



The Sizewell C Project

9.10.4 Statement of Common Ground - Environment Agency

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SIZEWELL C PROJECT –
STATEMENT OF COMMON GROUND
ENVIRONMENT AGENCY

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SIZEWELL C PROJECT

PINS REF: EN010012

STATEMENT OF COMMON GROUND BETWEEN

(1) NNB GENERATION COMPANY (SZC) LIMITED ("SZC CO.")

AND

(2) THE ENVIRONMENT AGENCY

REVISION: 2.7

DATE: 3 SEPTEMBER 2021

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DOCUMENT CONTROL

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2.6	Final (2nd draft) version for submission at Deadline D2	Steve Mannings / Cameron Sked	28/05/2021
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CONTENTS

1.	INTRODUCTION	1
1.1	Status of the SoCG	1
1.2	Purpose of this document	1
1.3	Parties to this Statement of Common Ground	2
1.4	Structure of this Statement of Common Ground	4
2.	POSITION OF THE PARTIES	4

TABLES

Table 2:1: Position of the Parties - SZC Co. and Environment Agency: Groundwater & Surface Water	8
Table 2:2: Position of the Parties - SZC Co. and Environment Agency: Terrestrial (inc Freshwater) Ecology	11
Table 2:3: Position of the Parties - SZC Co. and Environment Agency: Marine Water Quality	20
Table 2:4: Position of the Parties - SZC Co. and Environment Agency: Marine Ecology	25
Table 2:5 Position of the Parties - SZC Co. and Environment Agency: Flood Risk Assessments	31
Table 2:6 Position of the Parties - SZC Co. and Environment Agency: Water Framework Directive Assessment	38
Table 2:7: SOCG meetings held between SZC Co. and the Environment Agency	53
Table 2:8: Technical meetings held between SCZ Co. and the Environment Agency	54

APPENDICES

APPENDIX A: ENGAGEMENT ON THE SOCG	53
APPENDIX B: ENVIRONMENT AGENCY'S SUMMARY POSITION STATEMENT	56

1. INTRODUCTION

1.1 Status of the SoCG

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared in respect of the application for a Development Consent Order ('DCO') to the Planning Inspectorate (hereafter referred to as the 'Examining Authority' ('ExA')) under the Planning Act 2008 ('the Application') for the proposed Sizewell C Project.
- 1.1.2 This updated draft (Version 2.7) of the SoCG for submission at Deadline 7 has been prepared by NNB Generation Company (SZC) Limited ('SZC Co.') as the Applicant and The Environment Agency and was agreed on 3rd September 2021.

1.2 Purpose of this document

- 1.2.1 The purpose of this SoCG is to set out the position of the parties on all relevant matters relating to the Application, including construction and operation of the nuclear power station and its associated development.
- 1.2.2 This SoCG has been prepared in accordance with the 'Guidance for the Examination of Applications for Development Consent' published in March 2015 by the Department of Communities and Local Government (hereafter referred to as 'DCLG Guidance').
- 1.2.3 Paragraph 58 of the DCLG Guidance states:
- 'A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence.'*
- 1.2.4 The aim of this SoCG is therefore to provide the ExA with a clear position of the extent and status of discussions, and areas of agreement and disagreement, between the parties in relation to the Application.
- 1.2.5 This SoCG does not seek to replicate information which is available elsewhere within the DCO application. All documents are available on

the Planning Inspectorate website
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/>).

1.3 Parties to this Statement of Common Ground

- 1.3.1 SZC Co. has submitted an application for development consent to construct and operate a new nuclear power station, Sizewell C, along with the associated development required to enable construction and operation.
- 1.3.2 The Environment Agency is a statutory consultee, as a prescribed consultee by Applicants under S.42 of the Planning Act 2008, or by the Planning Inspectorate as a consultation body in relation to any EIA scoping.
- 1.3.3 The Environment Agency regulates certain activities that have the potential to harm the environment and people. It decides if relevant environmental permits and other consents and licences should be issued and, if so, what conditions should be applied. It monitors compliance with the permit / licence conditions and takes enforcement action if appropriate.
- 1.3.4 The Environment Agency is a competent authority for the purposes of certain EU Directives and it also maintains an overview of risks to people and the environment from flooding and coastal erosion.
- 1.3.5 The Environment Agency's regulatory, licensing and advisory powers and duties derive (inter alia) from key Acts and Regulations, including:
- Environment Act 1995;
 - Environmental Permitting (England & Wales) Regulations 2016;
 - Water Resources Act 1991;
 - Flood and Water Management Act 2010;
 - Salmon and Freshwater Fisheries Act 1975 and Keeping and Introduction of Fish Regulations 2015;
 - The Planning Act 2008 (the PA2008) and secondary legislation made under the PA2008;

- The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017; and
 - The Conservation of Habitats & Species Regulations 2017.
- 1.3.6 The Environment Agency's responsibilities align to the terrestrial environment within England. In addition, for regulating emissions to the marine environment, they apply within 3 nautical miles and for Environmental Permitting Regulations up to 12 nautical miles of the coastline.
- 1.3.7 Collectively SZC Co. and the Environment Agency are referred to as 'the parties'.
- 1.3.8 Matters of interest to the Environment Agency which are detailed in Section 2 of this SoCG are as follows:
- Proposed development on the main development site.
 - Proposed development on the associated development sites, including:
 - the northern park and ride at Darsham
 - the southern park and ride at Wickham Market
 - the two village bypass
 - the Sizewell link road
 - the freight management facility
 - the green rail route and other rail improvements
 - and other highway improvements.
 - Land quality
 - Groundwater and surface water; including water quality
 - Terrestrial (incl. freshwater) ecology
 - Coastal geomorphology and hydrodynamics
 - Marine water quality
 - Marine ecology

- Flood Risk Assessments (FRA)
- Climate change allowance
- Flood emergency response and contingency plan
- Water Framework Directive (WFD) Assessment
- Eels Regulations Assessment
- Habitats Regulations Assessment
- Waste and Materials Management
- Potable and non-potable Water Supply

1.3.9 In addition, other DCO application documents of interest to the Environment Agency comprise:

- Draft DCO (including the Requirements and DML)
- Section 106 Agreement
- Code of Construction Practice
- Mitigation Route Map

1.4 Structure of this Statement of Common Ground

1.4.1 Chapter 2 provides schedules which detail the matters that are agreed between the parties and those where disagreement remains.

1.4.2 **Appendix A** provides a summary of engagement carried out since Autumn 2020 to develop this 2nd draft SoCG for submission to PINS at Deadline D2.

2. POSITION OF THE PARTIES

2.1.1 The current position of the parties in relation to all matters of interest to the Environment Agency are briefly described in a series of tables as follows:

- Land Quality (Table 2.1)

- Groundwater & Surface Water (Table 2.2)
- Terrestrial (inc Freshwater) Ecology (Table 2.3)
- Coastal Geomorphology & Hydrodynamics (Table 2.4)
- Marine Water Quality (Table 2.5)
- Marine Ecology (Table 2.6)
- Flood Risk Assessment (Table 2.7)
- Water Framework Directive Assessment (Table 2.8)
- Eels Regulations Assessment (Table 2.9)
- Waste & Materials Management (Table 2.10)
- Potable & Non Potable Water Supply (Table 2.11)

2.1.2 In order to provide the ExA with additional clarity, the position of the parties in relation to each of the matters identified has been colour-coded as follows:

	Technical work / engagement complete or nearing completion. No significant areas of disagreement identified in respect of DCO application and/or change submission and any additional information that has since been provided.
	Technical work / engagement ongoing. Potential significant areas of disagreement remain.
	Technical work / engagement complete. Significant areas of disagreement remain between the parties.
	Matters which relate to environmental permits (and other consents and licences). As an environmental regulator EA will assess the environmental permit applications and consult on draft decisions once these are available.

2.1.3 The tables only cover those matters of interest to the Environment Agency.

2.1.4 The position of the parties in relation to the Draft DCO (including the Requirements and DML), Section 106 Agreement, Code of Construction

Practice (COCP) and Mitigation Route Map is described for each topic area.

- 2.1.5 The position of the parties takes into account all information submitted by SZC Co up to and including that at Procedural Deadline B on 7th April 2021, other than where specified in this document. Where the position of the parties relies on other any other information that has been provided by SZC Co, whether submitted to the ExA following this date, or is yet to submitted to the ExA, this has also been specified. Key engagement activities that are ongoing, or are planned, to resolve areas of disagreement are also identified.
- 2.1.6 Appendix B summarises the Environment Agency's current position.

