



# The Sizewell C Project

## 9.10.18 Statement of Common Ground - Marine Management Organisation

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## 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 ('PINS') under the Planning Act (PA) 2008 ('the Application') for the proposed Sizewell C Project.

1.1.2 This SoCG (Version 03) has been prepared by NNB Generation Company (SZC) Limited ('SZC Co.') as the Applicant and the Marine Management Organisation (MMO) and agreed on 30 September 2021.

1.1.3 This SoCG has evolved through a programme of engagement and series of versions as detailed in Section 2.

### 1.2 Purpose of this document

1.2.1 The purpose of this SoCG is to set out the position of the parties on a range of issues arising from the application for development consent for the construction and operation of the Sizewell C nuclear power station and together with the proposed associated development (hereafter referred to as 'the Sizewell C Project').

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 to inform the Examining Authority and provide a clear position of the state and extent of discussions and agreement between SZC Co. and the Marine Management Organisation on matters relating to the Sizewell C Project.

- 1.2.5 This SoCG does not seek to replicate information which is available elsewhere within the DCO application documents. 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 On 27<sup>th</sup> May 2020, SZC Co. submitted an application to the Planning Inspectorate for development consent to build and operate a new nuclear power station, Sizewell C, along with the associated development required to enable construction and operation. A further submission was made to the Planning Inspectorate on 12 January 2021 proposing changes to several elements of the project, including (but not limited to) small changes to the permanent Beach Landing Facility (BLF), addition of a Marine Bulk Import Facility (MBIF), design changed to the sea defence and the addition of a temporary outfall for drainage of surface water to the beach. A further change submission was made to the Planning Inspectorate on 03 September to include a temporary desalination plant (requiring marine intake and outfall structures) to provide potable water for the construction period until a mains supply can be provided.
- 1.3.2 The Marine Management Organisation is responsible for enforcement of all elements of the Marine and Coastal Access Act (2009) in England. This includes issuing Marine Licences for construction works, deposits, and removals in or over the sea below the mean high-water spring (MHWS) tidal mark. MMO is also the competent authority in England for issuing Harbours Orders.
- 1.3.3 For Nationally Significant Infrastructure Projects (“NSIPS”) the PA (2008) enables DCOs for projects which affect the marine environment to include provisions which deem marine licences. The MMO’s primary roles under the PA 2008 regime are as an interested party during the examination stage, and as a licensing and consenting body for the DML at the post consent stage
- 1.3.4 The MMO is responsible for regulating and enforcing marine licences, regardless of whether these are 'deemed' by DCOs or are consented independently by the MMO. This includes discharging of conditions, undertaking variations and taking enforcement action, when appropriate.
- 1.3.5 Collectively SZC Co. and the Marine Management Organisation are referred to as 'the parties'.
- 1.3.6 Matters of interest to the Marine Management Organisation and which are detailed in Section 2 of this SoCG are as follows:

- Proposed development on the main development site.
- Coastal geomorphology and hydrodynamics
- Marine water quality
- Marine ecology

1.3.7 In addition, other DCO application documents of interest to the Marine Management Organisation include:

- Draft DCO (including the Requirements)
- Draft Harbour Powers (Section 6 of draft DCO)
- Draft Marine Licence (Schedule 20 of Draft DCO)
- Code of Construction Practice
- Mitigation Route map

## 1.4 Structure of this Statement of Common Ground

1.4.1 Chapter 2 provides a schedule which details the matters of agreement and disagreement between the parties.

1.4.2 **Appendix A** provides a summary of engagement undertaken to establish this SoCG.

1.4.3 **Appendix B** provides a schedule which identifies pre-application meetings and workshops between SZC Co and the Marine Management Organisation, including joint stakeholder meetings and workshops.

## 1.5 Deadline 9 Update

1.5.1 This version of the SoCG (Version 03), to be submitted at Examination Deadline 9, captures recent progress made on technical and assessment elements of the Sizewell C project (i.e. the Environmental Statement). The position of the two parties on the DCO, Harbour Powers and DML remain the same as at Deadline 7; however it should be noted that considerable progress is being made on the Harbour Powers and DML, and this will be reported in the final update of this SoCG to be provided at Deadline 10. For this version of the SoCG, the detailed comments tracker in the appendix only includes the technical (ES) elements for Coastal Geomorphology and Marine

Ecology and Fisheries SZC Co and the MMO continues to update and populate the detailed tracker for the DCO, Harbour Powers and DML ‘offline’.

1.5.2 The MMO reserves the right to update its position in the following tables pending further discussions on the comments contained within the detailed tracker as it is updated.

1.5.3 The MMO will defer to Natural England on the shadow Habitats Regulations Assessment (HRA), and to the Environment Agency on the Water Framework Directive (WFD) compliance assessment; technical discussions between SZC Co and the MMO relevant to the HRA and WFD are captured in the detailed tracker where necessary but summary tables are not provided in this version of the SoCG.

## 2 POSITION OF THE PARTIES

2.1.1 Table 2.1 to 2.8 provide details on the areas of agreement and disagreement between the parties.

**Table 2.1 Position of the Parties – SZC Co. and Marine Management Organisation on Costal Geomorphology and Hydrodynamics**

Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
MDS_ CGH1	The overarching methodology for the assessment of impacts on Coastal Geomorphology and Hydrodynamics as detailed in <b>Volume 1 Appendix 6P and section 20.3 of Volume 2 Chapter 20</b> of the ES.	<p><b>SZC Co:</b></p> <p>There is no comment on the overarching methodology in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed.</p> <p>DCO Addendum (2021) uses same method so no change in position expected</p> <p><b>MMO:</b></p> <p>MMO still seeking clarity on minor comments, see detailed SoCG</p>	<p><b>SZC Co:</b></p> <p>Further information provided in various examination documents (responses to ExA1[<a href="#">REP2-100</a>] and ExA2) questions but some minor comments remain.</p>		Many items resolved at technical meeting held on 16 September, only a few remaining comments outstanding following the MMO's technical review of Coastal process reports REP7-045 and REP7-101, and Coastal Process impacts from Change 19	Not Agreed
MDS_ CGH2	The construction mitigation, management and monitoring measures detailed in <b>Part B</b> section 12 of the <b>Code of Construction Practice</b> .	<p><b>SZC Co:</b></p> <p>There is no comment on the CoCP in the MMO relevant representations; we assume this is agreed.</p> <p>DCO Addendum (2021) has updated CoCP, change in MMO position possible</p> <p><b>MMO:</b></p> <p>All mitigation measures still being discussed.</p>	<p><b>SZC Co:</b></p> <p>CoCP has been updated (latest version is Revision 4 as at D5 [<a href="#">REP5-078</a>]).</p> <p><b>MMO:</b></p> <p>Mitigation, management and monitoring measures for dredging at the Beach Landing Facilities ("BLFs"), scour around the marine infrastructure, and the Soft Coastal Defence Feature ("SCDF") are still to be agreed with MMO however this will be done via the DML conditions and the CPMMP. MMO content with the CoCP.</p>		All items resolved at technical meeting held on 16 September.	Agreed
MDS_ CGH3	The securing mechanisms to control impacts on coastal geomorphology and hydrodynamics as detailed in the <b>Mitigation Route Map</b> including: <ul style="list-style-type: none"> <li>- DCO Article 3 (Scheme design)</li> <li>- Requirement 2 (PW: CoCP)</li> </ul> Deemed Marine Licence Conditions, in particular	<p><b>SZC Co:</b></p> <p>There is no comment on the securing mechanisms in the MMO relevant representations; we assume the means by which mitigation is agreed in principle but understand that scope and wording etc needs to be finalised (see also Table 2.4).</p> <p>DCO Addendum (2021) provides updated draft DCO (with DML) for consideration by MMO.</p> <p><b>MMO:</b></p>	<p><b>SZC Co:</b></p> <p>The principle of the securing mechanisms is agreed wording of conditions to be confirmed (see Table 2.4). Relevant monitoring plans to be certified.</p> <p>Monitoring plans submitted during examination include: CPMMP (Rev 2) – D5 - <a href="#">REP5-059</a></p> <p><b>MMO:</b></p> <p>The MMO require changes to the frequency of the monitoring in the</p>		All items resolved at technical meeting held on 16 September.	Agreed



Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
	Conditions 11, 17, 37, 40, 41, 42, 43, 44 and 49.	All mitigation measures still being discussed.	<p>CPMMP (Rev 1) to control impacts on coastal geomorphology and hydrodynamics. MMO currently reviewing rev 2 of the CPMMP [REP5-059] to identify if we are content with the frequency now proposed. MMO is aiming to provide comments on this by Deadline 8.</p> <p>MMO does not agree with the wording of DML Condition 17(5) which states that the CPMMP will be “deemed discharged” once East Suffolk Council have approved the plan.</p> <p>MMO requests changes to DML Conditions 35-37 to control impacts on coastal processes. The maximum annual dredging volumes should be stated, and the annual disposal volumes should be stated.</p> <p>MMO requires further discussions about Condition 41 to control impacts on coastal processes due to the installation of the Soft Coastal Defence Feature. This is around controlling the sediment type (source, particle size) that will be used.</p>			
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 <b>section 20.4 of Volume 2 Chapter 20</b> and <b>Appendix 20A</b> section 3 of the ES.	<p><b>SZC Co:</b> There is no comment on the baseline in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed. DCO Addendum (2021) uses same baseline so no change in position expected.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> MMO content with the baseline characterisation, although we do still have concerns about gaps in the assessment of impacts on coastal geomorphology which we address below (See MDS_CGH7; MDS_CGH8; MDS_CGH9; MDS_CGH10). MMO content for this matter to be closed.</p>		All items resolved at technical meeting held on 16 September.	Agreed

Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
MDS_ CGH5	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in <b>section 20.5 and 20.12 of Volume 2 Chapter 20</b> . In particular the proposed Coastal Processes Monitoring and Mitigation Plan as defined in Condition 17 of the Marine Licence.	<p><b>SZC Co:</b></p> <p>There is no comment on the primary or secondary mitigation in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed. The Coastal Processes Monitoring and Mitigation Plan (CPMMP) is the agreed mechanism for mitigation – MMO has seen 1st draft; final position not yet agreed. DCO Addendum (2021) uses same assumption so no change in position expected</p> <p><b>MMO:</b></p> <p>Is Chapter 20 going to be updated? Section 20.5.7 details primary mitigation for the Beach Landing Facility (BLF) which is now outdated (number of piles, length of BLF) Primary and secondary mitigation measures still to be discussed and agreed.</p> <p>The Outline/In Principle CPMMP is still being discussed and yet to be agreed. Outline CPMMP must be agreed in examination. Post consent the final CPMMP will be submitted for approval which will contain the finer details. The final CPMMP must be in line with the In Principle CPMMP submitted in examination.</p>	<p><b>SZC Co:</b></p> <p>Acknowledged that the ES Addendum provided the latest information on the BLF design and the inclusion of a second, temporary marine import facility. Supplementary information for latest HCDF and BLF provided at D5 <a href="#">[REP5-015]</a> still under review.</p> <p><b>MMO:</b></p> <p>The MMO require further information and changes to the frequency of the monitoring in the CPMMP (Rev 1) to control impacts on coastal geomorphology and hydrodynamics. MMO currently reviewing rev 2 of the CPMMP <a href="#">[REP5-059]</a> to identify if we are content with the amended proposals for the 'in principle' plan. MMO is aiming to provide comments on this by Deadline 8.</p>		All items resolved at technical meeting held on 16 September.	Agreed
MDS_ CGH6	The assessment of impacts associated with the hard coastal defence feature as described in <b>section 20.6 of Volume 2 Chapter 20 and Appendix 20A</b> .	<p><b>SZC Co:</b></p> <p>Detailed design is not yet confirmed. Worst case assumed but to be confirmed. Lack of assessment of switch to NE wave climate discussed in meetings – agreed such a switch is not worst case (and therefore enveloped in assessment), but potential side-effects possible if accretion occurs at BLF abutment. DCO has revised (enhanced) BLF so potential for MMO view to change.</p>	<p><b>SZC Co:</b></p> <p>Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p> <p><b>MMO:</b></p> <p>Hard Coastal Defence Feature (HCDF) not within MMO remit. MMO defer to East Suffolk Council on this point.</p>		All items resolved at technical meeting held on 16 September.	Agreed

Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
		<b>MMO:</b> Hard Coastal Defence Feature (HCDF) not within MMO remit. MMO do not have concerns about impacts associated with the hard coastal defence feature, although are aware further discussions will take place regarding this in relation to the CPMMP.				
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.	<b>SZC Co:</b> Detailed design is not yet confirmed.  <b>MMO:</b> Detailed design still to be discussed. MMO would seek advice from Environment Agency (EA) and East Suffolk Council (ESC) on the detailed design.  For the Soft Coastal Defence Feature (SCDF), the timing of its release of sediment is dependant on the rate of sea level rise experienced. The change to the HCDF (toe of the structure moved further towards the shoreline) means that the SCDF will begin its function earlier than previously intended, hence the volume of sediment released during the lifetime of the SCDF will increase with it being recharged earlier in the project lifetime. However as the SCDF is intended to supply sediment using natural processes, as long as it is monitored and maintained as intended in the CPMMP, (Appendix 2.15A of the Environmental Statement (ES) addendum) with suitable amendments in line with the monitoring programme MMO is of the view that it will maintain its beneficial role in the coastal system	<b>SZC Co:</b> Further information provided during examination still under review.  Preliminary design and maintenance requirements for the Sizewell C Coastal Defence Feature (Revision 2.0) [REP3-032] (update submitted at D7 [Doc ref: 9.12(B)])  Storm Erosion Modelling of the Sizewell C Coastal Defence Feature (Revision 1.0) [REP3-048] (update submitted at D7 [Doc ref: 9.31(A)])  Sizewell C Coastal Defences Design Report - Revision 1.0 [REP2-116]  Temporary and Permanent Coastal Defence Feature Plans - Not for approval (Revision 2) [REP5-015]  <b>MMO:</b> MMO have concerns regarding the modelling that has been undertaken to assess the impacts associated with the Soft Coastal Defence Feature (SCDF), and the proposal to use a much coarser material for the SCDF than the native grain size present within the area as there has been no evidence provided to show that this will not have a negative impact on the neighbouring coastline and nearshore morphology. The MMO does not agree that using coarser material for the sacrificial outer layer is the best option at this stage, as		All items resolved at technical meeting held on 16 September.	Agreed

Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
			<p>it is indicated that with a finer sediment there will still only be a limited number of recharges required (6 or 7 times over the course of the operational phase).</p> <p>See section 3.1 of REP6-040 and section 5.1 of REP6-039 for details. MMO require further information and changes to the CPMMP.</p>			
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.	<p><b>SZC Co:</b></p> <p>Lack of assessment of switch to NE wave climate discussed in meetings – agreed such a switch is not worst case (and therefore enveloped in assessment), but potential side-effects possible if accretion occurs at BLF abutment.</p> <p>We see no reason or evidence for the promotion of a salient.</p> <p>DCO has revised (enhanced) BLF so potential for MMO view to change.</p> <p><b>MMO:</b></p> <p>There is uncertainty in the predicted impacts on the subtidal regions (and outer longshore bar) due to the assessment of impacts from the BLFs being based on a consideration of the effect of the project on hydrodynamics via the bed shear stress without a sediment transport model being applied. The uncertainty in these impact assessments leads to the various comments MMO have on the CPMMP, see our detailed SoCG.</p>	<p><b>SZC Co:</b></p> <p>Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p>		All items resolved at technical meeting held on 16 September.	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.	<p><b>SZC Co:</b></p> <p>There is no comment on the assessment of the nearshore outfalls in the MMO relevant representations. Based on this, we assume this is agreed.</p> <p>DCO Addendum (2021) makes no change to the nearshore outfalls so no change in position expected.</p>	<p><b>SZC Co:</b></p> <p>Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p> <p><b>MMO:</b></p> <p>The potential for scour protection to be used around nearshore outfalls and a</p>		All items resolved at technical meeting held on 16 September.	Agreed



Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
		<b>MMO:</b> No comments on the assessment of impacts at this stage. Further discussions to take place regarding monitoring and mitigation as part of the CPMMP.	commitment to monitoring and potentially mitigating for additional scour around the outfalls caused by this should be included in the CPMMP. Revision 2 does not include this detail.			
MDS_CGH10	The assessment of impacts associated with the offshore cooling water infrastructure as described in section 20.10 of Volume 2 Chapter 20 and Appendix 20A.	<b>SZC Co:</b> There is no comment on the assessment of the physical presence of the offshore outfalls in the MMO relevant representations. Potential effects of the thermal plume on sediment dynamics confirmed as addressed in the scour assessment. Based on this, we assume this is agreed. DCO Addendum (2021) makes no change to the offshore outfalls so no change in position expected. <b>MMO:</b> No comments on the assessment of impacts at this stage. Further discussions to take place regarding monitoring and mitigation as part of the CPMMP.	<b>SZC Co:</b> Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review. <b>MMO:</b> MMO reviewing revision 2 of the CPMMP to identify if required changes have been made to monitor and potentially mitigate for scour around the offshore cooling water infrastructure. The MMO advised that the assumption within section 3.3 that the scour around the offshore cooling water infrastructure will reach equilibrium in 3 months is subject to uncertainty. If the 6-month survey shows scour development continuing (in depth or extent), then further surveys will be needed until the equilibrium is reached – or mitigation measures are put in place (see next comment).		All items resolved at technical meeting held on 16 September.	Agreed
MDS_CGH11	The assessment of combinations of spatially and temporally overlapping marine components as described in section 20.11 of Volume 2 Chapter 20.	<b>SZC Co:</b> There is no comment combinations of spatially and temporally overlapping marine components in the MMO relevant representations. Assume agreed. DCO Addendum (2021) has changes for BLF, second BLF and sea defence so change in MMO position possible. <b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.	<b>SZC Co:</b> As at D2 <b>MMO:</b> No comment		All items resolved at technical meeting held on 16 September	Agreed
MDS_CGH12	The residual effects of impacts associated with the hard coastal defence feature as described in	<b>SZC Co:</b> Agreement subject to agreement of CPMMP.	<b>SZC Co:</b> Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.		All items resolved at technical meeting held on 16 September	Agreed

Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
	section 20.6 of Volume 2 Chapter 20 and Appendix 20A.	<p>DCO Addendum (2021) has changes for sea defence so change in MMO; but CPMMP still applies.</p> <p><b>MMO:</b> The MMO have no comment to make at this stage. Further discussions required as part of the agreement of the In Principle CPMMP.</p>	<p><b>MMO:</b> Content for this to be green subject to agreement of CPMMP as MMO deferring to ESC on HCDF</p>			
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.	<p><b>SZC Co:</b> As for MDS_CGH12.</p> <p><b>MMO:</b> Further discussions required as part of the agreement of the In Principle CPMMP</p>	<p><b>SZC Co</b> Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p> <p><b>MMO:</b> Content for this to be green subject to agreement of CPMMP as MMO deferring to ESC on HCDF</p>		All items resolved at technical meeting held on 16 September	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.	<p><b>SZC Co:</b> Agreement subject to agreement of CPMMP. DCO Addendum (2021) has changes for permanent BLF and has additional BLF; CPMMP still applies.</p> <p><b>MMO:</b> MMO awaits further modelling. MMO has queries in our detailed SoCG regarding the BLF in relation to the CPMMP. Further discussions required as part of the agreement of the In Principle CPMMP.</p>	<p><b>SZC Co</b> Additional modelling provided at Procedural Deadline B <a href="#">[PDB-010]</a></p> <p>Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p> <p><b>MMO:</b> Content for this to be green subject to agreement of CPMMP as MMO deferring to ESC on HCDF</p>		All items resolved at technical meeting held on 16 September	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.	<p><b>SZC Co:</b> As for MDS_CGH9</p> <p><b>MMO:</b> Further discussions to take place regarding monitoring and mitigation as part of the CPMMP</p>	<p>Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p> <p><b>MMO:</b> Content for this to be green subject to agreement of CPMMP as MMO deferring to ESC on HCDF</p>		All items resolved at technical meeting held on 16 September	Agreed
MDS_CGH16	The residual effects of impacts associated with the offshore cooling water infrastructure as described in section 20.10 of Volume 2	<p><b>SZC Co:</b> As for MDS_CGH10</p> <p><b>MMO:</b></p>	<p>Latest version of CPMMP (Rev 2) <a href="#">[REP5-059]</a> under review.</p> <p><b>MMO:</b> Content for this to be green subject to agreement of CPMMP as MMO deferring to ESC on HCDF</p>		All items resolved at technical meeting held on 16 September	Agreed

NOT PROTECTIVELY MARKED

Ref.	Matter	Position of the Parties			Further Action	Status
		D2	D7	D9		
	Chapter 20 and Appendix 20A.	Further discussions to take place regarding monitoring and mitigation as part of the CPMMP				

NOT PROTECTIVELY MARKED

**Table 2.2 Position of the Parties - SZC Co. and Marine Management Organisation on Marine Water Quality and Sediments**

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
MDS_ MWQ1	The overarching methodology for the assessment of impacts on marine water quality and sediments as detailed in <b>Volume 1 Appendix 6Q</b> and <b>section 21.3</b> of <b>Volume 2 Chapter 21</b> of the ES.	<p><b>SZC Co:</b></p> <p>There is no comment on the overarching methodology in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed.</p> <p>Methodology is unchanged in DCO 2021 ES Addendum; change in position not expected.</p> <p><b>MMO:</b></p> <p>MMO have not been able to locate Appendix 6Q. Please provide to MMO to review. This is ongoing until MMO have reviewed Appendix 6Q.</p> <p>MMO have asked for the Applicant to confirm what is meant by 'combined sources or ammonia' in section 21.3 of Chapter 21 of the ES. MMO have reviewed - '6.3 Volume 2 Main Development Site Chapter 21 Marine Water Quality and Sediments - Revision 2.0' [AS-034] but can not locate the Erratum where the Applicant states that clarity on this has been provided. Please provide the Erratum for MMO to review. (see MMO-149 in the detailed SoCG for details on this). This is ongoing until MMO have reviewed the 'Erratum' to the ES.</p>	<p><b>SZC Co:</b></p> <p>Requested information provided to MMO and under review.</p> <p><b>MMO:</b></p> <p>Some issues remain. 'Erratum' did not address all of MMO's comments. MMO requires Applicant to address outstanding comments.</p>	As at D7	Update to be provided at D10	Not Agreed
MDS_ MWQ2	The construction mitigation, management and monitoring measures detailed in <b>Part B</b> section 12 of the <b>Code of Construction Practice</b> .	<p><b>SZC Co:</b></p> <p>There is no comment on the CoCP in the MMO relevant representations; we assume this is agreed.</p> <p>DCO Addendum (2021) has updated CoCP, change in MMO position possible</p> <p><b>MMO:</b></p> <p>All mitigation measures still being discussed.</p>	<p><b>SZC Co:</b></p> <p>CoCP has been updated (latest version is Revision 4 as at D5 [REP5-078]).</p> <p><b>MMO:</b></p> <p>Mitigation, management and monitoring measures in relation to dredging, sampling requirements for sediments that will be disposed within the marine area, and the use of chemicals, are still to be agreed with MMO. This will be agreed/controlled via the DML conditions</p>			Agreed



Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
			which are under review. MMO content with the CoCP based on this.			
MDS_ MWQ3	<p>The securing mechanisms to control impacts on marine water quality and sediments as detailed in the <b>Mitigation Route Map</b> including:</p> <ul style="list-style-type: none"> <li>- DCO Article 3 (Scheme design)</li> <li>- Requirement 2 (PW: CoCP)</li> <li>- 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.</li> </ul> <p>WDA (Operational) Permit</p>	<p><b>SZC Co:</b></p> <p>There is no comment on the securing mechanisms in the MMO relevant representations; we assume the means by which mitigation is agreed in principle but understand that scope and wording etc needs to be finalised (see also Table 2.4). DCO Addendum (2021) provides updated draft DCO (with DML) for consideration by MMO.</p> <p><b>MMO:</b></p> <p>Appropriate mitigation still to be discussed and agreed.</p>	<p><b>SZC Co:</b></p> <p>The principle of the securing mechanisms is agreed wording of conditions to be confirmed (see Table 2.4). Relevant monitoring plans to be certified</p> <p><b>MMO:</b></p> <p>MMO advise that the wording of these DML conditions should be amended, in particular to control impacts from dredging, disposal of sediments within the marine area, and use of chemicals. MMO will be working with the Applicant to update these conditions before Deadline 8.</p>		Update to be provided at D10	Not Agreed
MDS_ MWQ4	<p>The baseline environment as detailed in <b>section 21.4 of Volume 2 Chapter 21 and Appendices 21A-21F</b>, including:</p> <ul style="list-style-type: none"> <li>- physical environment (incl. Appendix 21A);</li> <li>- temperature;</li> <li>- salinity (incl. Appendix 21A);</li> <li>- dissolved oxygen (incl. Appendix 21D);</li> <li>- SSC;</li> <li>- nutrient status;</li> </ul>	<p><b>SZC Co:</b></p> <p>There is no comment on the baseline in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed. DCO Addendum (2021) uses same baseline so no change in position expected.</p> <p><b>MMO:</b></p> <p>MMO have asked for clarity on the range of data to be provided (See MMO-151 in detailed SoCG). The applicant have stated this information is in the 'Erratum' to the ES. MMO have reviewed - '6.3 Volume 2 Main Development Site Chapter 21 Marine Water Quality and Sediments - Revision 2.0' [AS-</p>	<p><b>SZC Co:</b></p> <p>Requested information provided to MMO and under review.</p> <p><b>MMO:</b></p> <p>Position the same as D2</p>		Update to be provided at D10	Not Agreed

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
	<ul style="list-style-type: none"> <li>- un-ionised ammonia (incl. Appendix 21F);</li> <li>- Priority and other substances (incl. Appendix 21A and B);</li> <li>- sediment quality (incl. Appendix 21D and E);</li> <li>- trace metal concentrations in the water and sediment; and</li> </ul> polycyclic aromatic hydrocarbons (PAH) and contaminants.	<p>034] but can not locate the Erratum. This is ongoing until MMO have reviewed the 'Erratum' to the ES.</p> <p>MMO has outstanding comments on Appendix 21E. See comments MMO-158-165 in detailed SoCG.</p>				
MDS_MWQ5	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in <b>section 21.5</b> and <b>21.7</b> of <b>Volume 2 Chapter 21</b> .	<p><b>SZC Co:</b></p> <p>There is no comment on the primary or secondary mitigation in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed.</p> <p>DCO Addendum (2021) uses same assumption so no change in position expected</p> <p><b>MMO:</b></p> <p>The MMO has no comments to make at this stage. However the appropriate mitigation is still to be discussed and agreed with the input from other stakeholders.</p>	<p><b>SZC Co:</b></p> <p>As at D2</p> <p><b>MMO:</b></p> <p>MMO are content with the majority of the mitigation methods proposed so far however the details still need to be agreed 'in principle' and secured in the DML. In particular the MMO are currently reviewing whether we require analysis of the sediment to be used for the SCDF to ensure it's suitability for the marine environment. Also details of the source of the rock protection used around the marine infrastructure must be provided to MMO to ensure it's suitability. This is mitigation not currently secured in the DML.</p>		Update to be provided at D10	Not agreed
MDS_MWQ6	The assessment of impacts on marine water quality and sediments from dredging activities as	<p><b>SZC Co:</b></p> <p>Agreed subject to provision of additional information on dredging at intake/outfall</p>	<p><b>SZC Co:</b></p> <p>Further information provided in various examination documents</p>		Update to be provided at D10	Not agreed

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
	described in section 21.6 of Volume 2 Chapter 21.	heads requested by MMO in relevant representations. DCO Addendum (2021) proposes revised dredging so change in position possible.  <b>MMO:</b> MMO has outstanding comments on section 21.6 of Volume 2 Chapter 21. See MMO-153-157 in detailed SoCG. These comments relate to the use of ammonia, and justification for the values used for hydrazine.	(responses to ExA1[REP2-100] and ExA2) questions but some minor comments remain.  <b>MMO:</b> MMO requires further discussions with the Applicant to understand the impacts on marine water quality and sediments due to the disposal activities that are proposed within the marine environment (disposal of dredged material, disposal of drill arisings, disposal of sediment for SCDF).			
MDS_MWQ7	The assessment of impacts on marine water quality and sediments during construction of the Beach Landing Facility as described in section 21.6 of Volume 2 Chapter 21.	<b>SZC Co:</b> There is no comment on the construction of the BLF, so assume we are agreed. DCO Addendum (2021) proposes BLF design together with a second BLF so change in position possible.  <b>MMO:</b> MMO considers the assessment of impacts on marine water quality and sediments from the construction of the BLF is appropriate. However, further discussions are required in relation to monitoring the impacts of the dredging that is required.	<b>SZC Co:</b> Latest version of CPMMP (Rev 2) [REP5-059] under review.		Agreed as per Table 2.1	Agreed
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.	<b>SZC Co:</b> There is no comment on the construction of the CDO, so assume we are agreed. DCO Addendum (2021) makes no change to CDO construction so no change in position expected.  <b>MMO:</b> The MMO advises that there a DML condition is added requiring specific authorisation from MMO for tunnelling chemicals to be used.	<b>SZC Co:</b> DML Conditions remain under review.  Discharge would be under WDA permit that such a condition is not required –  <b>MMO:</b> MMO is content that this will be managed via the WDA permit. Comment resolved.			Agreed

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
			DML conditions regarding use of chemicals in the marine environment under review.			
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 <b>Volume 2 Chapter 21</b> .	<p><b>SZC Co:</b> There is no comment on the construction of the FRRs, so assume we are agreed. DCO Addendum (2021) makes no change to FRRs construction so no change in position expected.</p> <p><b>MMO:</b> The MMO advises that there a DML condition is added requiring specific authorisation from MMO for tunnelling chemicals to be used.</p>	<p><b>SZC Co:</b> DML Conditions remain under review.</p> <p>Discharge would be under WDA permit that such a condition is not required</p> <p><b>MMO:</b> MMO is content that this will be managed via the WDA permit. Comment resolved. DML conditions regarding use of chemicals in the marine environment under review.</p>			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 <b>Volume 2 Chapter 21</b> .	<p><b>SZC Co:</b> There is no comment on the construction of the cooling water intake and outfalls per se, so assume we are agreed. However, see MDS_MWQ6 regarding dredging. DCO Addendum (2021) makes no change to the cooling water intake/outfall construction so no change in position expected.</p> <p>Discharges to the marine environment from the Tunnelling Boring Machines will be subject to a Water Discharge Activity permit from the Environment Agency. We see no reason for this to be repeated on the DML.</p> <p><b>MMO:</b> The MMO advises that there a DCO/DML condition is added requiring specific authorisation of tunnelling chemicals to be used.</p>	<p><b>SZC Co:</b> DML Conditions remain under review.</p> <p>As the discharge would be under WDA permit that such a condition is not required</p> <p><b>MMO:</b> MMO is content that this will be managed via the WDA permit. Comment resolved. DML conditions regarding use of chemicals in the marine environment under review.</p>			Agreed
MDS_MWQ11	The assessment of impacts on marine water quality and sediments from discharges from the CDO	<p><b>SZC Co:</b> There is no comment on the construction discharges from the CDO in the MMO Relevant Representations; assume agreed.</p>	<p><b>SZC Co:</b> This Ref refers to the discharges form the CDO not its construction.</p>			Agreed



Ref.	Matter	Position of the parties		Further Action		Status
		D2	D7	D9		
	during construction as described in section 21.6 of <b>Volume 2 Chapter 21</b> and <b>Appendices 21E</b> and <b>21F</b> .	<p>DCO Addendum (2021) makes no change to the CDO discharges so no change in position expected.</p> <p>Discharges to the marine environment from the Tunnelling Boring Machines will be subject to a Water Discharge Activity permit from the Environment Agency. We see no reason for this to be repeated on the DML.</p> <p><b>MMO:</b> The MMO advises that there is a DML condition added requiring specific authorisation from MMO for tunnelling chemicals to be used during construction of the Combined Drainage Outfall.</p>	<p>Discharges will be under WDA permit.</p> <p><b>MMO:</b> MMO is content that discharges will be controlled via the WDA permit. MMO has no further comments. DML conditions regarding use of chemicals in the marine environment under review.</p>			
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 <b>Volume 2 Chapter 21</b> and <b>Appendices 21E</b> and <b>21F</b> .	<p><b>SZC Co:</b> Assumed agreed subject to clarification requested on ammonia and hydrazine in Relevant Representations.</p> <p>DCO Addendum (2021) makes no change to the CDO discharges so no change in position expected.</p> <p><b>MMO:</b> MMO has outstanding comments on the impacts on marine water quality and sediments during operation of the Combined Drainage Outfall. This relates to the use of ammonia and justification for the values used for hydrazine (see MMO-154 in detailed SoCG).</p>	<p><b>SZC Co:</b> Further information on hydrazine provided to MMO and in various examination documents (responses to ExA1[REP2-100] and ExA2)</p> <p>MMO content with the information provided in relation to hydrazine, although we find it is not referenced in a clear way in the Environmental Statement. MMO has some minor comments remaining which we hope to address in a technical meeting with the applicant.</p>	As at D7	Update to be provided at D10	Not agreed
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 <b>Volume 2 Chapter 21</b> .	<p><b>SZC Co:</b> There is no comment on the impacts on marine water quality from discharges from the FRRs in the MMO Relevant Representations; assume agreed.</p> <p>DCO Addendum (2021) provides more information on FRR discharges (TR520) so change in position expected possible.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments.</p>			Agreed

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
		<b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.				
MDS_MWQ14	The assessment of impacts on marine water quality and sediments from discharges during operations from the cooling water outfall as described in <b>21.6</b> of <b>Volume 2 Chapter 21</b> .	<b>SZC Co:</b> MMO makes a number of comments requesting clarification on the assessment of impacts on marine water quality and sediments from discharges during operations from the cooling water outfall but none are expected to lead to disagreement. SZC assume agreed following provision of additional information. DCO Addendum (2021) makes no change to the cooling water outfall discharges so no change in position expected.  <b>MMO:</b> MMO has outstanding comments on the impacts on marine water quality and sediments during operation of the cooling water outfall. This relates to the justification for the values used for hydrazine (see MMO-157 in detailed SoCG).	<b>SZC Co:</b> Further information on hydrazine provided to MMO and in various examination documents (responses to ExA1[ <a href="#">REP2-100</a> ] and ExA2)  <b>MMO:</b> Comments resolved; no further comments.			Agreed
MDS_MWQ15	The residual effects from construction impacts on marine water quality and sediments as detailed in <b>section 21.8</b> of <b>Volume 2 Chapter 21</b>	<b>SZC Co:</b> There is no comment on the residual impacts from MMO in their relevant representations; however, given initial impacts are assumed agreed we assume so too are residual impacts. DCO Addendum (2021) proposes changing to dredging so MMO position could change.  <b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.	<b>SZC Co:</b> As at D2  <b>MMO:</b> No comments			Agreed
MDS_MWQ16	The residual effects from commissioning impacts on marine water quality and sediments as detailed in <b>section 21.8</b> of <b>Volume 2 Chapter 21</b>	<b>SZC Co:</b> There is no comment on the residual impacts from MMO in their relevant representations; however, given initial	<b>SZC Co:</b> As at D2  <b>MMO:</b> No comments			Agreed

NOT PROTECTIVELY MARKED

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
		<p>impacts are assumed agreed we assume so too are residual impacts. DCO Addendum (2021) makes no changes to commissioning discharges so no change in position expected.</p> <p><b>MMO:</b></p>				
MDS_ MWQ17	The residual effects from operational impacts on marine water quality and sediments as detailed in <b>section 21.8 of Volume 2 Chapter 21</b>	<p><b>SZC Co:</b> There is no comment on the residual impacts from MMO in their relevant representations; however, given initial impacts are assumed agreed we assume so too are residual impacts. DCO Addendum (2021) makes no changes to operational discharges so no change in position expected.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>			Agreed

Table 2.3 Position of the Parties - SZC Co. and Marine Management Organisation on Marine Ecology and Fisheries

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
MDS_MEF1	The overarching methodology for the assessment of impacts on marine ecology and fisheries as detailed in <b>Volume 1 Appendix 6R</b> and <b>section 22.3</b> of <b>Volume 2 Chapter 22</b> of the ES.	<p><b>SZC Co:</b> There is no comment on the overarching methodology in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed.</p> <p><b>MMO:</b> MMO does not require any changes to the overarching methodology for the assessment of impacts. MMO considers the methodology used is reasonable. However, in relation to the impacts to fisheries, MMO advises that a further sensitivity analysis should be carried out for demersal fish assuming zero effectiveness of the Low Velocity Side Entry (LVSE) design and Fish Return and Recovery (FRR) system. This will help to clarify uncertainties concerning potential local impact on demersal fish and their role in the local ecosystem. See our comments on the methodology for assessing impacts to fisheries in the detailed SoCG.</p>	<p><b>SZC Co:</b> Additional information requested provided at D6:</p> <p>Quantifying Uncertainty in Entrapment Predictions for Sizewell C – (Revision 1) <a href="#">[REP6-028]</a></p> <p>In particular, assessment now assumes no benefit from LVSE</p> <p><b>MMO:</b> Currently reviewing the following applicant submissions and will provide comment at Deadline 8:</p> <ul style="list-style-type: none"> <li>Acoustic Fish Deterrent Report <a href="#">[REP5-123]</a></li> <li>Underwater Noise Report <a href="#">[REP5-124]</a></li> <li>Quantifying Uncertainty in Entrapment Predictions for Sizewell C <a href="#">[REP6-028]</a></li> <li>Environmental Statement Addendum – Chapter 2 Marine Ecology and Fisheries – Appendix 2.17.A – Revision 2 (Fish Sensitivity Analysis) <a href="#">[REP6-016]</a></li> </ul>		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF2	The construction mitigation, management and monitoring measures detailed in <b>Part B</b> section 12 of the <b>Code of Construction Practice</b> .	<p><b>SZC Co:</b> There is no comment on the CoCP in the MMO relevant representations; we assume this is agreed.</p> <p><b>MMO:</b> It is noted that the CoCP contains the following mitigation:</p>	<p><b>SZC Co:</b> All requests agreed:</p> <p>UXO removed from CoCP SIP provided in HRA Addendum</p> <p><b>MMO:</b></p>		All items resolved at technical meeting held on 20 September	Agreed



