dominic Woodfield CEcol CEnv MCIEEM
Director

Bioscan (UK) Ltd

[REDACTED]

[REDACTED]

[REDACTED]

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On Tue, 28 Jul 2020 at 15:41, Dominic Woodfield

<[REDACTED]> wrote:

Dear Mr Bull

Are you able to advise when you may be able to respond to my request below?

Best regards

Dominic Woodfield CEng MCIEEM
Director

Bioscan (UK) Ltd

[REDACTED]

[REDACTED]

[REDACTED]

COVID-19

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On Tue, 21 Jul 2020 at 13:04, Dominic Woodfield

[REDACTED] wrote:

Dear Mr Bull

**DCO Application by NNB Nuclear Generation (SZC) Limited
The Sizewell C Project**

Bioscan have been appointed by Friends of the Earth (Suffolk Coastal) (FOESC) to review aspects of the environmental information submitted to the Secretary of State via PINS pursuant to the above application, in order to inform their representations to the forthcoming examination. We understand that FOESC have already registered as an interested party.

Our particular focus of interest is assisting FOESC with assessing the performance of the proposals against relevant policy and statutory provisions to avoid net loss and/or secure net gain of biodiversity, both those incumbent and those emerging, and how this has been conveyed to the SoS and Examining Panel via the use of metrics.

We have read the applicant's report at ES Chapter 14 Appendix 14E (Biodiversity Net Gain Report) and we note that this utilises the Defra metric version 2.0. However it is not readily possible for interested parties, particularly members of the public, to assess the accuracy of the input and output parameters used in the metric. The report does not assist in making the deductions and suppositions that have been relied upon transparent.

In the interests of due transparency and indeed the smooth running of the Examination, we would therefore like to request that EDFE provide to us a working Excel version of the metric, as would have been used by their consultants Arcadis, to inform their BNG report, and indeed around which its conclusions are evidently based.

This will allow us, on behalf of our clients, to check the input and output parameters and narrow any matters requiring further discussion or representations to the panel.

Please could this Excel document be provided to us as soon as possible?

Best regards

Dominic Woodfield CEcol CEnv MCIEEM
Director

Bioscan (UK) Ltd



COVID-19

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