Table 2.1 Position of the Parties - SZC Co. and Environment Agency: Land Quality

Comments	Matter	Doc Ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
PW_LQ1	The mitigation, management and monitoring measures detailed in Parts A, B and C of the Code of Construction Practice .	8.11(A)						No areas of disagreement.	Agreed
PW_LQ2	The securing mechanisms to control impacts on geology and land quality on the main development site as detailed in the Mitigation Route Map including: <ul style="list-style-type: none"> - DCO Article 3 (Scheme design) - Requirement 2 (PW: CoCP) - Requirement 5 (PW: Surface and foul water drainage) - Requirement 8 (MDS: Temporary construction-related development) - Requirement 11 (MDS: Approved buildings, structures and plant) - Compliance with Building Regulations, Approved Document C - Nuclear Site Licence - Radioactive Substances Regulations Environmental Permit - COMAH and Hazardous Substances Consent 							No areas of disagreement.	Agreed
MDS_LQ4	The assessment of impacts on geology and land quality for the construction and operation of Sizewell C as detailed in section 18.6 of Volume 2 Chapter 18 and Appendices 18B (risk assessment) and 18C (impact assessments) for the main development site and Appendix 18D for the off-site developments.	6.3						No areas of disagreement.	Agreed

Table 2:1: Position of the Parties - SZC Co. and Environment Agency: Groundwater & Surface Water

Ref.	Matter	Doc ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
PW_GW1	The methodology for the assessment of impacts on groundwater and surface water as detailed in Volume 1 Appendix 6O of the ES and section 19.3 of Volume 2 Chapter 19 for the main development site assessment.	6.2						No areas of disagreement.	Agreed
PW_GW2	The mitigation, management and monitoring measures detailed in Parts A, B and C of the Code of Construction Practice .	8.11(A)						No areas of disagreement.	Agreed
PW_GW3	<p>The securing mechanisms to control impacts on groundwater and surface water on the main development site as detailed in the Mitigation Route Map including:</p> <ul style="list-style-type: none"> - DCO Article 3 (Scheme design) - Deemed Marine Licence Conditions - Requirement 2 (PW: CoCP) - Requirement 5 (PW: Surface and foul water drainage) - Requirement 7 (MDS: Water Monitoring and Response Strategy)) - Requirement 8 (MDS: Temporary construction-related development) - Requirement 11 (MDS: Approved buildings, structures and plant) - Requirement 14 (MDS: Landscape works) - Requirement 16 (MDS: Removal and reinstatement) - Compliance with Building Regulations, Approved Document C - Nuclear Site Licence - Construction WDA Permit - Operational WDA Permit 	8.12(A) 3.1 (B)						<p>No areas of disagreement.</p> <p>EA concerns raised at Deadline 2 were in connection with proposed eel/fish control structures on the diverted Sizewell drain. These would be secured as per summary explanation in Deadline 6 Submission - 9.62 Written Submissions Responding to Actions Arising from ISH7: Biodiversity and Ecology - Parts 1 and 2 (15-16 July 2021) - Revision 1.0 [REP6-002] Appendix A Water Monitoring Summary Note.</p>	Agreed

Ref.	Matter	Doc ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
	<ul style="list-style-type: none"> - Radioactive Substances Regulations Environmental Permit - COMAH and Hazardous Substances Consent - Compliance with REPIR 								
MDS_GW1	The numerical modelling as detailed in Volume 2 Appendix 19A , to predict the potential change in the water environment resulting from the development aspects for the construction and operational phases of the development.	6.3						No areas of disagreement.	Agreed
MDS_GW2	The conceptual site model (CSM) as detailed in Volume 2 Appendices 19B and 19B1 used to create the numerical groundwater flow model.	6.3						No areas of disagreement.	Agreed
MDS_GW3	The surface water conceptualisation model as detailed in Volume 2 Appendix 19E , which describes the baseline hydrology, geomorphology, water quality and ecology and conceptualises how the site functions, and how it would be impacted by the proposed development.	6.3						No areas of disagreement.	Agreed
MDS_GW4	The baseline environment for the main development site as detailed in section 19.4 of Volume 2 Chapter 19 and Appendices 19A, 19B and 19B1 of the ES, and in Appendix 19D for the off-site development areas (including off-site sports facilities at Leiston, fen meadow compensation sites south of Benhall and east of Halesworth and, if required, the marsh harrier habitat improvement area (Westleton).	6.3						No areas of disagreement.	Agreed
MDS_GW5	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 19.5 and 19.7 of Volume 2 Chapter 19 for the main development site and Appendix 19D for the off-site developments.	6.3						No areas of disagreement.	Agreed

Ref.	Matter	Doc ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
MDS_GW6	The assessment of impacts on groundwater and surface water for the construction and operation of Sizewell C as detailed in section 19.6 of Volume 2 Chapter 19 for the main development site and Appendix 19D for the off-site developments.	6.3						No areas of disagreement.	Agreed
MDS_GW7	Proposed realignment works and outline design of Sizewell drain diversion as detailed in Appendix 19C .	6.3						No areas of disagreement.	Agreed
MDS_GW8	The original water monitoring and response strategy for the Sizewell Marshes SSSI, as described in Appendix 19F . Updated within the January PINS submission as Appendix 19F Version 2 to provides further detail on securing the Monitoring Plan and DCO and permitting regime interfaces.	6.3						No areas of disagreement.	Agreed
MDS_GW9	The residual effects conclusions as detailed in section in section 19.7 of Volume 2 Chapter 19	6.3						No areas of disagreement.	Agreed

Table 2:2: Position of the Parties - SZC Co. and Environment Agency: Terrestrial (inc Freshwater) Ecology

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
PW_TE1	The overarching methodology for the assessment of impacts on terrestrial ecology and as detailed in Volume 1 Appendix 6J of the ES (Doc Ref. 6.2) [APP-170]..	6.2						No areas of disagreement.	Agreed
PW_TE2	The mitigation, management and monitoring measures detailed in Parts A, B and C of the Code of Construction Practice (Doc Ref. 8.11 (A)) [AS-273].	8.11(A)						No areas of disagreement.	Agreed
PW_TE3	<p>The securing mechanisms to control impacts on terrestrial ecology on the main development site as detailed in the Mitigation Route Map including:</p> <ul style="list-style-type: none"> - DCO Article 3 (Scheme design) - DCO Articles 14 -16 (Rights of Way) - Requirement 2 (PW: CoCP) - Requirement 4 (PW: Terrestrial Ecology Monitoring Plan) - Requirement 5 (PW: Surface and foul water drainage) - Requirement 8 (MDS: Temporary construction-related development) - Requirements 9 (MDS: Construction lighting) 	8.12(A) 3.1 (B)						<p>No areas of disagreement.</p> <p>EA concerns raised at Deadline 2 were in connection with proposed eel/fish control structures on the diverted Sizewell drain. These would be secured as per summary explanation in Deadline 6 Submission - 9.62 Written Submissions Responding to Actions Arising from ISH7: Biodiversity and Ecology - Parts 1 and 2 (15-16 July 2021) - Revision 1.0 [REP6-002] Appendix A Water Monitoring Summary Note.</p> <p>EA Comment</p> <p>Requirement 12C: The potential environmental impacts, including Water Framework Directive concerns, relate to both the construction and permanent elements of the SSSI Crossing.</p> <p>On this basis, we request that the Environment Agency is a consultee in discharging (1) Construction works, as well as for (2) permanent elements.</p> <p>EA Understand this change will be made in DCO submitted at Deadline 7</p>	Agreed

	<ul style="list-style-type: none"> - Requirement 15 (MDS: Permanent operational lighting) - Requirement 14 (MDS: Landscape works) - Section 106 Agreement (Rights of Way Fund) - Deemed Marine Licence Conditions - Protected species licences 							
PW_TE4	<p>The securing mechanisms to control impacts on terrestrial ecology on the associated development sites as, relevant and detailed in the Mitigation Route Map including:</p> <ul style="list-style-type: none"> - DCO Article 3 (Scheme design) - Requirement 2 (PW: CoCP) - Requirement 4 (PW: Terrestrial Ecology Monitoring Plan) - Requirement 5 (PW: Surface and foul water drainage) - Requirement 18 (Rail works) - Requirement 19 (AD: Site clearance) - Requirement 20 (AD: Buildings and structures) - Requirement 22 (Highway works) - Requirement 23 (AD: Landscape planting) - Requirement 24 (AD: Removal and reinstatement) - Protected species licences 	8.12(A) 3.1 (B)					<p>No areas of disagreement.</p> <p>The EA's concerns raised at Deadline 2 were in connection with the lack of mitigation for loss of watercourses on the SLR. These have been addressed in Section 2.4 & Appendix C of [REP6-024]. SZC Co. will update the oLEMP for SLR to include loss of watercourses at Deadline 8.</p> <p>EA Comment</p> <p>Requirement 22A: This requirement secures key environmental mitigation and monitoring measures. On this basis, we request the requirement is amended so the Environment Agency is a consultee any future revision of Sizewell Link Road or Two Village Bypass Landscape and Ecology management plans.</p> <p>EA understand this change will be made in DCO submitted at Deadline 7</p>	Agreed
Main Development Site								
MDS_TE1	The overarching methodology for the	6.3					No areas of disagreement.	Agreed