		<ul style="list-style-type: none"> <li>• Use of a hydrohammer piling technique where feasible for installation of the marine piles of the two BLFs to suppress underwater noise.</li> <li>• Piling for construction of the two BLFs not to occur between 01 May and 31 August in any year.</li> </ul> <p>The Code of Construction Practice (CoCP) is secured as a requirement however this mitigation should be secured on the DML as well as it is within MMO jurisdiction.</p> <p>Reference to Unexploded Ordnance (UXO) detonation can be removed completely from CoCP.</p> <p>A Southern North Sea Special Area of Conservation (SAC) Site Integrity Plan (SIP) should be referenced as mitigation for the underwater noise created by piling.</p> <p>All mitigation measures still to be reviewed and agreed</p>	<p>D2 comments not addressed in CoCP [REP5-079]. Although, these comments still stand and MMO advise that they are actioned in future updates to the CoCP and DML, MMO agrees that the principle mitigation methods are appropriate. The details of the mitigation will be agreed separately via the monitoring and mitigation plans:</p> <p>Marine Mammal Mitigation Plan; Southern North Sea SAC Site Integrity Plan; Sabellaria Monitoring and Mitigation Plan; Fish Monitoring Plan</p> <p>All of these plans are yet to be agreed.</p>			
MDS_MEF3	<p>The securing mechanisms to control impacts on marine ecology and fisheries as detailed in the <b>Mitigation Route Map</b> including:</p> <ul style="list-style-type: none"> <li>- DCO Article 3 (Scheme design)</li> <li>- Requirement 2 (PW: CoCP)</li> <li>- Deemed Marine Licence Conditions, in particular Conditions 11, 17, 18, 21, 24, 35, 39, 40, 44, 45, 4, 49 and 50.</li> </ul> <p>WDA (Operational) Permit</p>	<p><b>SZC Co:</b></p> <p>There is no comment on the securing mechanisms in the MMO relevant representations; we assume the means by which mitigation is agreed in principle but understand that scope and wording etc needs to be finalised (see also Table 2.4).</p> <p>DCO Addendum (2021) provides updated draft DCO (with DML) for consideration by MMO.</p> <p><b>MMO:</b></p> <p>The Offshore Written Scheme of Investigation (WSI), Marine Mammal Mitigation Protocol (MMMP), Southern North Sea SAC SIP, and Sabellaria Monitoring Plan are not included in the Mitigation Route Map. MMO advises that all mitigation should be included here. The MMMP and SIP are also not secured via DML conditions.</p>	<p><b>SZC Co:</b></p> <p>The principle of the securing mechanisms is agreed wording of conditions to be confirmed (see Table 2.4). Relevant monitoring plans to be certified</p> <p><b>MMO:</b></p> <p>Changes required to the DML conditions to control impacts on marine ecology and fisheries. Wording of DML conditions currently under review with the Applicant.</p>		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF4	The proposed primary, secondary and tertiary mitigation measures to	<b>SZC Co:</b>	<b>SZC Co:</b> The principle of the mitigation measures is agreed (the proposed	The MMO has reviewed the Draft Sabellaria Reef Management and		Not Agreed

	<p>mitigate impacts as detailed in <b>section 22.5</b> of <b>Volume 2 Chapter 22</b> and referenced appendices.</p> <p>In particular the Marine Mammal Mitigation Plan (<b>Appendix 22N</b> of the ES), <i>Sabellaria</i> monitoring plan (ML Condition 45) and fish monitoring plan (ML Condition 50).</p>	<p>MMO suggest review to include any missing pathways raised in RRs. We assume agreed subject to this.</p> <p>DCO Addendum (2021) provides updated draft DCO (with DML) for consideration by MMO.</p> <p><b>MMO:</b></p> <p>Further discussions required with Applicant and NE to agree the in principle MMMP and Sabellaria monitoring plan.</p> <p>MMO also requires a Southern North Sea SAC SIP to be implemented as mitigation to ensure that the Project, either alone or in combination with other plans or projects, will not exceed the noise thresholds for the Southern North Sea SAC.</p> <p>The MMO seek clarification around the fish monitoring plan as MMO do not believe that we have had sight of this and can not see it secured on the DML version 3.</p> <p>Additionally MMO requires further consideration of the Acoustic Fish Deterrent (AFD) options prior to excluding them as a form of mitigation.</p>	<p>methods will mitigate impacts) but the details to be confirmed.</p> <p>Monitoring plans to be certified as part of the DCO.</p> <p>Monitoring plans submitted during examination include:</p> <p>MMMP (Rev 2) – D3 - <a href="#">REP3-019 Sabellaria</a> Management Plan (Rev 1) – D7 – Doc Ref: 9.90</p> <p>Fish Monitoring Plan (Rev 1) – D7 – Doc Ref 9.89</p> <p><b>MMO:</b></p> <p>Outline mitigation measures still need to be agreed via the above 3 plans. Additionally the Southern North Sea Special Area of Conservation (“SAC”) Site Integrity Plan is still to be agreed.</p> <p>MMO is currently reviewing the Acoustic Fish Deterrent Report [REP5-123] and will provide comment on this at Deadline 8:</p>	<p>Monitoring Plan [REP7-078] and have the following comments to make. While it has identified possible options for installation of the intake heads (jack-up, dynamic positioning, anchored barge), the mitigation plan does not commit to adopting the least environmentally damaging option. We note that at HPC, an anchored barge is being used for installation of the intake heads. This is probably the most damaging option for Sabellaria reef. The MMO therefore request further clarification from the Applicant about how the preferred construction option will be determined.</p> <p>The MMO has reviewed the draft Fish Monitoring Plan [REP7-077] to determine if we consider that the proposed monitoring and potential mitigation options are appropriate. The MMO has no specific comments on the draft plan which is in line with expectations. It also usefully provides potential for some adaptive management should entrapment predictions in the ES be proven to be underestimates.</p>		
MDS_	The baseline for <i>plankton</i> as detailed in <b>sections</b>	<b>SZC Co:</b>	<b>SZC Co:</b> As at D2		All items resolved at technical meeting held on 20 September	Agreed

MEF5	<b>22.6b) of Volume 2 Chapter 22 and Appendices 22A</b> (phytoplankton) and <b>22B</b> (zooplankton) of the ES.	<p>There is no comment on the baseline in the MMO relevant representations. Based on this, we assume this is agreed.</p> <p>DCO Addendum (2021) uses same baseline so no change in position expected.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<b>MMO:</b> No comments			
MDS7_ MEF6	The assessment of impacts on <i>plankton</i> as detailed in <b>section 22.6 c) and d) of Volume 2 Chapter 22</b> and <b>Appendix 22G</b> of the ES.	<p><b>SZC Co:</b> There is no comment on the plankton assessment in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed.</p> <p>DCO Addendum (2021) provides updated assessment for plankton; change in MMO position possible.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>		All items resolved at technical meeting held on 20 September	Agreed
MDS_ MEF7	The proposed mitigation measures and monitoring to mitigate impacts on <i>plankton</i> as detailed in <b>section 22.12 of Volume 2 Chapter 22</b> .	<p><b>SZC Co:</b> There is no comment on the mitigation measures and monitoring in the MMO relevant representations. Based on this, we assume this is agreed.</p> <p>DCO Addendum (2021) provides updated assessment for plankton; change in MMO position possible.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>		All items resolved at technical meeting held on 20 September	Agreed
MDS_ MEF8	The residual effects for <i>plankton</i> as detailed in <b>section 22.13 of Volume 2 Chapter 22</b>	<p><b>SZC Co:</b> Given response at MDS_MEF5 we assume this is agreed (noting MMO</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>		All items resolved at technical meeting held on 20 September	Agreed

		<p>relevant representation comment on Table 22.155).</p> <p>DCO Addendum (2021) provides updated assessment for plankton; change in MMO position possible.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>				
MDS_MEF9	The baseline for <i>benthic ecology</i> as detailed in <b>section 22.7 b) Volume 2 Chapter 22</b> and <b>Appendix 22C</b> of the ES.	<p><b>SZC Co:</b> There MMO requests a consideration of the baseline INNS in its relevant representations. Assume agreed subject to further information on INNS. DCO Addendum (2021) uses the same baseline so no change in position expected</p> <p><b>MMO:</b> Resolved via detailed SoCG.</p>	As at D2		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF10	The assessment of impacts on <i>benthic ecology</i> as detailed in <b>section 22.7 c) and d) of Volume 2 Chapter 22</b> and <b>Appendix 22I</b> of the ES.	<p><b>SZC Co:</b> There is no comment on the benthic ecology assessment in the MMO relevant representations. Based on this, and considerable pre-application engagement, we assume this is agreed. DCO Addendum (2021) provides updated assessment for benthic ecology; change in MMO position possible.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	As at D2		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF11	The proposed mitigation measures and monitoring to mitigate impacts on <i>benthic ecology</i> as detailed in <b>section 22.12 of Volume 2 Chapter 22</b> of the ES.	<p><b>SZC Co:</b> There is no comment on the mitigation measures and monitoring in the MMO relevant representations. Based on this, we assume this is agreed. DCO Addendum (2021) provides updated assessment for benthic ecology; change in MMO position possible.</p>	<p><b>SZC Co:</b> <i>Sabellaria</i> Management and Monitoring Plan (Rev 1) to be submitted at D7 (Doc Ref: 9.90) and certified during examination period.</p>	The MMO has reviewed the Draft <i>Sabellaria</i> Reef Management and Monitoring Plan [REP7-078] and have the following comments to make. While it has identified possible options for installation of		Not agreed



		<p><b>MMO:</b> Sabellaria Monitoring Plan still to be discussed and agreed. NE should be involved in discussions to agree the appropriate mitigation for Sabellaria.</p>		<p>the intake heads (jack-up, dynamic positioning, anchored barge), the mitigation plan does not commit to adopting the least environmentally damaging option. We note that at HPC, an anchored barge is being used for installation of the intake heads. This is probably the most damaging option for Sabellaria reef. The MMO therefore request further clarification from the Applicant about how the preferred construction option will be determined.</p>		
MDS_MEF12	<p>The residual effects for <i>benthic ecology</i> as detailed in <b>section 22.13</b> of <b>Volume 2 Chapter 22</b></p>	<p><b>SZC Co:</b> Given response at MDS_MEF10 we assume this is agreed (noting MMO relevant representation comment on Table 22.155). DCO Addendum (2021) provides updated assessment for benthic ecology; change in MMO position possible.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>		<p>All items resolved at technical meeting held on 20 September</p>	<p>Agreed</p>
MDS_MEF13	<p>The baseline for <i>fish</i> as detailed in <b>section 22.8 b)</b> of <b>Volume 2 Chapter 22</b> and <b>Appendix 22D</b> of the ES.</p>	<p><b>SZC Co:</b> There is no comment on the baseline in the MMO relevant representations. Based on this, we assume this is agreed. DCO Addendum (2021) uses same baseline so no change in position expected.</p> <p><b>MMO:</b> The MMO have no comments to make at present. The MMO reserves the</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>		<p>All items resolved at technical meeting held on 20 September</p>	<p>Agreed</p>

		right to make comments in the future should any issues arise.				
MDS_MEF14	The assessment of impacts on <i>fish</i> as detailed in <b>section 22.8c)</b> and <b>d)</b> of <b>Volume 2 Chapter 22</b> and <b>Appendices 22I</b> and <b>22L</b> of the ES.	<p><b>SZC Co:</b></p> <p>The MMO provides detailed narrative on the fish assessments which is helpful. Assume agreed subject to differing views on perceived benefit, or otherwise, of the of the LVSE head (and comments on Appendix 22G). DCO Addendum (2021) provides updated fish assessment reports for consideration by MMO.</p> <p><b>MMO:</b></p> <p>MMO consider that there are some remaining uncertainties relating to the fish impact assessment, and in some areas, a more conservative approach could have been adopted. Overall, MMO do not consider that these issues materially affect the conclusions of the assessment. MMO advises that a further sensitivity analysis should be carried out for demersal fish assuming zero effectiveness of the LVSE design and FRR system. This will help to clarify uncertainties concerning potential local impact on demersal fish and their role in the local ecosystem. See detailed comments in our detailed SoCG for the Applicant to address.</p>	<p><b>SZC Co:</b></p> <p>Additional information provided at D6:</p> <p>Quantifying Uncertainty in Entrapment Predictions for Sizewell C (Revision 1) <a href="#">[REP6-028]</a></p> <p>In particular, assessment now assumes no benefit from LVSE</p> <p><b>MMO:</b></p> <p>Currently reviewing the following applicant submissions regarding impacts on fish and will provide comment at Deadline 8:</p> <ul style="list-style-type: none"> <li>Acoustic Fish Deterrent Report <a href="#">[REP5-123]</a></li> <li>Underwater Noise Report <a href="#">[REP5-124]</a></li> <li>Quantifying Uncertainty in Entrapment Predictions for Sizewell C <a href="#">[REP6-028]</a></li> <li>Environmental Statement Addendum – Chapter 2 Marine Ecology and Fisheries – Appendix 2.17.A – Revision 2 (Fish Sensitivity Analysis) <a href="#">[REP6-016]</a></li> </ul>		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF15	The proposed mitigation measures and monitoring to mitigate impacts on <i>fish</i> as detailed in <b>section 22.12</b> of <b>Volume 2 Chapter 22</b> of the ES.	<p><b>SZC Co:</b></p> <p>MMO has requested SZC specific assessment of AFD feasibility. SZC Co considers infeasible; report to be provided. DCO Addendum (2021) provides updated fish assessment reports for consideration by MMO.</p> <p><b>MMO:</b></p> <p>MMO would like to see further consideration of the AFD options prior</p>	<p><b>SZC Co:</b></p> <p>Additional information requested provided at D6:</p> <p>Acoustic Fish Deterrent Report (Revision 1) <a href="#">[REP5-123]</a></p> <p>Fish Monitoring Plan (Rev 1) to be submitted at D7 (Doc Ref: 9.89) nad certified during examination period.</p>	MMO is currently reviewing the Fish Impingement and Entrainment Monitoring Plan	MMO to provide feedback on plan but no substantial issues anticipated	Not Agreed

		to excluding them as a form of mitigation. MMO advises that a detailed Comprehensive Impingement Monitoring Programme (CIMP) should be provided and agreed. This could be required via a condition on the DML.	DML 50 secures the Fish Monitoring Plan (wording to be confirmed; see Table 2.4)  <b>MMO:</b> Currently reviewing the above			
MDS_MEF16	The residual effects for fish as detailed in <b>section 22.13 of Volume 2 Chapter 22</b>	<b>SZC Co:</b> There is no comment on the residual impacts from MMO in their relevant representations; however, based on MDS_MEF14 we assume so residual impacts to be confirmed. DCO Addendum (2021) provides updated fish assessment reports for consideration by MMO.  <b>MMO:</b> See MMO comment on MDS_MEF14.	<b>SZC Co:</b> See D7 response at MDS-MEF_14		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF17	The baseline for <i>marine mammals</i> as detailed in <b>section 22.9 b) of Volume 2 Chapter 22</b> and <b>Appendix 22E</b> of the ES.	<b>SZC Co:</b> The MMO makes reference to further information that could inform the baseline but doesn't state the baseline is inadequate. Assume agreed based on pre-application discussions. DCO Addendum (2021) uses same baseline so no change in position expected.  <b>MMO:</b> MMO is content with the baseline for marine mammals at this stage.	<b>SZC Co:</b> As at D2		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF18	The assessment of impacts on <i>marine mammals</i> as detailed in <b>section 22.9c) and d) of Volume 2 Chapter 22</b> and <b>Appendix 22L</b> of the ES.	<b>SZC Co:</b> The MMO states the underwater noise assessment is comprehensive and adequate. Assume agreed subject to confirmation of minor evidence gaps (potential toxicity of discharges and comments on Appendix 22L). DCO Addendum (2021) provides updated assessment for noise etc based on proposal of additional BLF; change in MMO position possible.  <b>MMO:</b>	<b>SZC Co:</b> Underwater noise technical report provided at D5 <a href="#">[REP5-124]</a>  <b>MMO:</b> Currently reviewing the report and will provide comment at Deadline 8.  Also still reviewing the Southern North Sea SAC Site integrity Plan [Appendix 9a; <a href="#">AS-178</a> ] which assesses the underwater noise impacts on the harbour porpoise	<b>MMO:</b> The MMO is content that the additional information provided in REP5-124 addresses our previous concerns in relation to the underwater noise impact assessment. This report concludes that the impacts from underwater noise will not be significant. The MMO are content with these conclusions.	All items resolved at technical meeting held on 20 September	Agreed

		<p>MMO note that some evidence gaps remain but MMO concurs that these uncertainties do not undermine the assessment that has been made. However MMO requests that you provide clarity as per our comments below.</p> <p>The outputs of the assessment of the impact magnitude of underwater noise from percussive piling on marinemammals, found in sections 2.17.41-2.17.46 of ES Addendum (Vol 1.), Chapter 2 [AS-181], are clearly presented. However, there are no details of the specific model or input parameters that have been used. These are assumed to be the same as in Appendix L of the original ES (Doc Ref. 6.3) [APP-329]) but it would be helpful for the applicant to confirm this.</p> <p>Also please see our comments on the Underwater Noise Assessment in relation to the changes to the BLF in comments MMO-365 – 368 in our detailed SoCG.</p>	feature of the SAC. The 'in principle' site integrity plan is still to be agreed.	The MMO also defers to Natural England regarding the appropriateness of the Southern North Sea Special Area of Conservation Site Integrity Plan.		
MDS_MEF19	The proposed mitigation measures and monitoring to mitigate impacts on <i>marine mammals</i> as detailed in <b>section 22.12 of Volume 2 Chapter 22</b> of the ES.	<p><b>SZC Co:</b></p> <p>The Marine Mammal Mitigation Protocol (MMMP) is still being developed but the MMO has provided some useful information to include in the next version.</p> <p>DCO Addendum (2021) provides updated assessment for noise etc based on proposal of additional BLF; change in MMO position possible.</p> <p><b>MMO:</b></p> <p>There are further discussions required to agree the in principle MMMP. There is no DML condition requiring a MMMP, this should be added to the DML.</p> <p>There is no DML condition requiring a Southern North Sea SAC SIP. This should be added to the DML, see comment MMO-237 in detailed SoCG.</p> <p>A DML condition should be added relating to specific authorisation from</p>	<p><b>SZC Co:</b></p> <p>MMMP submitted at D3 <a href="#">[REP3-019]</a> and secured under DML Condition 40 (wording to be confirmed; see Table 2.4)</p> <p>SIP submitted with ES Addendum [Appendix 9a; <a href="#">AS-178</a>] and secured under DML Condition 40 (wording to be confirmed; see Table 2.4)</p> <p><b>MMO:</b></p> <p>MMO is reviewing these plans currently and yet to agree the 'in principle' versions of the plans. MMO also still to agree DML condition wording regarding the plans.</p>	<p>MMO:</p> <p>The MMO has reviewed revision 2 of the MMMP <a href="#">[REP3-019]</a>.</p> <p>The MMO defers to Natural England's view on whether the content of the draft MMMP includes sufficient mitigation to prevent injury to marine mammals and follows the current best practice. The only change the MMO requests is to Section 8 'Reporting'. This section states that reporting of marine mammal monitoring will be submitted to the client and the statutory nature conservation bodies only. However, the MMO should also be sent any</p>	Reporting to be updated to include MMO for D10	Not Agreed

		the MMO for tunnelling chemicals to be used. See comment MMO-191 in the detailed SoCG.		marine mammal monitoring reports that are agreed as being required within the MMMP.		
MDS_MEF20	The residual effects for <i>marine mammals</i> as detailed in <b>section 22.13</b> of <b>Volume 2 Chapter 22</b>	<b>SZC Co:</b> As for MDS_MEF18  <b>MMO:</b> See MMO comment on MDS_MEF18	<b>SZC Co:</b> See D7 response at MDS-MEF_18		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF21	The method for assessing impacts on <i>food-webs</i> as detailed in <b>section 22.10b)</b> of <b>Volume 2 Chapter 22</b> of the ES	<b>SZC Co:</b> There is no comment on the method in the MMO Relevant Representations so assume agreed. DCO Addendum (2021) does not further assess food webs; change in position not expected.  <b>MMO:</b> The MMO has no comments at this stage. The MMO reserves the right to comment on this in the future should any issues arise	<b>SZC Co:</b> As at D2  <b>MMO:</b> No comment		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF22	The baseline <i>food-web</i> as detailed in <b>section 22.10c)</b> of <b>Volume 2 Chapter 22</b> of the ES	<b>SZC Co:</b> There is no comment on the baseline in the MMO Relevant Representations but there is reference to the inclusion on entrainment effects, so assume agreed subject to that confirmation. DCO Addendum (2021) does not further assess food webs; change in position not expected.  <b>MMO:</b> The MMO has no comments at this stage. The MMO reserves the right to comment on this in the future should any issues arise	<b>SZC Co:</b> As at D2  <b>MMO:</b> No comment		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF23	The assessment of impacts on <i>indirect effects and food-webs</i> as detailed in <b>section 22.10d)</b> of <b>Volume 2 Chapter 22</b> of the ES	<b>SZC Co:</b> There is no comment on the impacts in the MMO Relevant Representations but there is reference to the inclusion on entrainment effects, so assume agreed subject to that confirmation. DCO Addendum (2021) does not further assess food webs; change in position not expected.	<b>SZC Co:</b> As at D2  <b>MMO:</b> No comment		All items resolved at technical meeting held on 20 September	Agreed



		<b>MMO:</b> The MMO has no comments at this stage. The MMO reserves the right to comment on this in the future should any issues arise				
MDS_MEF24	The baseline for <i>commercial and recreational fisheries</i> as detailed in <b>section 22.11 b)</b> of <b>Volume 2 Chapter 22</b> and <b>Appendix 22F</b> of the ES.	<b>SZC Co:</b> The MMO query the inclusion of a paper by Walmsley and the robustness of the recreational angling baseline in its relevant Representation. SZC Co to provide further information. The Walsmely paper (for Defra) remains unavailable however SZC Co is of the view that the data are sufficient to define the EIA baseline, although economic value was not attainable. DCO Addendum (2021) provides an update assessment of commercial and recreational fisheries based on additional BLF; change in MMO position possible. <b>MMO:</b> [Cell blank in D2 submission]	<b>MMO:</b> No comment		All items resolved at technical meeting held on 20 September	Agreed
MDS_MEF25	The assessment of impacts on <i>commercial and recreational fisheries</i> as detailed in <b>section 22.11c)</b> and <b>d)</b> of <b>Volume 2 Chapter 22</b> and <b>Appendices 22I</b> and <b>22L</b> of the ES.	<b>SZC Co:</b> Baseline queries notwithstanding, the MMO did not comment on the assessment of impacts; assume agreed. DCO Addendum (2021) provides and update assessment of commercial and recreational fisheries based on additional BLF; change in MMO position possible. <b>MMO:</b> MMO awaits further information from Applicant. See our comments MMO-204 and 205 in detailed SoCG which ask for clarification regarding potential exclusion zones and potting for whelks. See comments MMO- 349-353 in the detailed SoCG regarding a further	<b>SZC Co:</b> Quantifying Uncertainty in Entrapment Predictions for Sizewell C (Revision 1) <a href="#">[REP6-028]</a> In particular, assessment now assumes no benefit from LVSE. Acoustic Fish Deterrent Report (Revision 1) <a href="#">[REP5-123]</a> submitted at Deadline 5 <b>MMO:</b> MMO is reviewing the above two reports and will provide comment at Deadline 8.		All items resolved at technical meeting held on 20 September	Agreed

		<p>sensitivity analysis for demersal fish assuming zero effectiveness of LVSE design and FRR system.</p> <p>Also see comment MMO-222 in detailed SoCG. The current text in TR406 is not considered adequate. MMO requires further consideration of the Acoustic Fish Deterrent (AFD) options prior to excluding them as a form of mitigation.</p> <p>Also see our comments MMO-216-218 in the detailed SoCG.</p>				
MDS_MEF26	<p>The proposed mitigation measures and monitoring to mitigate impacts on <i>commercial and recreational fisheries</i> as detailed in <b>section 22.12</b> of <b>Volume 2 Chapter 22</b> of the ES.</p>	<p><b>SZC Co:</b></p> <p>Mitigation by means of liaison officer and forum and Notification to Mariners assumed agreed (minor MMO comment in Relevant Representation on lack of inclusion in parts of ES). Draft Section 106 agreement to be shared with MMO to agree wording. DCO Addendum (2021) provides an updated assessment of commercial and recreational fisheries based on additional BLF but same mitigation applies. Change in MMO position not expected.</p> <p><b>MMO:</b></p> <p>Ongoing. Mitigation still to be discussed and agreed. MMO requires discussions with stakeholders such as Maritime and Coastguard Authority (MCA) and Trinity House (TH) regarding appropriate mitigation to be secured on DML to minimise impacts to navigation. For example the frequency of the Notifications to Mariners throughout construction and operation. See our comment MMO-206 in the detailed SoCG.</p> <p>As above MMO requires further consideration of the AFD options prior to excluding them as a form of mitigation for impacts to fish.</p> <p>MMO welcomes the proposals for a Fisheries Liaison and Co-existence Plan and an appointed Fisheries Liaison Officer.</p>	<p><b>SZC Co:</b></p> <p>SoCG with MCA partially agreed: Revision 1 <a href="#">[REP5-102]</a>; Revision 2 submitted at D7 (Doc Ref:9.10.36(A)) now fully agreed</p> <p><b>MMO:</b></p> <p>MMO agrees with the mitigation measures presented in principle however still need to agree on DML condition wording to secure details of the mitigation.</p>		<p>All items resolved at technical meeting held on 20 September</p>	<p>Agreed</p>

NOT PROTECTIVELY MARKED

MDS_MEF27	The residual effects for <i>commercial and recreational fisheries</i> as detailed in <b>section 22.13</b> of <b>Volume 2 Chapter 22</b>	<b>SZC Co:</b> As for MDS_MEF25  <b>MMO:</b> See MMO comment on MDS_MEF25	<b>SZC Co:</b> See D7 response at MDS-MEF_25		MMO to review and feedback.  Technical meeting planned before D10 to close out any remaining queries	Agreed
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NOT PROTECTIVELY MARKED

Table 2.4 Position of the Parties - SZC Co. and Marine Management Organisation on the Marine Licence<sup>1</sup>

Ref.	Matter	Position of the parties			Further Action / Comments	Status
		D2	D7	D9		
MDS_ML1	The Introduction as defined in <b>Schedule 20</b> of the draft <b>DCO</b>	<b>SZC Co:</b> MMO comments on Version 1 addressed in Version 4 precise wording to be confirmed. <b>MMO:</b>	<b>SZC Co:</b> Introduction updated in response to feedback from MMO. <b>MMO:</b> Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.	As at D7	Meeting held 13 September and MMO provided proposed/suitable wording on 15 September. Follow up meeting held 29 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not agreed
MDS_ML2	The Licensed Activities and details as defined in <b>Schedule 20</b> of the draft <b>DCO</b>	<b>SZC Co:</b> The MMO made several comments on the licensible activities in its Relevant Representations. These have been addressed in the revised version submitted as part of the DCO Addendum (2021), most noticeable UXO detonation is now not included in the list of licensible activities. DCO Addendum (2021) includes revised and new descriptions for the MMO to consider. <b>MMO:</b> Normally the DCO in Schedule 1 would describe the works packages in detail and then the DML would repeat what those descriptions are in this section for the marine licensable works. However, the descriptions in schedule 1 are quite vague. MMO need to be sure that the descriptions in the DML, in this expanded format, don't go beyond what is to be authorised under the main order. The MMO request a break down of this so MMO can	<b>SZC Co:</b> Licensed Activity definitions updated in response to feedback from MMO. Outstanding Issues from MMO: Dredge areas and volumes to be specified; More information required on disposal locations; <b>MMO:</b> Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.	As at D7	Meeting held 13 September and MMO provided proposed/suitable wording on 15 September. Follow up meeting held 29 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10 SZC Co to provide dredge volumes at D10 SZC Co to confirm disposal volumes at D10 SZC Co to confirm disposal locations at D10	Not agreed

<sup>1</sup> NOTE – MMO comments at D2 based on DCO Version 3 (January 2021) [AS-055] not Version 4 submitted at D2 [REP2-015]

Ref.	Matter	Position of the parties			Further Action / Comments	Status
		D2	D7	D9		
		be clear that the descriptions in the DML are in line with the works packages authorised by the main order.				
MDS_ML3	The General Conditions as defined in <b>Part 3 (8)</b> and <b>(9) of Schedule 20</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> The MMO did not comment on the General Conditions in its Relevant Representations so assume agreed.</p> <p><b>MMO:</b> MMO require discussions with stakeholders to agree that the level of detail provided in the DML conditions is adequate. MMO will be contacting stakeholders to discuss this and will feed back in future responses. Also see out comments in the detailed SoCG.</p>	<p><b>SZC Co:</b> Level of detail still to be confirmed.</p> <p><b>MMO:</b> Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.</p>	As at D7	Meeting held 13 September and MMO provided proposed/suitable wording on 15 September. Follow up meeting held 29 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not agreed
MDS_ML4	The Pre-Construction Conditions as defined in <b>Part 3 (10) to (20) of Schedule 20</b> of the draft <b>DCO</b>	<p><b>SZC Co.</b> The MMO made several comments on pre-construction Conditions in its Relevant Representations. These have been addressed as much as possible and revised as required due to the changes proposed in the DCO Addendum (2021). DCO Addendum (2021) includes revised and new descriptions for the MMO to consider. We feel that 6 months lead time for submission of Marine Licence returns is disproportionately long, given that the MMO's own KPI for full licence determination is only 13 weeks. Regardless, 6 months would provide several challenges to SZC: (i) the necessary detailed information is sometimes not available, as contractors 'cycle' in and out of site in an</p>	<p><b>SZC Co:</b> Submission periods resolved; In principle monitoring plans provided:</p> <ul style="list-style-type: none"> <li>• Marine Mammal Mitigation Protocol;</li> <li>• <i>Sabellaria</i> Management and Monitoring Plan *Doc Ref. 9.90.);</li> <li>• Fish Monitoring Plan (Doc Ref 9.89)</li> <li>• Coastal Processes Monitoring and Mitigation Plan (CPMMP)</li> </ul> <p>to be reviewed and certified as part of DCO</p> <p><b>Outstanding Issues:</b> Minor issues re wording Determination deadlines 'deemed discharge' of CPMMP when East Suffolk Council approve the plan</p> <p><b>MMO:</b></p>	As at D7	<p>Meeting held 13 September and MMO provided proposed/suitable wording on 15 September. Follow up meeting held 29 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10</p> <p><b>Comment:</b> Much has been resolved but parties remain not agreed on the need for determination deadlines. This is unlikely to be resolved during the Examination.</p> <p>For this reason alone this line remains Red.</p>	Not agreed



Ref.	Matter	Position of the parties			Further Action / Comments	Status
		<b>D2</b>	<b>D7</b>	<b>D9</b>		
		<p>orchestrated manner as and when work areas become available (for example detailed method statements can often only be fully defined much closer to the start of works);</p> <p>(ii) pre-submission consultation typically takes place with the Marine Technical Forum (MTF) so in light of (i) 6 months lead time means even longer if meaningful pre-application consultation can take place. Pre-application with the MTF also means that determination time by the MMO should be considerably shortened.</p> <p>SZC Co feels determination deadlines are essential for a large infrastructure project like Sizewell C where delays can add significant costs (£millions) to the project. Judicial Review requires very well defined criteria to be met and SZC Co feels that JR would not be the suitable route for appeal. Similarly, SZC Co feels that an independent route of appeal should be available and that the MMO internal complaints system is not suitable for a large infrastructure project such as Sizewell C.</p> <p><b>MMO:</b> MMO require discussions with stakeholders to agree that the level of detail provided in the DML conditions is adequate. MMO will be contacting stakeholders to discuss this and will feed back in future responses. There are outstanding issues with the proposed timeframes for submission of documents stated in the conditions. MMO advises</p>	Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.			

Ref.	Matter	Position of the parties			Further Action / Comments	Status
		D2	D7	D9		
		<p>that a 6 month lead period (prior to the commencement of activities) is more appropriate and a realistic timeframe for MMO to approve detailed plans. MMO strongly disagrees with the inclusion of 'determination dates after which the undertaker may submit an appeal for non-determination' in the conditions. MMO should not have set determination periods in which to approve plans and protocols etc. This is for the MMO to approve the finer details before the works start, which the applicant can't provide during the application and examination process, so it's necessary for us to have enough time to properly scrutinise those documents. How long that takes us will depend on factors such as the quality of the plans submitted in the first instance, the MMO resource available at the time these documents come in for approval, how much consultation is required, and how long any consultees need to respond in a meaningful way. MMO does not delay determinations without necessity. If MMO delay unduly then there are existing routes to challenge this via our internal complaints system or via judicial review. MMO don't set determination timescales in condition sign offs within stand alone marine licences and DMLs should be as consistent as possible with standalone Marine Licences. See our comments on the Appeals procedure in MDS_DCO6.</p>				
MDS_ML5	The Construction, Operation and	<b>SZC Co.</b>	<b>SZC Co:</b> Submission periods resolved;	As at D7	Meeting held 13 September and MMO provided proposed/suitable wording on 15 September.	Not agreed

Ref.	Matter	Position of the parties			Further Action / Comments	Status
		D2	D7	D9		
	Maintenance Conditions as defined in <b>Part 3 (21) to (50) of Schedule 20</b> of the draft <b>DCO</b>	<p>The MMO made several comments on Construction, Operation and Maintenance Conditions in its Relevant Representations. These have been addressed as much as possible and revised as required due to the changes proposed in the DCO Addendum (2021). DCO Addendum (2021) includes revised and new descriptions for the MMO to consider. See response at MDS_ML4 in relation to timelines</p> <p><b>MMO:</b> MMO require discussions with stakeholders to agree that the level of detail provided in the DML conditions is adequate. MMO will be contacting stakeholders to discuss this and will feed back in future responses. Our comment in MDS_ML5 and MDS_DCO6 regarding timeframes, 'determination dates' and the enhanced Appeals procedure also apply here. Also see comments in detailed SoCG</p>	<p><b>Outstanding Issues:</b> Minor issues re wording Determination deadlines</p> <p><b>MMO:</b> Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.</p>		<p>Follow up meeting held 29 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10</p> <p><b>Comment:</b> Much has been resolved but parties remain not agreed on the need for determination deadlines. This is unlikely to be resolved during the Examination.</p> <p>For this reason alone this line remains Red.</p>	
MDS_ML6	The Co-ordinates as detailed in <b>Part 4 of Schedule 20</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> The MMO did not comment on the co-ordinates submitted so assume agreed. DCO Addendum (2021) includes revised coordinates for the MMO to consider.</p> <p><b>MMO:</b> MMO advises that co-ordinates should be stated in WGS84 or as requested by navigational bodies.MO:</p>	<p><b>SZC Co:</b> Coordinates updated as Requested</p> <p><b>MMO:</b> Currently reviewing coordinates</p>	As at D7	<p>Meeting held 13 September and MMO provided proposed/suitable wording on 15 September. Follow up meeting held 29 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D100</p> <p>MMO note that Coordinates for marine works are covered by the wider authorised development, except the temporary disposal site. The MMO requests this is checked and updated. Further, that the details of the disposal site need to be finalised and inserted into the DML. Ongoing discussions due between SZC Co and MMO.</p>	Agreed

Table 2.5 Position of the Parties - SZC Co. and Marine Management Organisation on the Harbours Order and Powers

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
MDS_HO1	Incorporation / Application of the: Harbours, Docks and Piers Clauses Act 1847 as defined at <b>Part 6 (46)</b> of the draft <b>DCO</b> ; Pilotage Act 1987 as defined at <b>Part 6 (50)</b> of the draft <b>DCO</b> ; and, Marine and Coastal Access Act 2009 as defined at <b>Part 6 (52)</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> Inclusion and application of the Harbours, Docks and Piers Clauses Act 1847 is considered agreed. Inclusion and application of Pilotage Act, and creation of CHA by means of DCO, contested by MMO. SZC to engage further with MMO on this. Inclusion and application of the Marine and Coastal Access Act 2009 is not appropriate and has been removed from the DCO 2021 Addendum version. DCO Addendum (2021) includes a revised version of Section 6 Harbour Powers for the MMO to consider. Further engagement necessary.</p> <p><b>MMO:</b> Ongoing, further information is required see comments MMO-28 -32 and MMO-437 in detailed SoCG. Clarification is required as to who is intended to be appointed as the harbour authority, and therefore become the body responsible for the harbour. Further information is required regarding the charging of rates and fines. Clarification is required regarding the application of the Marine and Coastal Access Act 2009 (MACAA) within a provision in the harbour order.</p>	<p><b>SZC Co:</b> Harbour Powers has been updated to reflect MMO advice. DfT consulted by deferred to Maritime And Coastguard Agency (MCA) for SoCG <a href="#">[REP5-102]</a></p> <p>Detailed comments provided by MMO to SZC Co on 26<sup>th</sup> August remain applicable.</p> <p>MMO requests further clarity where previous advice has not been followed.</p> <p><b>MMO:</b> Issues remain. MMO will be providing updated comments on the Harbour Powers at Deadline 7 based on the most recent DCO <a href="#">[REP6-006]</a></p>	As at D7	Meeting held 13 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not Agreed
MDS_HO2	Harbour authority as defined at <b>Part 6 (48)</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> The MMO makes no reference to Article 48 in its Relevant Representations so assume agreed. DCO Addendum (2021) includes a revised version of Section 6 Harbour Powers for the MMO to consider.</p> <p><b>MMO:</b> Ongoing see detailed SoCG. Clarification is required as to who is intended to be appointed as the harbour</p>	<p><b>SZC Co:</b> Harbour Powers has been updated to reflect MMO advice.</p> <p>Detailed comments provided by MMO to SZC Co on 26<sup>th</sup> August remain applicable.</p> <p>MMO requests further clarity where previous advice has not been followed.</p> <p><b>MMO:</b></p>	As at D7	Meeting held 13 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not Agreed