	assessment of impacts on terrestrial ecology as detailed in Volume 1 Appendix 6J (Doc Ref. 6.2) [APP-170]) of the ES and section 14.3 of Volume 2 Chapter 14 (Doc Ref. 6.3) [AS-033].							
MDS_TE2	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 14.5 of Volume 2 Chapter 14 ([AS-033] and referenced appendices (e.g Appendix 14C6A Water Vole Mitigation Strategy) for the main development site and Appendix 14D for the off-site developments.	6.3					The EA's position is that a triple span crossing is still preferred over the single span bridge proposed by the applicant. However, it is agreed that environmental impacts would be reduced to acceptable levels in the applicant's optimised single span crossing design (including removal of the drainage pipe below the temporary construction deck), as shown in the revised plans presented in "Chapter 2.5 Main Development Site: Permanent & Temporary Beach Landing Facility & SSSI Crossing Plans – Plans Not For Approval . Rev 3. Part 2 of 2" (Doc Ref. 2.5(B)) submitted at D7. The updated details would be secured under Requirement 12C.	Agreed
MDS_TE4	The baseline for <i>plants and habitats</i> as detailed in sections 14.7a) and b) of Volume 2 Chapter 14 and Appendix 14B1 and 14B1 (and associated Annexes) of the ES.	6.3					No areas of disagreement.	Agreed
MDS_TE5	The assessment of impacts on <i>plants and habitats</i> as detailed in section 14.7c) of Volume 2 Chapter 14 and Appendix 14A3 and 14B1 (Plants and habitats synthesis report) of the ES.	6.3					No areas of disagreement. The EA's concerns at Deadline 2 were in relation to lack of recognition in the ES of impacts on ecological habitats for fish and invertebrates caused by the applicant's original single span bridge proposals, that could lead to habitat fragmentation. These concerns have been addressed by the applicant's optimised design for the SSSI crossing – see MDS_TE2.	Agreed
MDS_TE6	The proposed mitigation measures and monitoring to mitigate impacts on <i>plants and habitats</i> as detailed in section 14.7d) of Volume 2 Chapter 14 and Appendices 124B1 and 14C11 (Deptford Pink) of the ES.	6.3					No areas of disagreement. See MDS_TE5	Agreed
MDS_TE7	The baseline for <i>invertebrates</i> as detailed in section 14.8a) and b) of	6.3					No areas of disagreement.	Agreed

	Volume 2 Chapter 14 and Appendix 14A4 of the ES.						See MDS_TE5. In addition, the applicant has committed to carry out WFD-compliant aquatic invertebrate surveys, where conditions allow.	
MDS_TE8	The assessment of impacts on <i>invertebrates</i> as detailed in section 14.8c) of Volume 2 Chapter 14 of the ES.	6.3					No areas of disagreement. See MDS_TE5 & MDS_TE7.	Agreed
MDS_TE9	The proposed mitigation measures and monitoring to mitigate impacts on <i>invertebrates</i> as detailed in section 14.8d) of Volume 2 Chapter 14 and Appendix 14C4 (fen meadow) of the ES.	6.3					No areas of disagreement. See MDS_TE5 & MDS_TE7.	Agreed
MDS_TE10	The baseline for <i>freshwater fish</i> as detailed in section 14.9a) and b) of Volume 2 Chapter 14 of the ES.	6.3					No areas of disagreement. Deadline 5 Submission - 9.4 Terrestrial Ecology Monitoring and Mitigation Plan Clean Version - Revision 2 [REP5-88] is agreed.	Agreed
MDS_TE11	The assessment of impacts on <i>freshwater fish</i> as detailed in section 14.9c) of Volume 2 Chapter 14 of the ES.	6.3					No areas of disagreement.	Agreed
MDS_TE12	The proposed mitigation measures and monitoring to mitigate impacts on <i>freshwater fish</i> as detailed in section 14.9d) of Volume 2 Chapter 14 of the ES.	6.3					No areas of disagreement. See MDS_TE10	Agreed
MDS_TE25	The baseline for <i>mammals</i> as detailed in section 14.14a) and b) of Volume 2 Chapter 14 and Appendix 14A9 (and associated annexes) of the ES.	6.3					No areas of disagreement. See MDS_TE10	Agreed
MDS_TE26	The assessment of impacts on <i>mammals</i> as detailed in section 14.14c) of Volume 2 Chapter 14 of the ES.	6.3					No areas of disagreement.	Agreed
MDS_TE27	The proposed mitigation measures and monitoring	6.3					No areas of disagreement.	Agreed

	to mitigate impacts on <i>mammals</i> as detailed in section 14.14d): - Appendices 14C6A and 14C6B for water voles, - Appendices 14C10 for otters, of Volume 2 Chapter 14 of the ES.							See MDS_TE10	
Two village bypass									
2VBP_TE1	The baseline environment as detailed in section 7.4 of Volume 5 Chapter 7 and Appendix 7A of the ES.	6.6						No areas of disagreement.	Agreed
2VBP_TE2	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 7.5 and 7.7 of Volume 5 Chapter 7 .	6.6						No areas of disagreement.	Agreed
2VBP_TE3	The assessment of impacts on terrestrial ecology for the construction and operation of the two village bypass as detailed in section 7.6 and 7.8 of Volume 5 Chapter 7 .	6.6						EA Comment We are reviewing in light of recent FRA in order to state whether we agree that mammal passage mitigation is achievable. detailed designs are subject to requirements	Not Agreed
Sizewell link road (SLR)									
SLR_TE1	The baseline environment as detailed in section 7.4 of Volume 6 Chapter 7 of the ES.	6.7						No areas of disagreement. The EA's concerns raised at Deadline 2 were in connection with the lack of mitigation for loss of watercourses on the SLR. These have been addressed in Section 2.4 & Appendix C of [REP6-024] . SZC Co. will update the oLEMP for SLR to include loss of watercourses at Deadline 8.	Agreed
SLR_TE2	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 7.5 and 7.7 of Volume 6 Chapter 7 .	6.7						No areas of disagreement. See SLR_TE1	Agreed
SLR_TE3	The assessment of impacts on terrestrial	6.7						No areas of disagreement.	Agreed



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	ecology for the construction and operation of the SLR as detailed in section 7.6 and 7.8 of Volume 6 Chapter 7.							See SLR_TE1	
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Table 2.4: Position of the Parties - SZC Co. and Environment Agency: Coastal Geomorphology & Hydrodynamics

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
MDS_CGH1	The overarching methodology for the assessment of impacts on Coastal Geomorphology and Hydrodynamics as detailed in Volume 1 Appendix 6P and section 20.3 of Volume 2 Chapter 20 of the ES.	6.3						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH2	The construction mitigation, management and monitoring measures detailed in Part B section 12 of the Code of Construction Practice .	8.11						No areas of disagreement.	Agreed
MDS_CGH3	The securing mechanisms to control impacts on coastal geomorphology and hydrodynamics as detailed in the Mitigation Route Map including: - DCO Article 3 (Scheme design) - Requirement 2 (PW: CoCP) - Deemed Marine Licence Conditions, in particular Conditions 11, 17, 37, 40, 41, 42, 43, 44 and 49.	8.12 3.1						SZC Co Comment: TR544 (D2 and D3) and TR545 (D3) have been provided to the EA (as requested in comment). Securing mechanism is CPMMP to be certified during examination. In relation to the EA's comments on DML Conditions 40 & 41 we will put this request to the MMO, as the competent authority, and respond at Deadline D8. EA Comment: Condition 40: The proposed condition links to the Coastal Change Management Plan. On this basis, we request the condition is amended to include the Environment Agency as consultee of the detailed information. Condition 41: The proposed condition links to the Coastal Change Management Plan. On this basis, we request the condition is amended to include the Environment Agency as consultee of the detailed information.	Not Agreed
MDS_CGH4	The baseline characterisation of the Greater Sizewell Bay's (GSB) coastal geomorphology and hydrodynamics relevant to the proposed Sizewell C marine infrastructure as detailed in section 20.4 of Volume 2 Chapter 20 and Appendix 20A section 3 of the ES.	6.3						No areas of disagreement.	Agreed

MDS_CGH5	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 20.5 and 20.12 of Volume 2 Chapter 20 . In particular the proposed Coastal Monitoring and Mitigation Plan as defined in Condition 17 of the Marine Licence.	6.3						No areas of disagreement. SZC Co Comment: TR544 (D2 and D3) and TR545 (D3) have been provided to the EA. The updated CPMMP was submitted at D5. Principles of mitigation agreed (mitigation by way of SCDF, its recharge and by-pass); details to be confirmed in CPMMP. EA Comment As it stands we consider adequate but will review once further modelling is provided	Agreed
MDS_CGH6	The assessment of impacts associated with the hard coastal defence feature as described in section 20.6 of Volume 2 Chapter 20 and Appendix 20A .	6.3						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH7	The assessment of impacts associated with the soft coastal defence feature as described in section 20.7 of Volume 2 Chapter 20 and Appendix 20A .	6.3						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH8	The assessment of impacts associated with the beach landing facility as described in section 20.8 of Volume 2 Chapter 20 and Appendix 20A .	6.3						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH9	The assessment of impacts associated with the nearshore outfalls as described in section 20.9 of Volume 2 Chapter 20 and Appendix 20A .	6.3						No areas of disagreement	Agreed
MDS_CGH10	The assessment of impacts associated with the offshore cooling water infrastructure as	6.3						No areas of disagreement	Agreed

	described in section 20.10 of Volume 2 Chapter 20 and Appendix 20A .							
MDS_CGH11	The assessment of combinations of spatially and temporally overlapping marine components as described in section 20.11 of Volume 2 Chapter 20 .	6.3					SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH12	The residual effects of impacts associated with the hard coastal defence feature as described in section 20.6 of Volume 2 Chapter 20 and Appendix 20A .						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH13	The residual effects of impacts associated with the soft coastal defence feature as described in section 20.7 of Volume 2 Chapter 20 and Appendix 20A .						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH14	The residual effects of impacts associated with the beach landing facility as described in section 20.8 of Volume 2 Chapter 20 and Appendix 20A .						SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
MDS_CGH15	The residual effects of impacts associated with the nearshore outfalls as described in section 20.9 of Volume 2 Chapter 20 and Appendix 20A .						No areas of disagreement	Agreed
MDS_CGH16	The residual effects of impacts associated with the offshore cooling water infrastructure as described in section 20.10 of Volume 2 Chapter 20 and Appendix 20A .						No areas of disagreement	Agreed