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
		<p>authority, and therefore become the body responsible for the harbour? Currently the “undertaker” appears in the interpretation section at the start of the DCO: “undertaker” means NNB Generation Company (SZC) Limited (company number 09284825) or any person who has the benefit of this Order in accordance with articles 8 (Benefit of Order) and 9 (Consent to transfer benefit of Order).</p> <p>Can it be confirmed if you seek the requisite powers to be conferred as a harbour authority – or is it intended that these be conferred on a designated person or a body corporate? Clarification is required regarding what constitutes the “harbour” over which the newly constituted harbour authority will exercise jurisdiction. – eg clarify the specific works which relate to the construction of a “harbour”.</p> <p>Is the “harbour” to be temporary or permanent? Is it proposed that any temporary structures be dismantled after completion of the project?</p>	<p>Issues remain. MMO will be providing updated comments on the Harbour Powers at Deadline 7 based on the most recent DCO <a href="#">[REP6-006]</a></p>			
MDS_HO3	Limits of Harbour as defined at <b>Part 6 (51)</b> and <b>Schedule 19</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> The MMO makes no reference to Article 51 (other than a typo) in its Relevant Representations so assume agreed. DCO Addendum (2021) includes a revised version of Section 6 Harbour Powers for the MMO to consider.</p> <p><b>MMO:</b> Ongoing see detailed SoCG. The limits of the harbour should be very clear. The instrument should stipulate over which area the newly constituted harbour authority will have jurisdiction to enable the harbour authority to exercise their powers of general direction and byelaws.</p>	<p><b>SZC Co:</b> Harbour Powers has been updated to reflect MMO advice.</p> <p>Detailed comments provided by MMO to SZC Co on 26<sup>th</sup> August remain applicable.</p> <p>MMO requests further clarity where previous advice has not been followed.</p> <p><b>MMO:</b> Issues remain. MMO will be providing updated comments on the Harbour Powers at Deadline 7 based on the most recent DCO <a href="#">[REP6-006]</a></p>	As at D7	Meeting held 13 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not Agreed



Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
MDS_HO4	Proposed clauses under Harbour Powers as defined in <b>Part 6 (46) to (75)</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> The MMO makes detailed comments on Harbour Powers clauses in its Relevant Representations, including 46, 50, 51,55, 62, 64, 65, 66, 67, 71 and 75. DCO Addendum (2021) includes a revised version of Section 6 Harbour Powers for the MMO to consider. Further engagement necessary.</p> <p><b>MMO:</b> Ongoing see detailed SoCG.</p>	<p><b>SZC Co:</b> Harbour Powers has been updated to reflect MMO advice: Fines/ forfeitures removed</p> <p>Detailed comments provided by MMO to SZC Co on 26<sup>th</sup> August remain applicable.</p> <p>MMO requests further clarity where previous advice has not been followed. This includes, but not limited to:</p> <p>SoCG D2 comments; Changes to the Explanatory Memorandum; Byelaws; General directions; Powers of entry</p> <p><b>MMO:</b> Issues remain. MMO will be providing updated comments on the Harbour Powers at Deadline 7 based on the most recent DCO <a href="#">[REP6-006]</a></p>	As at D7	Meeting held 13 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not Agreed
MDS_HO5	The statement of need as outlined in <b>Regulation 6 – Additional Information (Part 3)</b> of the draft <b>DCO</b>	<p><b>SZC Co:</b> The MMO makes no reference to Regulation 6 Additional Information (Part 3) in its Relevant Representations so assume agreed.</p> <p><b>MMO:</b> See detailed SoCG for further clarifications required regarding the statement of need. Although the decision on the harbour powers sought in the DCO will be a matter for The Planning Inspectorate (PINS), to best support your application, it would be helpful if you could clarify which objects in Section 16 to the</p>	<p><b>SZC Co:</b> Harbour Powers has been updated to reflect MMO advice.</p> <p>Detailed comments provided by MMO to SZC Co on 26<sup>th</sup> August remain applicable.</p> <p>MMO requests further clarity where previous advice has not been followed.</p> <p><b>MMO:</b> Issues remain. MMO will be providing updated comments on the Harbour Powers at Deadline 7 based on the most recent DCO <a href="#">[REP6-006]</a></p>	As at D7	Meeting held 13 September. SZC Co working through amendments to be discussed with MMO for updated dDCO at D10	Not Agreed

NOT PROTECTIVELY MARKED

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D9		
		Harbours Act 1964 are to be achieved and how these objects meet the 'tests' or requirements in S16(5) of the HA 1964.				

Table 2.6 Position of the Parties - SZC Co. and Marine Management Organisation on the draft Development Consent Order

Ref.	Matter	Position of the parties			Further Action	Status
		D2	D7	D8		
MDS_DCO1	The General Provisions as defined in Part 1 of the DCO	<p><b>SZC Co:</b> The MMO requested further definitions in Article 1. DCO Addendum (2021) includes a revised draft DCO for the MMO to consider, however, the specific changes requested have not yet been made. Further discussion required.</p> <p><b>MMO:</b> Ongoing see comments MMO-09 and 10 in detailed SoCG . Further discussions required around the definitions of 'commence' and 'offshore'.</p>	<p><b>SZC Co:</b> DCO wording updated.</p> <p><b>MMO:</b> Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.</p>	As at D7		Not Agreed
MDS_DCO2	Principal Powers as defined in Part 2 of the DCO	<p><b>SZC Co:</b> The MMO requested further information be added in Article 2. DCO Addendum (2021) includes a revised draft DCO for the MMO to consider, however, the specific changes requested have not yet been made. Further discussion required.</p> <p><b>MMO:</b> Ongoing. There should be maximum limits on horizontal and vertical deviations and this should be stated on the DCO. This can be the "worst-case" scenario deviations. See MMO-11 in detailed SoCG.</p>	<p><b>SZC Co:</b> Article 86 removed from DCO Jurisdiction for activities between MHWS and MLW agreed between ESC, MMO and SZC Co (noting SC position regarding wording of Requirements)</p> <p>Outstanding MMO requires clarity on amendments to Harbour Powers (see Table 2.5)</p> <p><b>MMO:</b> Issues remain. Article 86 is still in the DCO [REP6-006]. Jurisdiction is still being discussed. MMO is preparing a response on this matter for the Applicant and East Suffolk Council. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.</p>	As at D7		Not Agreed
MDS_DCO3	The numbered works as defined in Schedule 1 (Authorised Development) - Part 1, inasmuch as they relate to licensed activities included in the Marine Licence	<p><b>SZC Co:</b> The MMO made comments on Schedule 1 Part 1 (and Part 2). DCO Addendum (2021) includes a revised draft DCO for the MMO to consider, however, the specific changes requested have not yet been made. Further discussion required.</p> <p><b>MMO:</b> Normally the DCO in Schedule 1 would describe the works packages in detail and</p>	<p><b>MMO:</b> Issues remain. MMO and Applicant currently revising the DML wording together [REP6-006] to seek agreement.</p>	As at D7		Not Agreed

		then the DML would repeat what those descriptions are in this section for the marine licensable works. However, the descriptions in schedule 1 are quite vague. MMO need to be sure that the descriptions in the DML, in this expanded format, don't go beyond what is to be authorised under the main order. Can you break this down to the MMO so we can be clear that the descriptions in the DML are in line with the works packages authorised by the main order.				
MDS_DCO4	Schedule 2 (Requirements) insofar as they relate to licensed activities included in the Marine Licence	<p><b>SZC Co:</b> The MMO stated key mitigation documents should be included in the DCO requirements. The DCO Addendum (2021) includes a revised draft DCO for the MMO to consider.</p> <p><b>MMO:</b> Ongoing discussions required regarding the key mitigation documents to be captured within Schedule 2.</p>	<p><b>SZC Co:</b> Requirements 7A relates to licensed activities included in the Marine Licence – CPMMP. Discussions ongoing relating to precise wording</p>	As at D7		Not Agreed
MDS_DCO5	Schedule 4 (Works Plans) insofar as they relate to licensed activities included in the Marine Licence	<p><b>SZC Co:</b> The MMO makes no comment on Schedule 4 in its relevant representations. Assume agreed. The DCO Addendum (2021) includes a revised draft DCO for the MMO to consider. In light of additional BLF and changes to the sea defence MMO position may change.</p> <p><b>MMO:</b> MMO has no comments to make on the Works Plans at present. The MMO reserves the right to make comments in the future should any issues arise.</p>	<p><b>SZC Co:</b> As at D2</p> <p><b>MMO:</b> No comments</p>	As at D7		Agreed
MDS_DCO6	Schedule 20A (Appeals procedure in relation to deemed marine licence)	<p><b>SZC Co:</b> SZC Co feels determination deadlines are essential for a large infrastructure project like Sizewell C where delays can add significant costs (£millions) to the project. Judicial Review requires very well defined criteria to be met and SZC Co feels that JR would not be the suitable route for appeal. Similarly, SZC Co feels that an independent route of appeal should be available and that the MMO internal complaints system is not suitable for a large infrastructure project such as Sizewell C.</p>	No further progress. Both parties retain their position from D2	As at D7	None	Not Agreed

NOT PROTECTIVELY MARKED

		<p><b>MMO:</b> MMO strongly disagree with the Appeals Procedure described in Schedule 20A and require it to be removed from the DCO. Appeals are already available to the Applicant in the form of an escalated internal procedure and judicial review (JR), and therefore including any additional appeal mechanism for the MMO in the order is unnecessary. The Marine Licensing (Licence Application Appeals) Regulations 2011 apply a statutory appeal process to the decisions the MMO takes regarding whether to grant or refuse a licence or conditions which are to be applied to the licence. However, they do not include an appeal process to any decisions the MMO is required to give in response to an application to discharge any conditions of a marine licence issued directly by us. Therefore, if the DCO were to be granted with the proposed appeal process included, this would not be an appeal procedure broadly consistent with the existing statutory processes. This amendment would be introducing and making available to this specific Applicant a new and enhanced appeal process which is not available to other marine licence holders, which would create an unlevel playing field across the regulated community. The scale and complexity of Nationally Significant Infrastructure Projects creates no exception in this regard. See our detailed SoCG for further information.</p>				
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## APPENDIX A: ENGAGEMENT ON THE SOCG

### A.1. Appendix Level 1

- A.1.1. The preparation of this SoCG has been informed by a programme of discussions between SZC Co. and the Marine Management Organisation following submission of the DCO application. The relevant meetings are summarised in **Table 2.2** and **Table 2.3**.

**Table A.1 SOCG meetings held between SZC Co. and Marine Management Organisation**

Date	Details of the Meeting
15 June 2020	Regular DCO Progress and SoCG Meetings
19 August 2020	
02 September 2020	
16 September 2020	
30 September 2020	
14 October 2020	
28 October 2020	
11 November 2020	
25 November 2020	
09 December 2020	
11 January 2021	
20 January 2021	
03 February 2021	
17 February 2021	
03 March 2021	
17 March 2021	
31 March 2021	
19 April 2021	
28 April 2021	
12 May 2021	
26 May 2021	
09 June 2021	
23 June 2021	
07 July 2021	

Date	Details of the Meeting
21 July 2021 04 August 2021 26 August 2021 01 September 2021 15 September 2021	
26 October 2020	SZC DCO Change Submission – BLF Options
30 November	Joint Defra SoCG Meeting

**Table A.2 Technical meetings held between SCZ Co. and Marine Management Organisation**

Date	Attendees	Details of the Meeting of the Meeting
23 September 2020	Environment Agency ESC Natural England RSPB	<b>Marine Technical Forum – Coastal Processes</b> To discuss the Coastal Processes Monitoring and Mitigation Plan (CPMMP)
23 September 2020	Environment Agency Natural England EIFCA	<b>Marine Technical Forum – Marine Ecology</b> To discuss fish assessments
14 October	MMO	Meeting to discuss MMO Section 56 Response on Marine Ecology
19 October 2020	MMO	Meeting to discuss MMO Section 56 Response on Coastal Processes
19 October 2020	MMO	Meeting to discuss MMO Section 56 Response on Marine Water Quality and Sediments

Date	Attendees	Details of the Meeting of the Meeting
01 March 2021	MMO	Meeting with legal support to discuss DCO, HEO and DML
15 March 2021	MMO Environment Agency ESC RSPB	Marine Technical Forum – Coastal Geomorphology Discussion of the modelling for the enhanced BLF and temporary BLF
13 September 2021	MMO	Meeting with legal support to discuss wording of DML
13 September 2021	MMO	Meeting to discuss Harbour Powers
16 September 2021	MMO	Meeting to discuss remaining Coastal Geomorphology and Hydrodynamics issues
20 September 2021	MMO	Meeting to discuss remaining Marine Ecology and Fisheries issues
29 September 2021	MMO	Meeting with legal support to discuss DML
30 September 2021	MMO	Meeting to confirm adequate inclusion of dredge disposal in DML

**Table A3: Coastal Geomorphology and Hydroidynamics Technical Tracker**

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (15 September)
MMO-107	CPMMP	4.2.2 The plan restates the impact assessments that are included in the relevant ES chapter. The MMO understands that the level of monitoring relates to the scale of impact, however the scale of predicted impact is not fully agreed at this stage as, unavoidably in the marine environment, some uncertainties remain. The MMO advises that monitoring options to address these uncertainties should be included. This is most relevant to the monitoring of the BLF.	<p>The largest impact extent from the BLF arises from the navigation channel (+/- 5% change in bed shear stress), and covers a subtidal frontage of up to 175 m either side of the BLF. The effect was minor and classified as not significant. Therefore, the proposed monitoring is pre-cautionary and, in the case of pile scour (extents of 7.1 m length, predicted using standard equations), is standard practice. If unexpected impacts approaching the monitored perimeter were encountered, the extents would be enlarged accordingly and in agreement with the MMO.</p> <p>That said, the monitoring extent is already 7-11 times larger than the impact for scour, and almost three times larger than the footprint of the +/-5% bed shear stress change. We feel that the pre-cautionary principle is being appropriately and conservatively applied, however if there are relevant evidence-based concerns, we would welcome these and make concordant adjustments to the CPMMP.</p>	<p>It is agreed the BLF dredging provides the largest impact. Changes in bed shear stress imply a change in sediment flux hence some response of the bed in the offshore region is likely. In the absence of a sediment transport model the magnitude and extent of these changes is uncertain, therefore MMO considers that, even if only for the early stage of the monitoring programme, further surveys should be undertaken to confirm the predictions.</p> <p>The plan proposes a 1 km area (500m either side of the enhanced BLF) to be surveyed pre and post reprofiling. MMO considers this area appropriate, however MMO advises that surveys of this area should be repeated three and six months after reprofiling as well.</p> <p>These surveys should be undertaken following the completion of the BLF dredge to confirm 1) the dispersion of the dredged material which has been ploughed to the side, 2) the response of the dredged slope into the outer longshore bar with any consequences for the longshore bar crest level and 3) the potential infill rate in the dredged area for the BLF.</p>	MMO reviewing revision 2 of the CPMMP [REP5-059] and will aim to provide comment by Deadline 8. Comments remain unchanged at this stage.	<p>Confirmed survey frequency under CPMPP as requested in addition to any surveys the HM does, though SZC Co will seek efficiencies where possible. Closed based on version 2 of CPMMP.</p> <p>On that basis - Agreed</p>
MMO-108	CPMMP	4.2.3 The MMO notes that the plan presents a monitoring strategy, and the available methodologies, with a broad description of how each will be applied to a project element. The MMO advises that more detailed monitoring plans must be agreed for each project element and method.	Agreed. The CPMMP framework and details set out in version 1 will be updated and the proposed monitoring will be explicitly linked to the impacts and project elements. This will be done on a component basis, as set out in the CPMMP.	Noted. Ongoing discussions between the applicant and the MMO regarding the details of when this detail will be submitted.	MMO comments remain unchanged at this stage.	<p>Confirmed that new methods can only be used if methods meet the necessary accuracy - line to be added to CPMMP Rev3 to confirm (D10)</p> <p>On that basis - Agreed</p>
MMO-109	CPMMP	4.2.4 The MMO notes that there is no monitoring of the change to sub-tidal bed substrate included in the plan. This must be included here. Alternatively, if this is considered within benthic ecology section, this should be referenced here.	No significant coastal processes impacts from substrate changes have been identified in the ES and as such there is no CP need or requirement to monitor substrate change. This is the assessment for geomorphology, but we understand that the same conclusion was reached by benthic ecology.	Noted. MMO comments addressed.	MMO comments remain unchanged at this stage.	Agreed

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (15 September)
MMO-110	CPMMP	4.2.5 The plan states that the overall bathymetry of the banks will be surveyed within the background monitoring programme – i.e. once every 5 years. It is the MMO's view that 5 years would be too long to alert the project to any unexpected changes which can occur in a dynamic marine environment, at least during the early years of the construction programme.	<p>This question appears to be about effects of natural hazards on the station, which is not within the remit of the CPMMP.</p> <p>However, the station and HCDF designs for extremes included modelling with the bank removed and lowered, so the condition of the bank is not critical for the station.</p> <p>A 5 yearly survey is appropriate. The present re-survey interval of the bank by SZB is once every 10 years.</p> <p>The 5-year interval is based on the evidence and reasoning that significant change to large sedimentary features in general, and this bank specifically, will occur over decadal timescales and hence the survey frequency is sufficient to signal incipient changes. From a geomorphic receptors point of view, the primary reason for tracking bank change is to aid in the distinguishment of impacts from natural changes. It is also worth noting that any large scale changes in the bank will be detectable in the near-continuous x-band radar data.</p>	For clarity, our previous comment is not to do with hazard but with the uncertainty in the response of the outer longshore bar to the maintenance of the dredged area related to the permanent BLF. This is only an issue for the construction period when the dredged area will be subject to regular maintenance dredging. MMO advises that annual surveys for the duration of the construction phase would be appropriate to monitor the outer longshore bar.	MMO comments remain unchanged at this stage.	<p>SZC Co agrees annual survey of bars during construction - Rev 4 at D10</p> <p>On that basis - Agreed</p>
MMO-111	CPMMP	4.2.6 The report is heavy with abbreviations which are not all expanded. A listing of all abbreviations and particular technical terms (e.g. "white ribbon") should be included.	Noted – we will address this comment in one way or another for a future revision of the CPMMP.	Noted. Comment can be closed.	MMO comments remain unchanged at this stage.	Agreed
MMO-112	CPMMP	4.2.7 Within section 2.1 the choice of final terrestrial monitoring approach is not made. The MMO advises that it would be useful to describe the criteria for the final choice here.	That is correct – we are confirming the best approach. This will be finalised and agreed before construction (this will mostly be achieved before the end of 2021); the methodology is likely to be that specified, or very similar to that specified, and would meet the technical advantages listed in Section 2.1. As the duration between DCO and commencement of construction is not fixed, it is possible to take advantage of method improvements that could arise in the interim.	Noted. Comment can be closed	MMO comments remain unchanged at this stage.	Agreed
MMO-113	CPMMP	4.2.8 Additionally, in relation to section 2.1, the MMO notes that the focus of the X-band radar is on the positions of the bar crests and shoreline. The MMO advises that evidence for the height, width and slopes of the bars should come from echo sounding.	This is correct and agreed, barlines and shorelines will be derived from terrestrial remote sensing (e.g. radar), whilst elevations (and any derived parameters) will come from sounder and/or video methods, as stated in the subsequent sections.	As discussed in comment MMO-110 of this SOCG, to confirm the slopes and volume of the outer longshore bar an increase in the regularity of echo sounding is recommended during the construction phase in an area close to the permanent BLF. MMO suggests that the same 1km	MMO comments remain unchanged at this stage.	<p>SZC Co agrees - statement to be added in CPMMP - Rev 4 at D10</p> <p>On that basis - Agreed</p>



Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (15 September)
				(500m either side of the BLF) as the pre and post reprofiling survey areas.		
MMO-114	CPMMP	4.2.9 The MMO advises that section 2.2.1 should include an explanation of how the proposed approach is better than LiDAR – either terrestrial based or via Remote Piloted Aircraft (RPA) with similar Real-time Kinematic-Global Positioning System (RTK-GPS) positioning.	Noted. There is plenty of literature on the benefits of drones and their suitability to beach monitoring (e.g., Turner et al., 2016). The ability to deploy rapidly is an important one – lidar is very specialist (e.g. requiring manned aircraft) and cannot be easily deployed on a regular or responsive basis for this sort of monitoring.  This section of the CPMMP will be updated in a future version to address this comment.	The MMO note that this comment may be misunderstood. It is not the platform for the measurements but the measuring method that should be supported in the CPMMP. MMO will wait to review the updated CPMMP.	MMO comments remain unchanged at this stage.	As at MMO-108
MMO-115	CPMMP	4.2.10 The MMO advises that section 2.2.2 should include a view on the target accuracies, horizontal and vertical, and hence a view on the uncertainty in the observed beach volume. In particular, this should include how vegetation is taken account of.	Noted. As with comment MMO-114, this will be updated in a future version. Our evidence base indicates RPA is better than lidar due its higher resolution (lidar is effectively an average over a larger area, typically 1m2). Both methods struggle with low dense vegetation such as dune grasses, but we have a robust solution for this deficiency (a hybrid approach using ground and aerial survey), which will be included in a future edition of the CPMMP.	Noted. This comment is indeed requesting a view (possibly in the CPMMP) of target vertical and horizontal accuracies for the surveys including details of the approach to vegetation. Since the objective is monitoring beach volume, the implications of the anticipated accuracies for this parameter should also be described. MMO will wait to view the future version of the CPMMP.	MMO comments remain unchanged at this stage.	SZC Co to add text to CPMMP Rev 4 (D10) that commits to this, but can't actually provide at D10  On that basis - Agreed
MMO-116	CPMMP	4.2.11 Additionally, in relation to section 2.2.2, the MMO agrees that this method does allow very high resolution. However, the resolution that is being considered for the monitoring should be stated here. It should also be clarified if the data will be averaged onto a grid, or some other method of analysis.	The resolution of 3 x 3 cm will be used for most applications. Setting of resolutions will form part of the next version of the CPMMP. There is presently no reason for the development of a grid / averaging - this would negate the purpose of high-resolution data collection.	It is agreed the resolution will be part of the detail in the CPMMP, MMO will wait to review future version of the CPMMP. MMO notes that averaging (or not) will depend on the approach to threshold setting to detect a significant change with a consequence for further study or mitigation.	MMO comments remain unchanged at this stage.	MMO agrees now closed based on version 2 of CPMMP  On that basis - Agreed
MMO-117	CPMMP	4.2.12 In section 2.3, both multi beam and single beam echo sounding are mentioned. The MMO seeks clarity on which will be used where and why. Additionally, a view on the target accuracies, horizontal and vertical, is again needed.	The method to be used has not been finalised. Single beam may be more practical for very shallow water settings (where the beam of a multi-beam becomes very narrow). The final method will be determined in plenty of time to agree it and will be appropriate for detection of impacts predicted e.g. if a single beam were used the transect lines will be sufficiently close to detect changes due to impacts. Subject to water depth limitations, multi-beam is generally preferred.	It is noted that the final method will be agreed at a later date. MMO agree multibeam would be the preferred method where water depths allow it. We assume as for the other measurement methods above, that the target accuracies will be detailed in the future version of the CPMMP, please can this be clarified?	MMO comments remain unchanged at this stage.	This concern is related to the threshold reporting and on that basis is closed.  On that basis - Agreed

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MMO-118	CPMMP	4.2.13 In relation to section 2.5 and the baseline monitoring, the MMO advises that there is a strong advantage to, where possible, continuing the data collection that has been undertaken since 2008. It is not clear if these datasets will provide the baseline against which the monitoring will be based, or if the proposed methods will be undertaken for a sufficient period before the start of construction to provide the baseline dataset. This should be clarified.	<p>Agreed, and this is, and will be, the case in all instances except where a new technique out-performs, or it more appropriate than, existing measures. For example, shorelines and barlines from radar and/or cameras out-perform bathymetric surveys in terms of sampling frequency. For RPA surveys, beach profiles can, and will, be extracted to extend the baseline EA and SSMSG datasets, thereby continuing the historical records (albeit at a higher resolution).</p> <p>Yes, the datasets to date (and indeed until construction) will provide the baseline. The final methods will link and provide continuity to previous data. When linking to profile data, there will be around 30 years of baseline beach elevation data, which is more comprehensive than most (or all?) monitoring programmes for a comparable development in the UK.</p>	The confirmation is appreciated. The baseline dataset here is excellent. Please can you also confirm what period of data will be used for the baseline to compare the observed changes during the construction phase of the project. For example, will the full 30 years of data be used to define an envelope of 'background' change or, alternatively, a reduced period to cover the trends seen in recent years (5-10 years).	MMO comments remain unchanged at this stage.	<p>SZC Co confirms it will use the full 30 years (as shorter period might miss cyclical events). This will be clarified in CPMMP Rev 4 at D10.</p> <p>On that basis - Agreed</p>
MMO-119	CPMMP	4.2.14 It would be useful for section 3.3 to include an illustration of the proposed monitoring area and the anticipated area of scour.	<p>Noted. It would be helpful to illustrate why this is needed so that graphics do answer the concern that is not already answered by the text – predicted scour dimensions are usually reported numerically and other structures are at distances much greater than the scour footprints, obviating the need for a diagram. An illustration can be generated around an indicative scour ellipse but this would not significantly increase the information already given.</p> <p>If the interest is in the morphology relative to pile positions, this is best understood using the yet-to-be-gathered pre-construction survey as a current survey may be misleading (due to bathymetric changes between the most recent survey and the actual conditions shortly before construction).</p>	The MMO notes that this information may be better read and understood by non-specialist readers an illustration, as it is always helpful to visualise the monitoring area and the anticipated area of scour. We note that this is perhaps more relevant for the other monitoring methods within Section 2 with their large spatial extents, and less so for this section, however we note that it would still be useful.	MMO comments remain unchanged at this stage.	<p>SZC Co has no objection to this, but there is an issue of scale and temporal separation. MMO would like to see extent of monitoring compared with likely scour area. SZC Co will add text to CPMMP Rev 4 (D10) that commits to this, but can't actually provide at D10.</p> <p>On this basis - Agreed</p>
MMO-120	CPMMP	4.2.15 Additionally, in relation to section 3.3, the MMO is concerned that if all jack-up barges operating do not put their spud legs down within 100m of the offshore cooling water infrastructure, their effect will not be captured within the monitoring. The MMO advises that confirmation should be provided that all spud legs will be placed within 100m of the structures, and if not, the monitoring survey area should be increased to cover this.	Agreed. The text will be amended for clarity regarding jack-up barge spuds being within the 100 m range. It is worth noting that there would be no practical benefit of vessel anchoring at any greater distance i.e. the barges would not be more than 100 m away	Noted. MMO will wait for this to be amended in future CPMMP.	MMO comments remain unchanged at this stage.	<p>MMO confirmed that this issue was closed out in Rev 2</p> <p>On that basis - Agreed</p>

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MMO-121	CPMMP	4.2.16 The MMO advises that the assumption within section 3.3 that the scour around the offshore cooling water infrastructure will reach equilibrium in 3 months is subject to uncertainty. If the 6-month survey shows scour development continuing (in depth or extent), then further surveys will be needed until the equilibrium is reached – or mitigation measures are put in place (see next comment).	These are standardly used intervals and as scour has been assessed to have no significant effects, there is no rationale for further monitoring unless unexpected results are observed. If they are, of course, further monitoring would be conducted.	Confirmation appreciated. MMO would like this to be stated in the CPMMP so that it is clear to future readers that further monitoring could be required after 6 months should the scour be continuing to develop.	MMO comments remain unchanged at this stage.	Agreed - survey until equilibrium reached - text added to CPMMP Rev 3 at D10  On that basis - Agreed
MMO-122	CPMMP	4.2.17 Although the potential for scour protection is mentioned in section 3.3, there is no mention of the approach to monitoring its effectiveness. The MMO advises that this monitoring would most likely require a pre-installation survey, post-installation survey and follow up survey(s) to show scour has been curtailed.	The monitoring for scour, with or without scour protection, would effectively be the same. The survey area may need to be expanded if the scour protection area was larger than that anticipated. Were that the case, the monitoring would be updated accordingly.	The MMO welcomes that it is stated in the plan that revision of the proposed survey area in the final version of this monitoring plan will be considered if scour protection is used. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed
MMO-123	CPMMP	4.2.18 Additionally, in relation to section 3.3 (as well as section 4.3), the MMO advises that it would be standard practice to grid the multibeam echo sounder (MBES) data to enable analysis. The resolution grid that will be used should be detailed in these two sections.	Gridding MBES data has no specific practical benefit with respect to analysis - this is a convention used in monitoring aggregate extraction developed by that industry's practitioners for reasons particular to their interests. If gridding is required, it would most likely be 0.5 m.	The MMO notes that 0.5 m is a standard grid output for MBES. An approach to further gridding here is purely to help define what a significant change will look like, and nothing to do with the practice in aggregate extraction. This comment can be considered resolved.	MMO comments remain unchanged at this stage.	Agreed

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MMO-124	CPMMP	4.2.19 It would be useful for section 4.3 to include an illustration of the proposed monitoring area for the nearshore outfalls and the anticipated area of scour. Seeing how the predicted scour relates to the observed changes at Sizewell B (SZB) would also be useful.	<p>Noted. It would be helpful to illustrate why this is needed so that any graphics needed do answer the concern that is not already addressed in the text. For example, if one is interested in the morphology relative to pile positions, this is best understood using the pre-construction survey as a current survey may be misleading.</p> <p>It is not clear why comparisons against SZB would be useful. SZB is substantially larger (discharge &gt; 100 times larger) and is located where the crest of the outer longshore bar would otherwise be (compared to the SZC nearshore outfalls, which would be in deeper water and on the outer flank where transport is lower). Therefore, the SZB outfall scour would not make a meaningful comparison to SZC's small nearshore outfalls due to SZB's large outfall and strong discharge.</p>	The MMO notes that this information may be better read and understood by non-specialist readers as an illustration.	As at MMO-119	As at MMO-119  On that basis - Agreed
MMO-125	CPMMP	4.2.20 Within section 4.3, it is not clear how the total extent of the monitoring is 1800m if it extends 500m north and 100 m south. This should be clarified.	The stated monitoring area is 500m north of the CDO and <u>1km</u> south of the FRR1 which, including the 300m between these outfalls, accounts for 1800m.	Resolved.	MMO comments remain unchanged at this stage.	Agreed
MMO-127	CPMMP	4.2.22 In relation to section 4.3, the MMO seeks clarity on whether scour protection will be used for the nearshore outfalls.	The use of scour protection for these structures has not been determined, however no scour protection was assumed for the for the purposes of assessment as this results in deeper scour pits. If scour protection is used for these structures, it would be monitored as part of the scour assessment i.e. the same methods would be used.	The MMO advise that if there is a potential scour protection will be used then this should be stated in the CPMMP.	MMO comments remain unchanged at this stage.	CPMMP Rev 4 (to be submitted at D10) will be updated to to reflect scour protection around nearshore outfalls.  On that basis - Agreed
MMO-128	CPMMP	4.2.23 In relation to section 4.3, the MMO notes that the inner bar will be surveyed, if possible. The MMO seeks clarity on whether it has been confirmed that the proposed Autonomous Survey Vessels (ASVs) cannot be used here in the shallow water areas.	Survey methods, including ASV potential, are under review and will be reported in 2021 (by updating the CMMP).	Noted. MMO awaits the conclusions of this review.	MMO comments remain unchanged at this stage.	As at MMO-108  On that basis - Agreed

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MMO-129	CPMMP	4.2.24 Additionally, in relation to section 4.3, the gap in data coverage between the aerial and marine surveying – the white ribbon – is a key parameter in judging the survey quality. The MMO advises that there should be a target coverage for the combined survey methods.	Such a target would be a constraint on monitoring flexibility. We would recommend specification that relevant features are captured (i.e. the crests of the inner bar) at a given frequency, rather than an arbitrary white ribbon dimension, which may not be achievable due to bar migration or site conditions on a given date and may directly limit the value of the data for monitoring bar and shorelines.  The size of the white-ribbon will be affected by weather and method (see previous comment MMO-129). But we agree, as part of method selection, and bearing in mind operating conditions, we will include a target. The aim will always be to minimise or eliminate the white ribbon, but it needs to be acknowledged that setting the white-ribbon too low could increase the frequency between surveys, as a small white ribbon requires calmer weather that occurs less often.	The MMO note that it is normal survey procedure to have a target % coverage which is achievable noting all the issues you have described. MMO consider this comment resolved.	MMO comments remain unchanged at this stage.	Agreed
MMO-130	CPMMP	4.2.25 A view on the target accuracies, horizontal and vertical, is again needed for section 4.3; in particular, when considering combining the proposed aerial and marine survey data.	Noted - the comparative methods report in progress will directly feed this into aspect of the updated MMP.	Noted. MMO will wait to review the updated CPMMP.	MMO comments remain unchanged at this stage.	As at MMO-115 On that basis - Agreed
MMO-131	CPMMP	4.2.26 Our comments above on section 4.3 on accuracy and grids etc., also apply to section 5.3.	Noted - ditto our replies.	Noted. This (relating to the BLFs) is the particular area of interest. MMO will wait to review the updated CPMMP.	MMO comments remain unchanged at this stage.	As at MMO-115 On that basis - Agreed



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MMO-132	CPMMP	4.2.27 In relation to the BLF and section 5.3, the MMO is not convinced that there will be no impacts from the BLF piles and dredging (see our comments 5.2.8 and 5.2.9 below). As the monitoring is designed to cover these uncertainties there should be a presentation of the baseline against which the monitoring will be measured, and consideration of the approach to thresholds of change (including natural variability) within which the predicted lack of change can be confirmed. Conversely a conceptual mitigation plan should be considered should change occur, for example, if the material dredge to the side of the BLF berth doesn't disperse.	<p>We do not claim there will be no impacts. The predicted impacts were assessed, and it was determined using the EIA methodology that these were not significant. Furthermore, we do not believe it is possible for there to be an impact from the BLF and dredging in conditions in which the sandy dredge material does not disperse. Sands travel regularly in suspension on the longshore bars, meaning they have high mobility and would readily disperse.</p> <p>Agree regarding baseline. Baseline data collection will continue until construction begins and all baseline reports will be updated accordingly. We will make comparisons against the natural variability.</p> <p>The predicted changes described, and the example given, do not constitute a significant impact and therefore mitigation is not needed or required. Please identify where in the EIA process you see a discrepancy, if still concerned after this reply.</p>	<p>Plough dredging is proposed so the sediment will be moved close to its insitu compaction. It is unlikely all of the up to 2m of material dredged is in the mobile top layer. Depending how the dredge is done the material may well move off quickly or it may take some time. An assumption of rapid dispersion is a worst case for effects on water quality but a non-dispersing case is a worst case for coastal geomorphology.</p> <p>MMO advises that additional surveys should be undertaken 3 months and 6 months following the completion of the BLF dredge to monitor this. See comment MMO-107 above.</p>	MMO comments remain unchanged at this stage.	<p>As at MMO-107</p> <p>On that basis - Agreed</p>
MMO-133	CPMMP	4.2.28 Additionally, a view on the target accuracies, horizontal and vertical, is needed for section 5.3.	Noted - to be included in next version of the CPMMP	Noted. Comment resolved.	MMO comments remain unchanged at this stage.	Agreed
MMO-134	CPMMP	4.2.29 It would be useful for section 5.3 to include an illustration of the proposed monitoring area around the BLF and the anticipated area of scour, indicating the limit of predicted effects and the relevant bed contours.	Noted. However, if one is interested in the morphology relative to pile positions, this is best understood using the pre-construction survey as a current survey may be misleading. That is, the most recent surveys could pre-date the conditions at the point of construction, and so would be misleading. We propose to use the pre-construction survey to illustrate. Please indicate if there is still rationale for illustrating these areas against a present (most likely 2017) survey compared to using the pre-construction survey. See TR310 for further detail on scour.	<p>It is agreed the baseline should cover the period as close as possible to the commencement of the construction. However, the illustration of the monitoring area requested here is not to do with the piles, but the area proposed around the bed reprofiling for the BLF barge berthing area.</p>	MMO comments remain unchanged at this stage.	<p>As at MMO-119 and MMO-124</p> <p>On that basis - Agreed</p>

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MMO-136	Assessment	5.1.2 In relation to the study area in p.20.3.9, the MMO agrees that the use of MHWS as an upper limit for the impact assessment is reasonable. However, it should be noted that MHWS is based on the average of the highest water reached during a spring neap cycle. As such, higher tidal water levels will occur regularly as well as higher water levels due to non-tidal forcing. The nett drift averaged over a 10-year period, being towards SZC at Thorpeness and north of Sizewell does not imply automatically that there cannot be any impact of SZC outside the sub cell.	Noted. MHWS has always been understood to be the limit of MMO definition of the marine environment and hence the limit of assessment for marine impacts. The implications of <i>mean</i> and <i>net</i> definitions are well understood with respect to the impacts of rarer events.  Regarding the evidence for impacts outside of the sub-cell. Both baseline evidence (longshore transport modelling, longshore transport measurements (TR420), sediment studies and hydrodynamic modelling), the literature (e.g. the SMP) and the modelled impacts themselves clearly show there are no significant impacts for geomorphic receptors outside of the GSB. The only impact extending beyond the bay would be a maximum momentary deposition of 2mm, which would not be detectable.	Noted. MMO seeks clarity on whether any impacts above MHWS are considered? Yes they were	MMO comments remain unchanged at this stage.	SZC Co confirms that potential impacts above MHWS were assessed.  On that basis - Agreed
MMO-137	Assessment	5.1.3 P.20.3.21 states that the final detailed designs are not yet available and that assumptions are to assess the likely worst-case impacts. This is an important note to remember in reviewing the predicted effects.	Noted.	Noted.	MMO comments remain unchanged at this stage.	Agreed
MMO-138	Assessment	5.1.4 In relation to p.20.4.6, the historic change in predominantly North East (NE) waves to a bimodal situation during the 19th Century and up to 1925 is noted. In our previous comments (dated 01/11/2019) the MMO asked why the impact of the "19th Century" wave climate resuming has not been assessed. This has still not been considered as the present situation of little coastal change (and hence little impact) depends on the present wave regime continuing. The MMO advises that any future assessment should consider the risks of the system reverting to the NE wave dominated scenario of the early 20th Century when high rates of erosion and accretion occurred.	We believe this query has been previously answered, but we reiterate here:  The inferred historical evidence of a NE dominant wave climate associated with severe erosion at Dunwich is not considered because it does not present a worst case for impacts at SZC. That is, sediments from the rapidly eroding Dunwich Cliffs were deposited in the southern part of the GSB, and were that to occur today the potential impacts at SZC would be lessened, as would the need for beach maintenance (see the ES Addendum for HCSF and SCDF updates). Furthermore, it is not the case that the NE wave case was not considered - it is captured in TR403 and commented is paragraph 20.14.3 of the ES.	It is accepted that the work has focussed on the worst case impacts for the project. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed

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MMO-139	Assessment	5.1.5 The MMO notes that p.20.4.31 states suspended sediment concentrations (SSC) 'regularly peaks at low water slack'. We presume that this is from near bed SSC observations, hence the comment on settling, however this should be made clear.	Noted	MMO await's clarification.	MMO comments remain unchanged at this stage.	SZC Co confirms that is this is from near bed (1.4m above bed).  On that basis - Agreed
MMO-140	Assessment	5.1.6 In relation to p.20.4.65, the MMO notes that there is some evidence for a link to the North Atlantic Oscillation (Blanco and Brampton, 2017). As described above, the risk that the wave climate at Sizewell reverts to the pre-1925 case should be considered. Such a change could significantly alter the sediment supply and coastline behaviour.	The reviewer is referred to BEEMS TR403 for further detail on NAO. Although the Blanco and Brampton (2017) paper, which is a conference paper and has not been peer reviewed, suggests there is some evidence for a link between NAO at Bawdsey, the following points demonstrate this paper is not likely to have relevance to Sizewell: * The link between the NAO and storminess is not conclusive (Burningham and French, 2013). * Bawdsey is a very different system to Sizewell in respect to both its wave climate and the modelled longshore transport. Its wave climate and longshore transport are not in balance * Whilst Bawdsey may be exhibiting some weak correlation with the NAO, there is no matching evidence at Sizewell. Changes in the shoreline show little correlation with forcing condition  See reply for MMO-138. The NE climate associated with historical erosion at Dunwich presents an optimistic case for Sizewell C, not the worst-case that is needed for assessment.	It is accepted that the work has focussed on the worst case impacts for the project. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed
MMO-141	Assessment	5.1.7 In relation to p.20.4.77 on the future shoreline baseline geomorphic elements, it is assumed that the future baseline will resemble the present day. As mentioned above, the lack of assessment of changes to the offshore wave climate to a NE domination is a gap in the analysis. For the nearshore climate, it assumes the bank system is stable. However, the northern end of Dunwich bank has lowered 2 metres in the past 10 years; the most logical assumption would be for this trend to continue. This will	Please refer to our replies on this subject in MMO-138 and MMO-140. With respect to EIA and worst cases, we do not believe there to be a gap. The consequences of bank change were also considered in TR403.	It is accepted that the work has focussed on the worst case impacts for the project. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed

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		affect the nearshore wave climate and should be included.				
MMO-142	Assessment	5.1.8 In relation to p.20.8.14, and p.20.8.29 the MMO advises that the presence of the piles may lead to some salient at the jetty location or just down drift of it. Although this is unlikely to be large, it may have some effect on the littoral drift and should be considered.	<p>We are aware of no particular reason or evidence as to why the piles should promote a downstream salient. The BLF is transmissive and so should only have minor localised (scour impacts). Furthermore, a small salient would not have a significant effect on littoral drift. A salient would not be a literal barrier (unlike a groyne, or Minsmere outfall). Sediment would be free to pass around the salient and there would be no downstream deficit - as, for example, is the case for the large salient at SZB.</p> <p>Were a salient to form this would reduce the SCDF maintenance activity (refer to the DCO changes in the ES Addendum).</p>	Our comment noted any salient is unlikely to be large. The additional text in the updated ES addendum on salients is welcomed. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed

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MMO-143	Assessment	5.1.9 In relation to p.20.8.22, the MMO advises that based on the infill rates predicted, the proposed maintenance dredging for barge access will include a capital dredge in advance of the period of operation (April to October), in addition to dredging for 2-3 days per month over the usage period. We are concerned that slope degradation, as is typical following a dredge, may result in more maintenance than is assessed. Within this slope degradation, sediment may slump from the inner longshore bar as the dredged area intercepts it. Continued maintenance of this area could degrade the inner longshore bar. Assuming this dredging is all done by plough dredging, some of the coarser sediment will remain where it is ploughed to, resulting in a bed feature with potential to alter the near shore wave conditions or be dispersed with a portion of it remaining in the local area. Neither of these cases has been assessed in terms of geomorphic impacts.	Slope degradation was accounted for in the dredge calculation by allowance of the angle of repose around the dredged area (see Section 4.2.2). As noted in a previous response, the sediment is highly mobile in the nearshore and it is not plausible that ploughed sediment would remain undispersed in wave conditions sufficient for such a mound to affect the nearshore geomorphology. Regarding coarsening of sediment, the bars are sand only, so we cannot see a mechanism for coarsening at any detectable level and certainly not at one that would affect geomorphology or bottom friction and the passage of waves.	The MMO notes that since any dredging will not exactly produce the required slope, some adjustment of the slope to a stable slope is to be expected. Furthermore the forces of the dredger on the seabed typically disturbs the remaining material to some extent. MMO have noted the potential issue with ploughed sediment remaining resistant to rapid dispersal above. It is agreed this is likely to be more of an issue for the capital dredge, or for the first maintenance dredge in advance of the season of operations. MMO still recommends looking carefully at the outcome of the initial capital dredge. If it can be confirmed that material all disperses then the issue is dealt with. MMO advises that additional surveys 3 months and 6 months after the initial capital dredge should be undertaken to monitor this (See comment MMO-107 above).	MMO comments remain unchanged at this stage.	Closed based on Rev2 of CPMMP.  On that basis Agreed
MMO-144	Assessment	5.1.10 The MMO notes that for p.20.12.15, some dredging will be required. During these periods of dredging, bathymetric monitoring is required for the berth pocket, the area where the sediment is ploughed to and the inner longshore bar. This monitoring will cover the uncertainties described in p.20.8.22. The MMO notes that there is no mitigation proposed for navigational dredging at the BLF. Please see our comments on the Coastal Processes Monitoring and Mitigation Plan in section 4.2 of this letter.	Note that this topic has been superseded by the DCO changes specified in the ES Addendum, which would remove the need to dredge a grounding pocket, and therefore the matters raised in this comment.  The grounding pocket method would only be used occasionally (5-10 years) and for a few weeks, so any impacts will be transient. As described in the ES Addendum, the grounding pocket would infill gradually under summer conditions, however a pre-cautionary condition or trigger will be set in the CMMP to assess the topographic changes in the outer longshore bar, and, if triggered, the mitigation would be to move laterally accumulated dredged sediments back into the grounding pocket.	The updates in the ES addendum are noted. The approach to assessing any changes to the outer longshore bar are welcomed. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed



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MMO-145	Assessment	5.1.11 The MMO advises that Table 20.6 should be updated to include monitoring that relates to the navigational dredging in the berth pocket, in the area where the sediment is ploughed to, and over the inner longshore bar. Additionally, the tabulated techniques are not consistent with the Coastal Processes Monitoring and Mitigation Plan.	The monitoring stipulated in the ES gives an overview - for details the MMO are referred to the CMMP. However, Table 20.6 gives the techniques that would be used for impacts requiring monitoring by component. Dredging does not need to be added as the monitoring required is already included under the BLF component. Specifically, "bathymetry for subtidal impacts".  The reviewer has not made clear what the differences in techniques are, but it is worth noting that CMMP should be given precedence as it will be updated occasionally through the life of the station, and will be substantially updated and finalised in the period prior to marine constructions.	It is agreed the ES is an overview and that the CMMP will take precedence. Comment is resolved.	MMO comments remain unchanged at this stage.	Agreed
MMO-146	Assessment	5.1.12 The MMO advises that Table 20.8 should include loss or change to the substrate in the areas of navigational dredging.	Noted. However, there would be no loss of change in the substrate.  If the concern is with respect to disturbance, the text in Table 20.8 does capture the change to topography (i.e., disturbance) are under the impact of <i>Altered hydrodynamics and sedimentation due to dredging and reprofiled bed for BLF access and docking</i> . This comment could be addressed by updating the residual effects table of the CPMMP.	Agreed. MMO will wait for table in CPMMP to be updated.	MMO comments remain unchanged at this stage.	Closed based on Rev2 of CPMMP  On that basis - Agreed
MMO-147	Assessment	5.1.13 In relation to section 20.14, the MMO refers you to our comments above on the risk of a change in wave climate over the lifetime of the station (see paragraph 5.1.4).	Noted. Refer also to our responses above MMO-138, 140, 141.	Resolved.	MMO comments remain unchanged at this stage.	Agreed

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (15 September)
MMO-148	Assessment	5.1.14 In general, despite the littoral drift to the south, the mitigation ignores potential impacts to the south of SZC. While the MMO recognises that the assessment concentrates on the stretch of the coast to the north of the site because that is a particularly sensitive area, the less sensitive parts to the south should be further considered. This comment applies in general to this whole chapter, although the sensitivity assessment for changes to sediment supply in section 20.14 is welcomed, in particular the sensitivity to a lowered Dunwich Bank.	<p>Whilst the reviewer acknowledges the necessary emphasis on the designated frontage, it is incorrect to say that the frontage south of SZC has been ignored. The evidence assembled at length shows that shingle transport rates are very low and shingle is largely confined to the GSB, meaning that any impacts would also be spatially confined in both directions. The mitigation itself clearly prevents impacts to the neighbouring beaches to south (and north) by maintaining the longshore transport pathway.</p> <p>In addition to the above, MMO-148 has been further superseded by the DCO changes presented in the ES Addendum regarding the SCDF and its maintenance. That is, the only impact (a beneficial one) would be the supply of additional shingle to the frontage during SCDF erosive storm events; the additional sediment would be progressively transported in both directions under gross transport events, but with a slow net travel southwards.</p>	The role of the SCDF in supporting sediment supply south of the development is noted. This comment is resolved.	MMO comments remain unchanged at this stage.	Agreed

Table A4: Marine Ecology and Fisheries Technical Tracker

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-05	<b>Impacts on fish populations -</b>  Concerns regarding the design of the fish recovery and return system	<b>1.1 Major Comments</b>  1.1.5 The MMO agree with the approach taken in relation to equivalent adult value (EAV)s and stock areas. However, the MMO advises that more evidence should be provided to justify the assumptions on the beneficial effect of the low velocity side-entry (LVSE) design and to justify not installing an acoustic fish deterrent (AFD) system. Furthermore, it is likely that additional discussions will be required concerning the design and operation of the fish recovery and return (FRR) system, including monitoring of impingement and FRR survivability. As with other consented NNB projects, it is possible to make agreement on these matters a condition of the DCO and DML. Our reasoning for this is detailed in section 5.4.1.	Noted. See also Ref ID MMO 181, 223 and 226	Unresolved. The MMO supports the assessments on impacts to fish populations for the most part but there are still 2 areas where MMO consider further information should be supplied:  • further sensitivity analysis within Report SPP103 to examine concerning the effectiveness of the LVSE design and FRR system; and • additional evidence in relation to AFD options.  Further information on this is provided in our comments on the theme 'Supplementary Information on Fish Assessment' below.	MMO are still waiting for the requested sensitivity analysis, which we believe are due at Deadline 6. MMO are currently reviewing the AFD report submitted at D5.	The Uncertainty in Entrapment Predictions Report reviews uncertainties in effectiveness of LVSE design and FRR system. Using conservative assumptions, the assessment confirms that impacts to fish from entrapment at population level will not be significant. The updated SPP103 has repeated the local analysis using the same conservative assumptions for LVSE and FRR and also confirms impact from fish entrapment is not significant. See comments regarding AFD. MMO notes that a further assessment in relation to sea bass was provided at deadline 8, but do not expect this to alter any of the conclusions reached on existing evidence.
MMO-178	<b>Marine Ecology and Fisheries -</b>  use of ICES stock areas for scale of assessment	5.4.1.13 In relation to the scale of assessment, the MMO notes that the Applicant's advisor Cefas continue to justify the use of ICES stock areas as using the best available evidence. The MMO conclude that the use of ICES stock areas for commercial fish species represents the current best scientific evidence available. There is currently no robust information that would support use of more local stock areas in the assessment. The percentage impact on a stock increases in proportion to the decrease in stock area/size used (the stock area/size is the denominator in the impact calculation). Thus, a ten-fold reduction in the stock area/size used results in a 10-fold increase in estimate impact.	Noted with thanks. At the Request of NE and the IFCA a simplified conceptual model of local depletion has been provided. As describe, Cefas maintain the most appropriate way to assess population level effects (on commercial species) incorporating the whole life-history of the species is to consider the ICES stock units which represents the best available scientific evidence after a consideration of all of the relevant scientific literature.	The assessment in SPP103 provides additional evidence supporting the view that local impacts on key fish populations are not significant. However, additional sensitivity analysis is required for demersal species in relation to the effectiveness of the LVSE design and FRR system. This information should be provided. See more information on this in our comments MMO-349-353.	MMO comments remain unchanged at this stage.	The updated SPP103 has repeated the local analysis using more conservative assumptions for LVSE and FRR. MMO satisfied that it confirms the local impact from fish entrapment is not significant.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-195	<b>Marine Ecology and Fisheries -</b>  disruption to migratory pathways assessment to provide additional context	5.4.2.14 P.22.8.215 acknowledges that fish in active migration may not avoid the ensonified area and therefore the assessment considers the worst-case scenario in terms of disruption to migratory pathways for fish. However, the MMO would find it helpful for the assessment to provide additional context by taking account of mean swimming speeds and determining the period of exposure within the various mortality/recoverable injury/ temporary threshold shift (TTS) impact zones.	Draft response - Further context will be provided (TR538), however, it should be noted that the tidal nature of the SZC environment and the use of selective tidal transport complicate the issue of residence within ensonified areas beyond swimming speeds.	Noted. TR538 should be provided to MMO to review.	MMO comments remain unchanged at this stage.	MMO comments addressed in s7.2.3.1 of revised TR538. The analysis indicates that fish could potentially be within the TTS for a maximum of one hour. The approach to the cumulative effects assessment is conservative (makes no assumption about fleeing behaviour) and confirms effects on fish are not significant.
MMO-207	<b>Marine Ecology and Fisheries -</b>  preparation and agreement of a detailed Comprehensive Impingement Monitoring Programme (CIMP) should be a DCO/DML condition	5.4.2.26 In relation to p.22.12.29 the MMO advises that preparation and agreement of a detailed Comprehensive Impingement Monitoring Programme (CIMP) should be a DCO/DML condition. In addition to the monitoring stated in this paragraph, the CIMP should also include monitoring of survival of fish through the FRR and enable monitoring of long-term changes in impingement as a result of climate change.	Noted, however there is uncertainty regarding the effectiveness of FRR survival monitoring, requires further dialogue.	The MMO notes that this is not included in the DCO/DML yet. Further dialogue required on the potential for a Comprehensive Impingement Monitoring Plan to be required.	MMO welcomes that an 'Impingement monitoring plan' has been included in condition 50 but further discussions required to agree what must be provided in this plan.	Draft Plan provided at Deadline 8. MMO to review.
MMO-219	<b>Entrainment in relation to adjacent Fish and Invertebrate Populations -</b>  inconsistency in approach to estimating total annual entrainment	<b>5.7 Appendix 22G - Predictions of Entrainment by Sizewell C in Relation to Adjacent Fish and Invertebrate Populations (TR318)</b> 5.7.1 In section 3.4 the MMO notes the following sentence: 'To obtain estimates of total annual entrainment by species, all samples from a given month were summed and the average entrainment (number per 10 m <sup>3</sup> ) per day was calculated for each month. This number was then multiplied by 4,449,600 to provide estimated entrainment per day for SZB and by 11,392,704 to provide predicted entrainment per day for SZC'. This text is not consistent with step 3 on page 20 where the product is (in our view correctly) divided by 10.	Text to be reviewed.	MMO believes this could just be a drafting error in section 3.4. The analysis has been done correctly. We await confirmation from the applicant.	MMO comments remain unchanged at this stage.	SZC Co confirmed this is a drafting error.  MMO confirm that on this basis – Agreed.

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MMO-222	<b>Impingement Predictions Based Upon Specific Cooling Water System Design -</b>  specific assessment of the feasibility of installing and operating AFD should be provided	<b>5.8 Appendix 22I - Sizewell C Impingement Predictions Based Upon Specific Cooling Water System Design (TR406)</b>  5.8.1 Following on from 5.4.1.2 above, a specific assessment of the feasibility of installing and operating AFD at SZC should be provided in this Appendix. While an optimal sound field may require a large number of sound projectors, it is unclear whether a functional system could be established using fewer sound projectors.	Noted. A report has been drafted for provision to MMO	The MMO awaits this report. Current text within TR406 is not considered adequate.	MMO comments remain unchanged at this stage.	MMO comments that the Acoustic Fish Deterrent Report describes the process that SZC has been through in considering potential design and operation of an AFD at SZC. The report acknowledges that a less optimal design could have benefits to fish and require less maintenance but no detailed consideration of such a design has been made. SZC's main argument is that the effects of fish entrapment are not significant and therefore additional mitigation is not justified. Based on the further evidence provided by SZC concerning the significance of entrapment impacts to fish, the MMO concur that these impacts are unlikely to be significant. The extent to which additional mitigation should be applied is a judgement based on existing guidance, feasibility, cost and potential effectiveness. Based on the evidence that SZC has provided, the MMO do not see a strong case for requiring installation and operation of an AFD for the following reasons: the predicted impact on fish from entrapment is not assessed as significant; there is no proven technology that could be installed and maintained safely.
MMO-242	<b>Draft Marine Mammal Mitigation Protocol (MMMP) -</b>  additional considerations suggested	<b>5.11 Appendix 22N - Sizewell C Draft Marine Mammal Mitigation Protocol (MMMP) (TR509)</b> 5.11.1 It is noted that the proposed draft MMMP will be updated once final construction methods have been confirmed and agreed in consultation with relevant Statutory Nature Conservation Bodies (SNCB)s. In addition to taking account of the JNCC guidelines for minimising the risk of injury to marine mammals from using explosives (JNCC, 2010), the Applicant should consider in the final MMMP the latest guidance on noise management in harbour porpoise SACs that has recently been published by JNCC (2020), due to the proximity of the proposed development to the Southern North Sea SAC. The Applicant should also consider a recent paper that has been published on underwater noise abatement measures from pile-driving and explosions that	We note the two suggested references with thanks and will consider them for the updated version of the MMMP	MMO will wait to review updated MMMP.	We note the two suggested references with thanks and will consider them for the updated version of the MMMP	The draft MMMP has been updated in line with changes in construction methodology and references the additional guidance in JNCC (2020) and Merchant & Robinson (2020).



Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
		complements and builds on the JNCC 2010 guidelines (Merchant and Robinson, 2020). See both listed in the references.				
MMO-298	DCO Changes - Change 2 (Changes to BLF) - Underwater Noise	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Although a number of assumptions and modelling outputs of the updated underwater noise assessment are clearly presented in the ES Addendum, no details are provided on the underwater noise model and input parameters that have been used. <b>The Applicant should confirm if these are the same or any different to what was used for the original ES.</b>			MMO comments remain unchanged at this stage.	The MMO confirms that TR538 cross references BEEMS TR312. This report provides a high-level description of the methods used for underwater noise modelling.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-299	DCO Changes - Change 2 (Changes to BLF) - Underwater Noise	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> The potential underwater noise effects of any mechanical cutting that might be required during the decommissioning of the temporary BLF have not been assessed. <b>The Applicant should confirm that these activities will not generate any potential elevated levels of underwater noise that could affect marine fauna.</b>			MMO comments remain unchanged at this stage.	The MMO understands that the effects of decommissioning using the worst-case mechanical cutting of using high pressure water jets have been modelled and assessed in the Underwater Noise Report prepared by Cefas. The only adverse effects that are predicted to occur is TTS in harbour porpoise within 2 ha (249 m) of the mechanical cutting (assuming a fleeing behaviour) and TTS in fish with swim bladder to aid hearing within 92 ha (602 m). Behavioural effects in fish are also predicted within around 379 to 1,580 ha (1.5 to 3.7 km) depending on the species and their hearing sensitivity. The MMO is satisfied that the comment has been adequately addressed. The elevated levels of noise during decommissioning are temporary and anticipated to result in minor (not significant) adverse effects on marine mammals or fish.
MMO-300	DCO Changes - Change 2 (Changes to BLF) - Underwater Noise	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> The cumulative effects assessment relating to the combined piling scenario is not clear. No model outputs or evidence are provided to support the statement that the combined effects are less than the worst-case scenarios for individual piling. <b>The Applicant should clarify the worst case piling scenario (potentially 4 piles being installed concurrently) and provide model evidence to support the assessment.</b>			MMO comments remain unchanged at this stage.	SZC has clarified the worst case cumulative effects scenario and provided a detailed assessment in section 6.5 of TR538. This confirms that cumulative effects are not significant.
MMO-332	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Section 2.2.57 mentions 25 small bore piles, but no further information provided. Clarification required of pile dimensions and installation methods.			MMO comments remain unchanged at this stage.	MMO satisfied this is addressed in para 2.1.1.1 p17 of TR538.

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MMO-333	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Table 2.44 States that cumulative (24 hour) effects are reduced due to sequencing and maximum 2 piles per day. However, the pile diameter of the dolphin/fenders and hammer energy has increased so evidence should be clearly presented to support this statement.			MMO comments remain unchanged at this stage.	MMO satisfied that cumulative effects assessment presented in s6.5 of TR538.
MMO-334	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Within Table 4.5 the number of piles is inconsistent with p16, s2.2.78 which also references 6 x raking piles which may also require percussive piling? Clarification required.			MMO comments remain unchanged at this stage.	SZC Co confirms that 6no raking piles may be required for the eastern-most piles of the MBIF head. This will be confirmed in the detailed design (as part of DML condition 40).
MMO-335	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Section 2.7.18 states that piling will start in August, however this is inconsistent with statement in subsequent sentence that says 'No piling would occur in the months of May to August inclusive'. The Applicant should confirm that there will be no piling in the period May to August inclusive. This mitigation is necessary to avoid risk of adverse effect to piscivorous birds.			MMO comments remain unchanged at this stage.	Confirmed that section 2.1.1.3 clarifies that no piling would occur between May to July to avoid potential effects to breeding birds, with works starting in August. MMO requests a DML condition to secure this mitigation.
MMO-336	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> In relation to sections 2.17.41-2.17.46, the outputs of the assessment of the impact magnitude of underwater noise from percussive piling on marine mammals are clearly presented. However, there are no details of the specific model or input parameters that have been used. These are assumed to be the same as in Appendix L of the original ES (Doc Ref. 6.3) [APP-329]) but it would be helpful for the applicant to confirm this.			MMO comments remain unchanged at this stage.	MMO confirms that TR538 cross references BEEMS TR312. This report provides a high level description of the methods used for underwater noise modelling.

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MMO-337	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> In relation to sections 2.17.55-2.17.62 the outputs of the assessment of the impact magnitude of underwater noise from percussive piling on fish are clearly presented. However, as above, there are no details of the specific model or input parameters that have been used. These are assumed to be the same as in Appendix L of the original ES (Doc Ref. 6.3) [APP-329]) but it would be helpful for the applicant to confirm this.			MMO comments remain unchanged at this stage.	MMO confirms that TR538 cross references BEEMS TR312. This report provides a high level description of the methods used for underwater noise modelling.
MMO-338	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Section 2.17.59 states “Additional mitigation would result in reductions in the auditory effect ranges to 2h for mortality, 4ha for recoverable injury and 84ha for recoverable injury (Table 2.50)”. It is noted that reference to “2h for mortality” should be “2ha for mortality”. It is also assumed that the 84ha that is quoted for recoverable injury is a typographical error and should be the area of TTS effect.			MMO comments remain unchanged at this stage.	SZC Co confirms this is a typographical error.  On that basis - Agreed
MMO-339	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Table 2.52 refers to capital dredging for the grounding project resulting in a pressure that requires further assessment. Section 2.17.104, however, notes “Operational phase deliveries of AILs to the enhanced permanent BLF would require an initial maintenance dredge to create a grounding pocket and allow navigation access over the longshore bar”. It is assumed that reference to “an initial maintenance dredge” is a typographical error and should instead be capital dredge.			MMO comments remain unchanged at this stage.	SZC Co confirms that maintenance dredge is correct because the dredge will not be any deeper than previously dredged in the preceding 10 years (the definition for a capital dredge provided by MMO).  On that basis - Agreed
MMO-340	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> In relation to Table 2.59, the underwater noise of the cutting of any piles and dolphins that are not possible to be removed by vibropiling during the decommissioning process (as per P288, s2.17.22) has not been assessed. The applicant should clarify what levels of underwater noise might be generated by these mechanical cutting activities and			MMO comments remain unchanged at this stage.	MMO content that this is addressed in TR538.

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		confirm if they have the potential to result in an effect on marine fauna.				
MMO-341	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Please clarify what the following statement in section 2.17.274 means: The following statement is unclear: "A piling restriction to reduce the incidence of marine noise mean no additional piling would occur when mooring dolphins for the enhance permanent BLF are installed. Therefore, the maximum duration for daily overlap between the two BLFs would be six days of piling".			MMO comments remain unchanged at this stage.	SZC Co addressed via TR538.  On that basis - Agreed
MMO-342	DCO Changes	<b>ES Addendum (Vol 1.), Chapter 2 [AS-181]</b> Table 2.62 states that "The instantaneous and cumulative auditory effect ranges for the combined piling scenario is assessed in this section. The results are smaller than in the case of the worst-case scenarios for individual piling". However, no model outputs or evidence is provided in the table or in Section 2.17.274 to support this statement.			MMO comments remain unchanged at this stage.	Agreed superceded by revised TR538 section 6.5.



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MMO-344	Supplementary Information on Fish Assessments	<p>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report SPP099 - Predicted performance of the Sizewell C Low Velocity Side Entry (LVSE) intake heads compared with the Sizewell B intakes</p> <p>Please clarify the following points:</p> <ul style="list-style-type: none"> <li>• It is not clear what ANSYS computational fluid dynamics (CFD) modelling was undertaken as no details are provided, what was the model configuration etc;</li> <li>• The Telemac modelling of SZB is over simplified as it is 2D and it assumes flow would be uniformly taken into the central pipe from all directions, whereas flow intake would be heavily biased toward the incident tidal flow direction;</li> <li>• We find the use and reference to scale factors is unclear and is often very difficult to ascertain when the scale factors quoted incorporate an allowance due to the difference in intake rate between the two intakes being considered;</li> <li>• We are not persuaded that the use of intercept area is the most meaningful factor determining relative potential for abstracting fish. It is not clear what ANSYS CFD modelling was undertaken as no details are provided, what was the model configuration etc;</li> </ul>			MMO comments remain unchanged at this stage.	These comments have been superseded as SZC Co has now completed a sensitivity analysis that assumes no impingement benefit from the LVSE design.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-349	Supplementary Information on Fish Assessments	<p><b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report SPP103 - Consideration of potential effects on selected fish stocks at Sizewell</b></p> <p>MMO support the evidence that SZC has put forward in relation to the appropriate scale of assessment area for the 12 fish species. MMO broadly support the findings of the local impact assessment which reinforces the findings of previous assessments of the potential local impacts on fish populations. The assessment is subject to the same limitations as the overall entrapment assessment (see comments on TR406 below). While the challenges of attempting to model such effects inevitably mean that there is considerable uncertainty in the assessments, the sensitivity analysis provides comfort that for key fish species (particularly pelagics that are prey resources for seabirds), local depletions will be small compared to natural interannual variation in abundance.</p> <p><b>MMO advises that a further sensitivity analysis should be carried out for demersal fish assuming zero effectiveness of LVSE design and FRR system.</b> This will help to clarify uncertainties concerning potential local impact on demersal fish and their role in the local ecosystem.</p>			MMO comments remain unchanged at this stage.	The updated SPP103 has repeated the local analysis using more conservative assumptions for LVSE and FRR. Agreed it confirms the local impact from fish entrapment is not significant.
MMO-350	Supplementary Information on Fish Assessments	<p><b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report SPP103 - Consideration of potential effects on selected fish stocks at Sizewell</b></p> <p>In relation to section 3.2.5.2, and as with comments elsewhere, there is limited evidence to support the LVSE factor applied which is dependent on the behavioural response of fish. It is further noted that the majority of fish entering the cooling water intakes are small and juvenile fish with low swimming speeds and thus less able to avoid areas of accelerating flows.</p>			MMO comments remain unchanged at this stage.	The updated SPP103 has repeated the local analysis using more conservative assumptions for LVSE and FRR. Agreed it confirms the local impact from fish entrapment is not significant.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-351	Supplementary Information on Fish Assessments	<b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report SPP103 - Consideration of potential effects on selected fish stocks at Sizewell</b> In relation to Table 6, the values are mortality rates rather than mitigation efficiency values? E.g. FRR value of 1 for pelagics indicates 100% mortality. As with comments elsewhere, there is uncertainty concerning the effectiveness of the FRR system.			MMO comments remain unchanged at this stage.	The updated SPP103 has repeated the local analysis using more conservative assumptions for LVSE and FRR. Agreed it confirms the local impact from fish entrapment is not significant.
MMO-352	Supplementary Information on Fish Assessments	<b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report SPP103 - Consideration of potential effects on selected fish stocks at Sizewell</b> In relation to Table 7 it should be noted that these values make assumptions about the beneficial effects of the LVSE design and FRR system for which there is limited supporting evidence. For demersal fish, local depletion within GSB + tidal excursion is estimated at 6% with mitigation in place. This includes a factor of 6 reduction for LVSE design and FRR system. If more conservative assumptions were made concerning the effectiveness of the mitigation, local depletion would be greater. Some additional sensitivity analysis relating to assumptions on the effectiveness of the mitigation would be helpful.			MMO comments remain unchanged at this stage.	The updated SPP103 has repeated the local analysis using more conservative assumptions for LVSE and FRR. Agreed it confirms the local impact from fish entrapment is not significant.
MMO-353	Supplementary Information on Fish Assessments	<b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report SPP103 - Consideration of potential effects on selected fish stocks at Sizewell</b> In relation to section 3.4, the sensitivity analysis should include the effects of taking more conservative assumptions about the effectiveness of the LVSE and FRR mitigation measures (i.e. assume zero effectiveness).			MMO comments remain unchanged at this stage.	The updated SPP103 has repeated the local analysis using more conservative assumptions for LVSE and FRR. Agreed it confirms the local impact from fish entrapment is not significant.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-358	Supplementary Information on Fish Assessments	<p><b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report TR406: Impingement predictions based upon specific cooling water system design</b></p> <p>This report provides an updated assessment of predicted impingement impacts at SZC for key fish and shellfish species. It also provides an overall entrapment assessment, incorporating results from a separate entrainment assessment. The report also considers local-level effects on the fish assemblage at Sizewell, compliance with WFD requirements in local waterbodies and the effect of climate change on impingement rates.</p> <p>None of the changes to impingement or entrapment estimates change the conclusions in the ES. The assessment makes assumptions about the effectiveness of the LVSE system and Fish Recovery and Return (FRR) system. There is a lack of good evidence to support these assumptions and thus the scale of benefit is uncertain. MMO understands that there isn't any further work that can sensibly be done to reduce this uncertainty. Notwithstanding these uncertainties, the entrapment estimates indicate that even in the absence of LVSE and FRR mitigation measures, only 4 species exceed the 1% threshold: bass, for which density adjustment substantially reduces assessment of impact; sand goby, for which mortality rate &gt;1% SSB is not a concern at population level; thin-lipped mullet, for which value is an artefact of the low level of landings and absence of SSB; and eel, for which the applied EAV of 1 is unrealistically high, and is a species most likely to benefit from the FRR. On this basis, MMO consider there is a good level of confidence that actual impacts to all fish species will not be significant. Therefore MMO support the conclusions of the ES. There is a requirement to apply best available technology (BAT) in the design of the cooling water intakes and FRR system. As with Hinkley Point C there is inevitably some discussion around what might be considered feasible for offshore intakes and</p>			MMO comments remain unchanged at this stage.	MMO confirms the uncertainty in Entrapment Predictions Report reviews uncertainties in effectiveness of LVSE design and FRR system. Using conservative assumptions, the assessment confirms that impacts to fish from entrapment at population level will not be significant. The updated SPP103 has repeated the local analysis using the same conservative assumptions for LVSE and FRR and also confirms impact from fish entrapment is not significant. The MMO understands that a further assessment in relation to sea bass was provided at deadline 8, but we do not expect this to alter any of the conclusions reached on existing evidence.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
		<p>outfalls. MMO would like to see more evidence in relation to Acoustic Fish Deterrent (AFD) options (see comment MMO-362 below) before excluding them. However, while an effective AFD might further reduce impingement for some species, the absence of an AFD system should not be an impediment to consenting the project as the impacts without an AFD are not significant. MMO support the conclusions of the assessments of local impacts, in relation to the Transitional Fish Classification Index (TFCI) local WFD waterbodies, in relation to shellfish and for climate change which have all been assessed as not significant. MMO do not consider that any further work is required in relation to these.</p>				
MMO-359	Supplementary Information on Fish Assessments	<p><b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report TR406: Impingement predictions based upon specific cooling water system design</b></p> <p>On page 9, After 12. Conclusion – there appears to be some missing text as the next paragraph starts ‘51.6 cumecs...’ Please clarify/amend.</p>			MMO comments remain unchanged at this stage.	MMO comments remain unchanged at this stage.



Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-362	Supplementary Information on Fish Assessments	<b>ES Addendum (Vol. 3), Chapter 2, Appendix 2.17 A [AS-238], Report TR406: Impingement predictions based upon specific cooling water system design</b> In relation to section 2.3.5 MMO ask whether a smaller number of sound projectors might be installed using higher source level noise? Could you provide more evidence to justify why this option has been excluded? MMO also note that visibility at SZC is variable and is not zero for the whole year. However, even assuming an extreme case of zero effectiveness, none of the potential impacts would exceed thresholds of potential concern. The only exception might be bass if a worst case assumption was made that densities offshore of Dunwich Bank would be similar to those inshore following cessation of SZB. Although MMO consider such a worst case scenario to be very unlikely.			MMO comments remain unchanged at this stage.	See comments regarding AFD.
MMO-365	DCO Changes (Change 2 - Changes to BLF) - Underwater Noise Assessment	<b>5.10 Shadow Habitats Regulations Assessment Addendum [AS-173]</b> The updated assessment relating to the enhanced permanent BLF and temporary BLF in the Shadow HRA Addendum support the conclusions of the ES Addendum. MMO ultimately defers to Natural England on HRA matters, however we recommend the following information is provided. As noted above for the ES Addendum (MMO-298-300), the applicant should confirm if the underwater noise model and input parameters are the same or any different to what was used for the original Shadow HRA. The applicant should also clarify if the mechanical cutting activities that may be required during the decommissioning of the temporary BLF will generate any potential elevated levels of underwater noise that could affect marine fauna. In addition, the cumulative effects assessment relating to the combined piling scenario is not clear and evidence to support the statement that the combined effects are less than the worst-case scenarios for individual piling should be provided. See more details in MMO-366-below.			MMO comments remain unchanged at this stage.	Agreed addressed through TR538.

Ref. ID	Theme	Relevant Representation Comment	Applicant's Comments	MMO's comments	MMO's comments on draft DCO Revision 6 [REP5-028] and Revision 7 [REP6-007]	Status at D9 as agreed at Technical meeting (20 September)
MMO-366	DCO Changes (Change 2 - Changes to BLF) - Underwater Noise Assessment	<b>5.10 Shadow Habitats Regulations Assessment Addendum [AS-173]</b> Table 9.4 states that cumulative (24 hour) effects are reduced due to sequencing and maximum 2 piles per day. However, the pile diameter of the dolphin/fenders and hammer energy has increased so evidence should be clearly presented to support this statement.			MMO comments remain unchanged at this stage.	Agreed addressed through TR538.
MMO-367	DCO Changes (Change 2 - Changes to BLF) - Underwater Noise Assessment	<b>5.10 Shadow Habitats Regulations Assessment Addendum [AS-173]</b> In relation to sections 9.2.8 - 9.2.61 the outputs of the assessment of the impact of underwater noise from percussive piling on marine mammals are clearly presented. However, there are no details of the specific model, input parameters or permanent threshold shift (PTS) and temporary threshold shift (TTS) thresholds that have been used. These are assumed to be the same as those assessed in the previous Shadow HRA Report[AS-145-149] but it would be helpful for the applicant to confirm this.			MMO comments remain unchanged at this stage.	Agreed addressed through TR538.
MMO-368	DCO Changes (Change 2 - Changes to BLF) - Underwater Noise Assessment	<b>5.10 Shadow Habitats Regulations Assessment Addendum [AS-173]</b> In relation to sections 9.2.8 - 9.2.61 the underwater noise of the cutting of any piles and dolphins that are not possible to be removed by vibropiling during the decommissioning process (as per P288, s2.17.22 of the ES Addendum) has not been assessed. The applicant should clarify what levels of underwater noise might be generated by these mechanical cutting activities and confirm if they have the potential to result in an effect on marine fauna.			MMO comments remain unchanged at this stage.	Agreed addressed through TR538.
MMO-369	DCO Changes (Change 2 - Changes to BLF) - Underwater Noise Assessment	<b>5.10 Shadow Habitats Regulations Assessment Addendum [AS-173]</b> The following statement in section 9.2.40 is unclear: "A piling restriction to reduce the incidence of marine noise mean no additional piling would occur when mooring dolphins for the enhance permanent BLF are installed. Therefore, the maximum duration for daily overlap between the two BLFs would be six days of piling".			MMO comments remain unchanged at this stage.	Agreed addressed through TR538.