Table 2:3: Position of the Parties - SZC Co. and Environment Agency: Marine Water Quality

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
MDS_MWQ1	The overarching methodology for the assessment of impacts on marine water quality and sediments as detailed in Volume 1 Appendix 6Q and section 21.3 of Volume 2 Chapter 21 of the ES.	8.11	Many of the issues discussed in our remit will fall into the permitting regime.	It would be helpful if the Environment Agency could identify any exceptions that need to agreed for the DCO. Our engagement within the examination can then target these aspects.				EA Comment Matters falling into permitting regime identified in subsequent matters within this seciton	
MDS_MWQ2	The construction mitigation, management and monitoring measures detailed in Part B section 12 of the Code of Construction Practice .	8.12 3.1	Many of the of the issues discussed in our remit will fall into the permitting regime.	As per MDS_MWQ1				EA Comment Matters falling into permitting regime identified in subsequent matters within this seciton	
MDS_MWQ3	The securing mechanisms to control impacts on marine water quality and sediments on the main development site as detailed in the Mitigation Route Map including: - DCO Article 3 (Scheme design) - Requirement 2 (PW: CoCP) - Deemed Marine Licence Conditions, in particular Conditions 11, 17, 18, 21, 22, 23, 25, 26, 27 ,29, 35, 36, 38, 40, 41, 43, 44, 46, 48 and 49. - WDA (Operational) Permit	6.3	EA consider amendments are required to DCO/DML				No areas of disagreement SZC Comment: Discussions with EA on DML have taken place to clarify approach and no further action is required	Agreed	
MDS_MWQ4	The baseline environment as detailed in section 21.4 of Volume 2 Chapter 21 and Appendices 21A-21F , including: - physical environment (incl. Appendix 21A); - temperature;	6.3	Many of the BEEMS reports in Appendices have been submitted as part of ongoing environmental permits determintation.	As per MDS_MWQ1				No further work considered necessary for the examination.	

	<ul style="list-style-type: none">- salinity (incl. Appendix 21A);- dissolved oxygen (incl. Appendix 21D);- SSC;- nutrient status;- un-ionised ammonia (incl. Appendix 21F);- Priority and other substances (incl. Appendix 21A and B);- sediment quality (incl. Appendix 21D and E);;- trace metal concentrations in the water and sediment; and- polycyclic aromatic hydrocarbons (PAH) and contaminants.		As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.						
MDS_ MWQ5	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 21.5 and 21.7 of Volume 2 Chapter 21 .	6.3	<p>Many of the of the mitigation measures will be considered as part of ongoing environmental permits determintation.</p> <p>As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions(where appropriate) once these are available.</p>	As per MDS_MWQ1				No further work considered necessary for the examination.	
/MDS_ MWQ6	The assessment of impacts on marine water quality and sediments from dredging activities as described in section 21.6 of Volume 2 Chapter 21 .	6.3						No areas of disagreement	Agreed
MDS_ MWQ7	The assessment of impacts on marine water quality and sediments during construction of the Beach Landing Facilities as	6.3						No areas of disagreement	Agreed

	described in section 21.6 of Volume 2 Chapter 21.							
MDS_ MWQ8	The assessment of impacts on marine water quality and sediments during construction of the Combined Drainage Outfall as described in section 21.6 of Volume 2 Chapter 21.	6.3					No areas of disagreement	Agreed
MDS_ MWQ9	The assessment of impacts on marine water quality and sediments during construction of the Fish Recovery and Return (FRR) outfalls as described in section 21.6 of Volume 2 Chapter 21.	6.3					No areas of disagreement	Agreed
MDS_ MWQ10	The assessment of impacts on marine water quality and sediments during construction of the cooling water intake and outfalls as described in section 21.6 of Volume 2 Chapter 21.	6.3					No areas of disagreement	Agreed
MDS_ MWQ11	The assessment of impacts on marine water quality and sediments from discharges from the CDO during construction as described in section 21.6 of Volume 2 Chapter 21 and Appendices 21E and 21F .	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.	The construction permitting strategy is under discussion with the EA. No construction permit applications have been submitted to date. In lieu of these can the EA please confirm if it intends to comment on construction related impacts in the examination.			No further work considered necessary for the examination.	
MDS_ MW12	The assessment of impacts on marine water quality and sediments from discharges from the CDO during commissioning as described in section 21.6 of Volume 2 Chapter 21 and Appendices 21E and 21F .	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental				No further work considered necessary for the examination.	

			permit applications and consult on draft decisions (where appropriate) once these are available.					
MDS_MWQ13	The assessment of impacts on marine water quality and sediments from discharges during operations from the FRR as described in 21.6 of Volume 2 Chapter 21 .	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.				No further work considered necessary for the examination.	
MDS_MWQ14	The assessment of impacts on marine water quality and sediments from discharges during operations from the cooling water outfall as described in 21.6 of Volume 2 Chapter 21 .	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.				No further work considered necessary for the examination.	
MDS_MWQ15	The residual effects from construction impacts on marine water quality and sediments as detailed in section 21.8 of Volume 2 Chapter 21	6.3	EA to confirm whether impacts will be consented via environmental permits determination.				No further work considered necessary for the examination.	
MDS_MWQ16	The residual effects from commissioning impacts on marine water quality and sediments as detailed in section 21.8 of Volume 2 Chapter 21	6.3	Impacts will be consented via environmental permits determination.				No further work considered necessary for the examination.	



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			As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					
MDS_ MWQ17	The residual effects from operational impacts on marine water quality and sediments as detailed in section 21.8 of Volume 2 Chapter 21	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.				No further work considered necessary for the examination.	

NOT PROTECTIVELY MARKED

Table 2:4: Position of the Parties - SZC Co. and Environment Agency: Marine Ecology

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D7					
MDS_MEF1	The overarching methodology for the assessment of impacts on marine ecology and fisheries as detailed in Volume 1 Appendix 6R and section 22.3 of Volume 2 Chapter 22 of the ES.	6.3	The Environment Agency has concerns with some of the methods being used to produce predicted numbers of impinged fish at SZC. We also have concerns with some of the methods and stock areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA Regs. We consider assessments should be revised to take account of these concerns.					SZC Co remains in disagreement with Environment Agency on methods used for assessment of impacts on fish, in particular use of EAV vs EAV/SPF and scale of assessment. LVSE mitigation has been conceded to 1:1. Scale of assessment has been updated and submitted at D6. These methods have been agreed with the MMO but not agreed with NE. SZC Co. is not intending to carry out any further work.	Not Agreed
MDS_MEF2	The construction mitigation, management and monitoring measures detailed in Part B section 12 of the Code of Construction Practice .							No areas of disagreement.	Agreed
MDS_MEF4	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 22.5 of Volume 2 Chapter 22 and referenced appendices. In particular the fish monitoring plan (ML Condition 50).	6.3						SZC Comment: SZCCo is progressing the provision of measures for fish (as described) in the Deed of Obligation. SZC Co to provide initial proposals for review by Environment Agency. Further discussions have taken place on DML Condition 50 and a draft plan will be provided at D7 incorporating the Environment Agency requests. Further discussions have also taken place on enhancement measures for eels and smelt (regarding provision of fish passes). This work is ongoing. We will continue to engage with the Environment Agency to understand what the additional evidence is on ADF that they are seeking. EA Comment In addition to SZC comments above, the EA has commented on [REP5-123] the Acoustic Fish Deterrent Report submitted by NNBGenCo (SzC) Ltd at Deadline 5.	Not Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D7					
								Although the Environment Agency are unable to advise on the engineering and safety considerations stated with the report, we wish to highlight some concerns regarding the environmental evidence used to preclude the deployment of AFD at Sizewell C and consider further evidence is required.	
MDS_MEF5	The securing mechanisms to control impacts on marine ecology and fisheries on the main development site as detailed in the Mitigation Route Map including: - DCO Article 3 (Scheme design) - Requirement 2 (PW: CoCP) - Deemed Marine Licence Conditions, in particular Conditions 11, 17, 18, 21, 24, 35, 39, 40, 44, 45, 4, 49 and 50. WDA (Operational) Permit							SZC Comment: As per MDS_MEF4	Not Agreed
MDS_MEF6	The baseline for <i>plankton</i> as detailed in sections 22.6b) of Volume 2 Chapter 22 and Appendices 22A (phytoplankton) and 22B (zooplankton) of the ES.	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					No further work considered necessary for the examination.	
MDS_MEE7	The assessment of impacts on <i>plankton</i> as detailed in section 22.6 c) and d) of Volume 2 Chapter 22 and Appendix 22G of the ES.	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft					No further work considered necessary for the examination.	

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D7					
			decisions (where appropriate) once these are available.						
MDS_MEF8	The proposed mitigation measures and monitoring to mitigate impacts on <i>plankton</i> as detailed in section 22.12 of Volume 2 Chapter 22 .	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					No further work considered necessary for the examination.	
MDS_MEF9	The residual effects for <i>plankton</i> as detailed in section 22.13 of Volume 2 Chapter 22		Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					No further work considered necessary for the examination.	
MDS_MEF10	The baseline for <i>benthic ecology</i> as detailed in section 22.7 b) Volume 2 Chapter 22 and Appendix 22C of the ES.	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					No further work considered necessary for the examination.	
MDS_MEF11	The assessment of impacts on <i>benthic ecology</i> as detailed in section 22.7 c) and d) of	6.3	Impacts will be consented via					No further work considered necessary for the examination.	

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D7					
	Volume 2 Chapter 22 and Appendix 22I of the ES.		environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.						
MDS_MEF12	The proposed mitigation measures and monitoring to mitigate impacts on <i>benthic ecology</i> as detailed in section 22.12 of Volume 2 Chapter 22 of the ES.	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					No further work considered necessary for the examination.	
MDS_MEF13	The residual effects for <i>benthic ecology</i> as detailed in section 22.13 of Volume 2 Chapter 22	6.3	Impacts will be consented via environmental permits determination. As an environmental regulator EA will assess these in environmental permit applications and consult on draft decisions (where appropriate) once these are available.					No further work considered necessary for the examination.	
MDS_MEF14	The baseline for <i>fish</i> as detailed in section 22.8 b) of Volume 2 Chapter 22 and Appendix 22D of the ES.	6.3	The Environment Agency has concerns with some of the data and methods being used to produce predicted numbers of impinged fish at SZC. We also have concerns with some of the methods and stock	As per MDS_MEF1				SZC Co Comment: As per MDS_MEF1	Not Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D7					
			<p>areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA regs.</p> <p>We consider assessments should be revised to take account of these concerns.</p>						
MDS_MEF15	The assessment of impacts on <i>fish</i> as detailed in section 22.8c) and d) of Volume 2 Chapter 22 and Appendices 22I and 22L of the ES.	6.3	<p>The Environment Agency has concerns with some of the methods being used to produce predicted numbers of impinged fish at SZC. We also have concerns with some of the methods and stock areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA regs.</p> <p>We consider assessments should be revised to take account of these concerns.</p>					<p>SZC Co Comment: As per MDS_MEF1</p>	Not Agreed
MDS_MEF16	The proposed mitigation measures and monitoring to mitigate impacts on <i>fish</i> as detailed in section 22.12 of Volume 2 Chapter 22 of the ES.	6.3	<p>The Environment Agency has concerns with some of the methods being used to produce predicted numbers of impinged fish at SZC. We also have concerns with some of the methods and stock areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA regs.</p> <p>We consider assessments should be</p>					<p>SZC Co Comment: Discussions on monitoring and mitigation measures for fish are ongoing. As per MDS_MEF4</p>	Not Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D7					
			revised to take account of these concerns.						
MDS_MEF17	The residual effects for <i>fish</i> as detailed in section 22.13 of Volume 2 Chapter 22	6.3	The Environment Agency has concerns with some of the methods being used to produce predicted numbers of impinged fish at SZC. We also have concerns with some of the methods and stock areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA Regs. We consider assessments should be revised to take account of these concerns.	As per MDS_MEF1				SZC Co Comment: Discussions on monitoring and mitigation measures for fish are ongoing. As per MDS_MEF4	Not Agreed

Table 2:5 Position of the Parties - SZC Co. and Environment Agency: Flood Risk Assessments

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed	
			D2	D7						
Main development site										
MDS_FRA1	The methodology for the assessment of impacts on on-site and off-site flood risk as detailed in the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.2						No areas of disagreement	Agreed	
MDS_FRA2	The methodology for the application of climate change allowance presented in section 4 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.2						No areas of disagreement	Agreed	
MDS_FRA3	The baseline for areas at risk for each flood risk source presented in section 5 of the Flood Risk Assessment .	5.2						No areas of disagreement	Agreed	
MDS_FRA4	The assessment of on-site flood risk at the main platform area resulting from all sources of flood risk as presented in section 7 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.2						No areas of disagreement	Agreed	
MDS_FRA5	The assessment of on-site flood risk at the SSSI crossing area resulting from all sources of flood risk as presented in section 8	5.2	The current design of the SSSI crossing (January 2021 accepted change) is acceptable from					No areas of disagreement It is agreed between the parties that optimised SSSI Crossing design has increased dimensions and that hydraulic performance is captured within envelope of flood risk assessment.	Agreed	

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
	of the Flood Risk Assessment .		a flood risk perspective, but this must be reassessed when the design changes.					The 'Future Adaptation of the SSSI Crossing on the DCO Submission', Appendix J to [REP5-120] , is accepted.	
MDS_FRA6	The assessment of on-site flood risk at the Temporary Construction Area resulting from all sources of flood risk as presented in section 9 of the Flood Risk Assessment .	5.2						No areas of disagreement	Agreed
MDS_FRA7	The assessment of on-site flood risk at the Land East of the Eastlands Industrial Estate Flood Risk area resulting from all sources of flood risk as presented in section 10 of the Flood Risk Assessment .	5.2						No areas of disagreement	Agreed
MDS_FRA8	The assessment of off-site impact on coastal flood risk resulting from the development as presented in section 11.1 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.2	The floodplain would experience a 0.24m increase in flood depths at tank traps, this must be addressed.					SZC Comment: SZC Co. is seeking agreement from relevant landowners, plus consulting with Natural England. SZC Co. is not seeking legal easements due to the low level of impact. Work ongoing.	Not Agreed
MDS_FRA9	The assessment of off-site impact on flood risk from breach of defences resulting from the development as presented in section 11.2 of the Flood Risk Assessment .	5.2						No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
MDS_FRA10	The assessment of off-site impact on fluvial flood risk resulting from the development as presented in section 11.3 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.2						No areas of disagreement	Agreed
MDS_FRA11	The assessment of off-site impact on reservoir flood risk resulting from the development as presented in section 11.6 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.2						No areas of disagreement	Agreed
MDS_FRA12	The accurate description of residual risk as presented in the Flood Risk Emergency Plan, as provided in the Flood Risk Assessment Addendum .	5.2	The EA is specifically agreeing that the content is based on appropriate information rather than making a judgement on safety. The Emergency Planner and Examining Authority will need to determine whether the Flood Response Emergency Plan is adequate to ensure the safety of the site and occupants in a breach flood event.					No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed	
			D2	D7						
Two village bypass										
2VBP_FRA20	The methodology for the assessment of impacts on on-site and off-site flood risk as detailed in the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.5						No areas of disagreement	Agreed	
2VBP_FRA21	The methodology for the application of climate change allowance presented in section 5 of the Flood Risk Assessment .	5.5						No areas of disagreement	Agreed	
2VBP_FRA22	The baseline for areas at risk for each flood risk source presented in section 4 of the Flood Risk Assessment .	5.5						No areas of disagreement	Agreed	
2VBP_FRA23	The assessment of on-site flood risk at the Two Village Bypass crossing resulting from all sources of flood risk as presented in section 7.1 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.5						No areas of disagreement	Agreed	
2VBP_FRA24	The assessment of on-site flood risk to the proposed Two Village Bypass carriageway, during the operational phase and after construction is complete, as presented in the Flood Risk Assessment	5.5						No areas of disagreement	Agreed	

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
	and as updated by the Flood Risk Assessment Addendum.								
2VBP_FRA25	The assessment of impact on off-site flood risk from all sources of flooding resulting from the Two Village Bypass crossing as presented in section 7.2 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum.	5.5	Landowner agreement to increased flood risk has been provided to EA. It is for the Examining Authority to determine whether this approach is sufficient in absence of compensatory flood storage.					No areas of disagreement	Agreed
2VBP_FRA26	The accurate description of residual risk as presented in the Flood Risk Emergency Plan, as provided in the Flood Risk Assessment Addendum.	5.5						No areas of disagreement	Agreed
Sizewell link road									
2VBP_FRA26a	There are discrepancies between the crossing designs shown in the modelling report and what is represented in the hydraulic model.		There are discrepancies between the crossing designs shown in the modelling report and what is represented in the hydraulic model, particularly at crossings SW1 and SW2. It is unclear whether this is perhaps due to the crossing designs not yet being finalised, but if					<p>No areas of disagreement</p> <p>SZC Co. Comment: EA concerns addressed through version 2 of the SLR FRA Addendum submitted in REP5-045, REP2-027 and REP5-046.</p>	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
			this is the case then a robust explanation is required to support the conclusions of the fluvial modelling.						
SLR_FRA27	The methodology for the assessment of impacts on on-site and off-site flood risk as detailed in the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.6						No areas of disagreement	Agreed
SLR_FRA28	The methodology for the application of climate change allowance presented in the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .							No areas of disagreement	Agreed
SLR_FRA29	The baseline for areas at risk for each flood risk source presented in section 4 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.6						No areas of disagreement	Agreed
SLR_FRA30	The assessment of on-site flood risk at the Sizewell Link Road crossings resulting from all sources of flood risk as presented in section 7.2 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.6	Increased flood risk is shown onsite, on land upstream of SLR crossings SW3, SW6 and SW7. Further details are provided in the Written Representation.					SZC Co. Comment: All impacts at SW3 are within the permanent landtake. Further analysis at SW6 shows the offsite flood impact increase is within bank and SZC Co. has consulted with the landowners agent on this point. Offsite impact at SW7 is to a road in SCC jurisdiction and is accepted by SCC, and the FRA approved for SLR by SCC. SZC Co. to provide summary of evidence to the EA to close out. Work in progress.	Not Agreed



NOT PROTECTIVELY MARKED

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
SLR_FRA31	The assessment of impact on off-site flood risk from all sources of flooding resulting from the Sizewell Link Road crossings as presented in section 7.3 of the Flood Risk Assessment and as updated by the Flood Risk Assessment Addendum .	5.6						No areas of disagreement	Agreed
SLR_FRA32	The accurate description of residual risk as presented in the Flood Risk Emergency Plan, as provided in the Flood Risk Assessment Addendum .	5.6						No areas of disagreement	Agreed

Table 2:6 Position of the Parties - SZC Co. and Environment Agency: Water Framework Directive Assessment

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
Methodology									
WFD1-1	The methodology for the WFD compliance assessment as detailed in Part 1 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
Main development site									
WFD2-1	The screening assessment presented in section 2.3 of Part 2 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD2-2	The scoping of impacts of project activities on water body quality elements presented in section 2.4b) of Part 2 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD2-3	The scoping of impacts of project activities on INNS presented in section 2.4c) of Part 2 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD2-4	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 2.4d) of Part 2 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD2-5	The baseline for quality elements at risk for each water body presented in section 2.5 of Part 2 of the WFD Compliance Assessment .	8.14	Invertebrates at good in the Leiston Beck, fish at good in the Ore & Alde Updated WFD	Noted.				No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
			addendum has made changes						
WFD2-6	The assessment of impacts resulting from initial site preparation presented in section 2.5h) of Part 2 of the WFD Compliance Assessment.	8.14	This will be reassessed once the outstanding information on the coastal defence features has been provided.					SZC Co Comment: 1D and 2D modelling was provided at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7.	Not Agreed
WFD2-7	The assessment of impacts resulting from earthworks for platform development presented in section 2.5i) of Part 2 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD2-8	The assessment of impacts resulting from the construction of marine structures presented in section 2.5j) of Part 2 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD2-9	The assessment of impacts resulting from the discharge of foul, surface and any other water presented in section 2.5k) of Part 2 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD2-10	The assessment of impacts resulting from the discharge of commissioning water via the CDO presented in section 2.5l) of Part 2 of the WFD Compliance Assessment.	8.14	Hydrazine concentration confirmed as 15µg l ⁻¹ . Assessment of this concentration is being					SZC Comment The assessment in the WFD part 2 utilised 30µg l ⁻¹ . Prior to DCO submission the discharge concentration was revised to 15µg l ⁻¹ as it was determined that this better reflected the expected discharge concentrations (see TR306 Revision 5) however not in time for the WFD compliance assessment to be updated. It should be noted that the	

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
			undertaken as part of the WDA permit.					assessment using $15\mu\text{g l}^{-1}$ gives rise to much smaller areas over which the PNECs are exceeded (more than 50% reduction for both surface and seabed concentrations). See clarification in columns for D2 & D7. No further action required for examination.	
WFD2-11	The assessment of impacts resulting from the presence of the power station presented in section 2.5m) of Part 2 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD2-12	The assessment of impacts resulting from the presence of the permanent SSSI crossing presented in section 2.5n) of Part 2 of the WFD Compliance Assessment .	8.14	Invertebrate connectivity in the Leiston Beck. Disagreement that the new SSSI crossing design (January 2021 accepted change) reduces fragmentation to an acceptable level. Comprehensive evidence provided to SZC Co on this issue. Awaiting further design optimisation for the SSSI crossing to reduce this impact to an					No areas of disagreement It is agreed that environmental impacts would be reduced to acceptable levels in the applicant's optimised single span crossing design (including removal of the drainage pipe below the temporary construction deck), as shown in the revised plans presented in "Chapter 2.5 Main Development Site: Permanent & Temporary Beach Landing Facility & SSSI Crossing Plans – Plans Not For Approval . Rev 3. Part 2 of 2" (Doc Ref. 2.5(B)) submitted at D7. The updated details would be secured under Requirement 12C.	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
			acceptable level. We understand width can be reduced to approximately 15m and soffit height will be increased, and await confirmation at Deadline 4.						
WFD2-13	The assessment of impacts resulting from the presence of marine structures presented in section 2.5o) of Part 2 of the WFD Compliance Assessment.	8.14	This will be reassessed once the outstanding information on the coastal defence features has been provided.					SZC Co Comment: EA concerns resolved through further engagement.	Agreed
WFD2-14	The assessment of impacts resulting from the presence of coastal defence structures presented in section 2.5p) of Part 2 of the WFD Compliance Assessment.	8.14	This will be reassessed once the outstanding information on the coastal defence features has been provided.	Noted.				SZC Comment 1D and 2D modelling report on SCDF to be provided at Deadline 3. Updates to be provided at Deadline 7.	Not Agreed
WFD2-15	The assessment of impacts resulting from cooling water discharge presented in section 2.5q) of Part 2 of the WFD Compliance Assessment.	8.14	WDA	Noted.				No further work required for examination.	
WFD2-16	The assessment of impacts resulting from	8.14	Potential for deterioration					SZC Comment:	Not Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
	the cooling water system intake presented in section 2.5r) of Part 2 of the WFD Compliance Assessment .		n of the fish element in the Ore & Alde and the Blyth TraC waterbodies . Uncertainty around actual entrapment losses from LVSE, EAV, Bulk CIMP sample data and appropriateness of some stock units.					Two potential schemes suggested by Environment Agency. SZC to provide proposal based on advice provided by Environment Agency. Further discussion have taken place on Alde/Ore TCFI and potential monitoring and mitigation. To be secured via Deed of Obligation. Engagement is ongoing.	
WFD2-17	The assessment of impacts resulting from the discharge of trade effluent from the FRR system presented in section 2.5s) of Part 2 of the WFD Compliance Assessment .	8.14	It may change if the LVSE impingement factor or other factors used in assessing entrapment losses change.	WDA				EA Comment: Environmental Permitting consideration No further action required for examination.	
Associated development sites (all)									
WFD3-1	The summary of embedded control measures presented in section 3.3 of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
Northern park and ride									
WFD3-2	The screening assessment presented in section 3.4b) of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
WFD3-3	The scoping of impacts of project activities on water body quality elements presented in section 3.4c)ii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-4	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 3.4c)iii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-5	The scoping of impacts of project activities on protected areas presented in section 3.4c)iv of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
Southern park and ride									
WFD3-6	The screening assessment presented in section 3.5b) of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-7	The scoping of impacts of project activities on water body quality elements presented in section 3.5c)ii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-8	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 3.5c)iii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-9	The scoping of impacts of project activities on	8.14						No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
	protected areas presented in section 3.5c)iv of Part 3 of the WFD Compliance Assessment .								
Two village bypass									
WFD3-10	The screening assessment presented in section 3.6b) of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-11	The scoping of impacts of project activities on water body quality elements presented in section 3.6c)ii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-12	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 3.6c)iii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-13	The scoping of impacts of project activities on protected areas presented in section 3.6c)iv of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-14	The baseline for quality elements at risk presented in section 3.6d)ii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-15	The assessment of impacts resulting from the construction of watercourse crossings presented in section 3.6d)iii of Part 3 of the	8.14						No areas of disagreement It is agreed between the parties that further details on habitat creation within the flood plain are to be provided by	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
	WFD Compliance Assessment.							the applicant in an update to the oLEMP that is to be submitted at Deadline 8.	
WFD3-16	The assessment of impacts resulting from the operation of watercourse crossings presented in section 3.6d)iv of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
Sizewell link road									
WFD3-17	The screening assessment presented in section 3.7b) of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD3-18	The scoping of impacts of project activities on water body quality elements presented in section 3.7c)ii of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD3-19	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 3.7c)iii of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD3-20	The scoping of impacts of project activities on protected areas presented in section 3.7c)iv of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD3-21	The baseline for quality elements at risk presented in section 3.7d)ii of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
WFD3-22	The assessment of impacts resulting from the construction of watercourse crossings presented in section 3.7d)iii of Part 3 of the WFD Compliance Assessment.	8.14	Awaiting confirmation of discussions between SZC and IDB to identify if acceptable mitigation can be secured to offset loss of watercourse s and fragmentatio n.					<p>No areas of disagreement</p> <p>The EA's concerns raised at Deadline 2 were in connection with the lack of mitigation for loss of watercourses on the SLR. These have been addressed in Section 2.4 & Appendix C of [REP6-024]. SZC Co. will update the oLEMP for SLR to include loss of watercourses at Deadline 8.</p>	Agreed
WFD3-23	The assessment of impacts resulting from the operation of watercourse crossings presented in section 3.7d)iv of Part 3 of the WFD Compliance Assessment.	8.14	Awaiting confirmation of discussions between SZC and IDB to identify if acceptable mitigation can be secured to offset loss of watercourse s and fragmentatio n.					<p>No areas of disagreement</p> <p>The EA's concerns raised at Deadline 2 were in connection with the lack of mitigation for loss of watercourses on the SLR. These have been addressed in Section 2.4 & Appendix C of [REP6-024]. SZC Co. will update the oLEMP for SLR to include loss of watercourses at Deadline 8.</p>	Agreed
Yoxford and other highway improvements									
WFD3-24	The scoping assessment presented in section 3.8b) of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed
WFD3-25	The scoping of impacts of project activities on water body quality elements presented in section 3.8c)ii of Part 3 of the WFD Compliance Assessment.	8.14						No areas of disagreement	Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
WFD3-26	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 3.8c)iii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-27	The scoping of impacts of project activities on protected areas presented in section 3.8c)iv of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
Freight Management Facility									
WFD3-28	The screening assessment presented in section 3.9b) of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-29	The scoping of impacts of project activities on water body quality elements presented in section 3.9c)ii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-30	The scoping of impacts of project activities on RBMP improvement or mitigation measures presented in section 3.9c)iii of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
WFD3-31	The scoping of impacts of project activities on protected areas presented in section 3.9c)iv of Part 3 of the WFD Compliance Assessment .	8.14						No areas of disagreement	Agreed
Cumulative effects									

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
WFD4-1	The methodology for the assessment of cumulative effects as detailed in section 4.1b) and section 4.4b) of Part 4 of the WFD Compliance Assessment .	8.14	Cumulative effects cannot be concluded while outstanding components of the WFD assessment are not agreed.					SZC Comment: WFD addendum to be submitted at Deadline 7. Will include Change 19 request for temporary desalination plant	Not Agreed
WFD4-2	The assessment of project wide effects presented in section 4.3 of Part 4 of the WFD Compliance Assessment .	8.14	Cumulative effects cannot be concluded while outstanding components of the WFD assessment are not agreed.	As per WFD4-1					Not Agreed
WFD4-3	The assessment of cumulative effects with other projects presented in section 4.4 of Part 4 of the WFD Compliance Assessment .	8.14	Cumulative effects cannot be concluded while outstanding components of the WFD assessment are not agreed.	As per WFD4-1					Not Agreed

Table 2.9 Position of the Parties - SZC Co. and Environment Agency: Eels Regulations Assessment

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
EEL-1	The methodology for the Eels Regulations Compliance Assessment as detailed in section 2 of the Eels Regulations Compliance Assessment .							<p>No areas of disagreement.</p> <p>An updated Eels Regulations Compliance Assessment that also covers the proposed temporary desalination plant (Change 19) is to be submitted at Deadline 7.</p>	Agreed
EEL-2	The baseline information presented in section 3 of the Eels Regulations Compliance Assessment .		EA are awaiting proposals from SZC. EA consider Requirements for monitoring, mitigation/compensation should be secured via a DCO requirement/DML Condition and S106 Agreement. Strategic advice on types of mitigation/compensation has been provided					<p>EA Comment:</p> <p>We have outstanding concerns over total entrapment losses of eel from the operation of SZC. To address this we will require entrapment mitigation. We understand that the applicant will submit proposals for mitigation and compensation at D7.</p> <p>SZC Comment:</p> <p>Good progress is being made to reach agreement on this issue. The principals relating to the proposed mitigation schemes and associated funding in the DoO for enhanced eel passage in the Alde Ore and Blyth estuaries have been agreed – see EEL-7 for details. Further details to be submitted at Deadline 7.</p>	Not Agreed
EEL-3	The potential onshore construction and operational components that could impact upon eels identified in section 4.2 of the Eels Regulations Compliance Assessment .		Clarity is required on the securing mechanisms for the proposed water control structures and associated eel pass designs.					<p>No areas of disagreement</p> <p>No areas of disagreement</p> <p>SZC Comment:</p> <p>Additional details on control structures proposed along diverted Sizewell Drain were provided at Deadline 6.</p>	Agreed
EEL-4	The potential offshore construction and operational components that could impact upon eels identified in section 4.3 of the Eels Regulations Compliance Assessment .		Potential impact of entrapment is not agreed					<p>EA Comment:</p> <p>We have outstanding concerns over total entrapment losses of eel from the operation of SZC. To address this we will require entrapment mitigation. We understand that the applicant will submit proposals for mitigation and compensation at D7.</p> <p>SZC Comment:</p> <p>Good progress is being made to reach agreement on this issue. The principals relating to the proposed mitigation schemes and associated fund in the DoO for enhanced eel passage in the Alde Ore and Blyth estuaries have been agreed – see EEL-7 for details. Further details to be submitted at Deadline 7.</p>	Not Agreed

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
EEL-5	The assessment of the impacts of onshore activities on eels in section 5.2 of the Eels Regulations Compliance Assessment .		Clarity is required on the securing mechanisms for the proposed water control structures and associated eel pass designs.					No areas of disagreement Additional details on control structures proposed along diverted Sizewell Drain were provided at Deadline 6. Securing mechanisms discussed with EA.	Agreed
EEL-6	The assessment of the impacts of offshore activities on eels in section 5.2 of the Eels Regulations Compliance Assessment .		Potential impact of entrapment is not agreed					EA Comment: We have outstanding concerns over total entrapment losses of eel from the operation of SZC. To address this we will require entrapment mitigation. We understand that the applicant will submit proposals for mitigation and compensation at D7. SZC Comment: Good progress is being made to reach agreement on this issue. The principals relating to the proposed mitigation schemes and associated fund in the DoO for enhanced eel passage in the Alde Ore and Blyth estuaries have been agreed – see EEL-7 for details. Further details to be submitted at Deadline 7.	Not Agreed
EEL-7	The scope of mitigation and monitoring requirements identified in section 6.2 of the Eels Regulations Compliance Assessment .		EA are awaiting position from SZC. EA consider Requirements for monitoring, mitigation/compensation should be secured via a DCO requirement/DML Condition and S106 Agreement.					Engagement is continuing on the adaptive mitigation scheme to be incorporated into the DoO. This would comprise 'one-off' mitigation and compensation to enhance eel passage within the Alde-Ore & Blythe estuaries. It is agreed that this would fully address the EA's concerns around potential residual effects on eels associated with impingement and entrainment losses from the cooling water system. No targeted monitoring for eels is required. The two schemes identified by the EA are located at Snape Maltings and Blythford Bridge; both schemes are pre-existing EA projects. It is agreed that the schemes would benefit other migratory fish, including smelt, and that a £0.25m contribution by SZC Co towards delivery of each scheme would be appropriate to fully mitigate the potential residual impact. A further adaptive mitigation fund of £0.25m is also agreed between the parties to mitigate potential effects on smelt, should a monitoring programme (to be agreed) indicate impacts from operation of the proposed cooling water system. SZC Co has also agreed to consider additional monitoring and mitigation measures for non-migratory fish, such as Bass. Proposed drafting of DoO and details of proposed monitoring programme are to be submitted at Deadline 7.	Not Agreed

Table 2.10 Position of the Parties - SZC Co. and Environment Agency: Waste & Materials Management

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Comments	Agreed / Not Agreed
			D2	D7					
M&W_1	The methodology for the assessment of material and waste impacts as detailed in Volume 1 Appendix 6D and Volume 2 Chapter Section 8.3 of the ES.	6.2 6.3						No areas of disagreement	Agreed
M&W_2	The baseline environment, including material use and current waste generation and operational waste management facilities, as detailed in section 8.4 of Volume 2 Chapter 8 of the ES.	6.3						No areas of disagreement	Agreed
M&W_3	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in section 18.5 7 of Volume 2 Chapter 8 including the Waste Managment Strategy , the outline Site Waste Management Plan (Appendix 8A) , the Materials Managment Strategy (Appendix 3B) and part B section 13 and part C section 12 of the CoCP .	6.3						No areas of disagreement	Agreed
M&W_4	The assessment of impacts of material resource use and waste generation as a result of the Sizewell C Project as detailed in section 8.6 of Volume 2 Chapter 8 .	6.3						No areas of disagreement	Agreed
M&W_5	The residual effects conclusions as detailed in section in section 8.7 of Volume 2 Chapter 8	6.3	KPIs not yet agreed as per Volume 2 Chapter 8 Conventional Waste Management 8.7.4 (p45)					SZC Comment: Draft addendum provided to EA on 18 Aug for review and comment. Addendum to be submitted into examination at Deadline 7.	Not Agreed
M&W_6	Requirement 2 (PW:CoCP) to secure the control of impacts associated with waste and material resources.	3.1						No areas of disagreement	Agreed
M&W_7	The borrow pit risk assessment as detailed in the ES Appendix 18E .	6.3						No areas of disagreement	Agreed



Table 2.11 Position of the Parties - SZC Co. and Environment Agency: Potable & Non Potable Water Supply

Ref.	Matter	Book ref.	Position of Parties in SOCG at relevant Deadlines					Further Action / Additional Information	Agreed / Not Agreed
			D2	D6	D7	D8	D10		
WS-1	Potable water supply		There is currently no agreed potable water supply strategy.					SZC Comment: Draft water supply strategy submitted to EA on 5th Aug for review and feedback. Stakeholder meeting held on 24 Aug. This is to be submitted at Deadline 7.	Not Agreed
WS-2	Non-potable water supply		There is currently no agreed non-potable water supply strategy.					SZC Co Comment: As per WS-1	Not Agreed

APPENDIX A: ENGAGEMENT ON THE SOCG

- A.1.1. The preparation of this SoCG has been informed by a programme of discussions between SZC Co. and the Environment Agency following submission of the DCO application. The relevant meetings are summarised in **Table 2:7:** and **Table 2:8.**

Table 2:7: SOCG meetings held between SZC Co. and the Environment Agency

Date	Scope of the Meeting
17 June 2020 15 July 2020 10 August 2020 15 September 2020 13 October 2020 12 January 2021 9 February 2021 9 March 2021 12 April 2021 11 May 2021	Joint SZC / EA L4 meeting on the DCO and permit applications.
1 June 2020 1 July 2020 29 July 2020 26 August 2020 9 September 2020 22 September 2020 7 October 2020 21 October 2020 4 November 2020 18 November 2020 2 December 2020 16 December 2020 13 January 2021 27 January 2021 10 February 2021 24 February 2021	Regular DCO Progress and SoCG Meetings

Date	Scope of the Meeting
10 March 2021 21 April 2021 5 May 2021 19 May 2021 16 June 2021 9 July 2021 28 July 2021 11 Aug 2021 25 Aug 2021	

Table 2:8: Technical meetings held between SCZ Co. and the Environment Agency

Date	Meeting Scope
13 February 2020	MDS and AD FRAs
12 May 2020	Water level management
7 July 2020	Water level management
8 July 2020	Groundwater / surface water modelling
5 August 2020	MDS and AD FRAs and FREPs
10 September 2020	Water level management
16 October 2020	MDS and AD FRAs and FREPs
23 November 2020	MDS and AD FRAs and FREPs
14 December 2020	MDS and AD FRAs and FREPs
17 December 2020	LEEIE drainage design strategy
11 January 2021	Water Supply

Date	Meeting Scope
25 January 2021	Two village bypass design review
8 February 2021	Water Supply
18 February 2021	Construction water discharge consenting meeting
18 February 2021	Adoptable Highways (AD6) Preliminary Design
19 February 2021	Construction water abstractions (groundwater) consenting
22 February 2021	Construction FRAPs
1 March 2021	WFD construction consenting
8 March 2021	Water Supply
8 March 2021	MDS and AD FRAs and FREPs
15 March 2021	Marine Technical Forum – BLF detailed coastal processes modelling & update on 1D modelling of proposed SCDF
15 March 2021	Eels Regulations Compliance
16 March 2021	Terrestrial Ecology Monitoring & Mitigation Plan (TEMMP)
16 March 2021	Water Framework Directive Compliance
18 March 2021	Adoptable Highways (AD6) Preliminary Design
12 April 2021	Water Supply
20 April 2021	Adoptable Highways (AD6) Preliminary Design
22 April 2021	MDS FRA and FREP
2 July	Marine Technical Forum – Coastal Geomorphology/1D & 2D storm modelling
21 July	Meeting on mitigation & compensation measures for loss of watercourses on SLR

APPENDIX B: ENVIRONMENT AGENCY'S SUMMARY POSITION STATEMENT

[Not updated since Deadline 2. to be updated in next version]

The Environment Agency's position in relation to each topic is summarised as follows (See Tables 2.1 to 2.11 for further details in each topic area):

B.1. Land Quality

No issues

B.2. Groundwater & Surface Water

No issues

B.3. Terrestrial (inc Freshwater) Ecology

The Environment Agency does not agree that the design of the SSSI crossing within the MDS is suitable, specifically in respect to the physical barrier and shading impacting the invertebrate assemblage in Leiston Beck. The Environment Agency awaits the outcome of the design review that SZC Co is undertaking of the proposed single span bridge.

B.4. Coastal Geomorphology & Hydrodynamics

B.4.1. 1D and 2D modelling was provided by SZC at D2 and D3, respectively, and EA provided feedback at D5. EA requested modelling to be extended to beyond 2099 and include assessment using RCP8.5 climate change scenarios. These will be provided at Deadline 7 and EA will provide comments at D8

Marine Water Quality

B.4.2. Many of the of the underlying assessments, identified impacts and mitigation measures will be considered as part of ongoing or future Water Discharge Activity permit determinations. As an environmental regulator, the Environment Agency will assess these in the relevant environmental permit applications and consult on draft decisions (where appropriate) once these are available.

B.5. Marine Ecology

The Environment Agency has concerns with some of the methods being used to produce predicted numbers of impinged fish at Sizewell C. The Environment Agency also has concerns with some of the methods and stock areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA Regs. We continue to engage with SZC Co on these issues and additional information has been shared. While some progress is being made, significant concerns remain.

B.6. Flood Risk Assessments

- B.6.1.** The Environment Agency has conducted comprehensive reviews of the Flood Risk Assessments and associated modelling of the Main Development Site, Two Village Bypass, and Sizewell Link Road. Flood Risk Assessments were also prepared for the remaining Associated Development Sites, although requiring less detail, and verifying that they are not at risk of flooding.
- B.6.2.** The Main Development Site hydraulic modelling has been agreed and the FRA demonstrates increased off-site flood risk.
- B.6.3.** The Two Village Bypass modelling is agreed. The Flood Risk Assessment demonstrates an increase in flood risk contrary to national policy. SZC Co. has sought and secured rights to flood from the landowner and this mitigation has been agreed between the Environment Agency and SZC Co.
- B.6.4.** The Sizewell Link Road modelling and Flood Risk Assessment have been agreed, and the FRA demonstrates increased on-site flood risk.

B.7. Water Framework Directive Assessment

The Environment Agency has concerns with some of the methods being used to produce predicted numbers of impinged fish at SZC. We also have concerns with some of the methods and stock areas being used to assess the impact of that impingement on some species of relevance under the WFD and the EIA Regs.

B.8. Shadow Habitats Regulations Assessment

- B.8.1.** The Environment Agency will defer to NE as Statutory Nature Conservation Body for DCO advice, hence no table is provided.
- B.8.2.** The Environment Agency is a competent authority for the purposes of the Habitats Regulations when determining applications for permits, consents and licences for which it is the regulatory authority.
- B.8.3.** A number of permits will be required for construction and operation. Three Environmental Permit applications for the operation of the power station have been submitted to the EA:
- a bespoke Water Discharge Activity permit - required for the proposed discharges of cooling water and liquid process effluents into the marine environment, during operation of the power station
 - a Combustion Activity permit - required for the proposed operation of diesel generators, to be used to provide back-up electrical supply at the site, and

- a Radioactive Substances Regulations permit - necessary for the proposed disposal of operational radioactive waste emissions to air, and water, and by transfer
- There are complex overlapping Habitats Regulations Assessment (HRA) needs that fall across these permit decisions and the DCO decision, especially where there are project-wide in combination impacts on the marine environment. Despite our repeated advice, and that in PINS Advice Note 11 (Annex D), the applicant has chosen to not submit their applications for these environmental permits well in advance of the DCO Application. We are a competent authority and must undertake an HRA as part of our determination process. It is currently our projection that our permit decisions - and associated HRA conclusions - will not be available within the Examination timescale, due to the submission strategy adopted by the applicant. We consider that our permit determination HRA conclusion should have assisted with the within project in combination HRA for the DCO application and its absence could result in challenges to the HRA process – at a DCO decision level.

B.9. Eels Regulations Assessment

B.9.1. We consider that the scale and impact of entrainment has not been quantified with certainty. Appendix 22O – Eels Regulations Compliance Assessment states that in order to ensure compliance with the Eels Regulations, “ongoing entrainment and impingement monitoring of eels at Sizewell C (should be) to be undertaken to implement alternative measures if deemed necessary.” We understand that the applicant’s position is that entrainment monitoring is not feasible, but we have yet to see evidence of this.

B.9.2. We understand that the applicant is in the process of developing a survey protocol for glass eels in the Sizewell area to a resolution that would be acceptable to the Environment Agency. However we understand that the applicant is concerned this may not be feasible or cost effective. We are agreed in principle to an alternative approach in which the applicant would fund fish improvement measures under the s106 and await proposals to be presented.

B.10. Waste & Materials Management

The Environment Agency understands that the applicant proposes to introduce targets/KPI for waste and resource management and submit an annex to the Conventional Waste Management Strategy into the examination at Deadline 7. The Environment Agency wish to be consulted

on these proposals, including proposed securing mechanism (e.g DCO requirement).

B.11. Potable & Non Potable Water Supply

We understand a Water Supply Strategy will be submitted at Deadline 7 and will provide a position for Deadline 8.