

**Issue Specific Hearing**  
**Biodiversity, biological environment and ecology including**  
**Habitats Regulation assessment**  
**The Brighton Centre Syndicate Wing**  
**30 October 2013**

**Agenda**

**1. Chair's Introduction**

**2. Habitats Regulation assessment and Matrices**

In the Rule 17 Letter of 21 October 2013, the applicant was required to submit all outstanding Habitats Regulation assessment work and the final completed matrices by 29 October 2013 at 12.00pm. They were also requested to bring sufficient hard copies for the attendees to this meeting.

The applicant is requested to describe the status of this work and describe the outcomes. In particular the ExA requires information on the migration modelling following the SOSS 5 methodology, and how these results inform the need and scope of in combination collision risk assessments and the apportionment of mortality to European sites.

The ExA requests a detailed update on which issues have been agreed or not agreed between the applicant and the relevant SNCBs.

**3. Piling restrictions**

Whether progress was made at the meeting between MMO and the applicant on 23 October 2013. Discussion of further noise modelling undertaken by the applicant and whether MMO and NE consider this to be sufficient.

Whether the further modelling undertaken by the applicant with regards to herring in order to define the location of specific restrictions to piling has been agreed and whether a draft requirement to secure this has prepared.

Whether further information on the spawning period for herring has been produced and if this provides sufficient information to reconsider the timing of the piling restrictions. Whether further discussion have been held between the applicant and NE.

Whether piling restrictions have been discussed and agreed for black bream and whether they provide adequate mitigation.

Whether agreement has been reached on the definition of the western and eastern areas in relation to piling restrictions.

#### **4. Chalk Grassland**

Whether agreement has been reached on the extent of the direct impacts on chalk grassland as noted in Appendix 15, para 2.4 of the applicant's submission of 15 October 2013.

Whether the assessment on the worst case scenario where restoration has not been successful has been agreed and what would be the detailed indicators of success. Whether progress has been made through a s106 agreement to mitigate the harm through the enhancement of other chalk grassland sites.

Whether the DCO requirement 20(2) also relates to the chalk grassland sites and if there is agreement on the wording.

Whether SDNPA is content with the information presented by the applicant on the heat impacts of cables on the chalk grassland sites. Whether a restriction on the cable size should be secured by requirement in the DCO.

Whether the applicant's approach to incorporate relevant findings from existing chalk grassland trials, rather than undertaking trials itself is appropriate. Whether this should be secured by requirement in the DCO.

#### **5. Ecological Survey findings for the 1km of cable route where access was previously denied**

Whether the WSCC, SDNPA and NE agree with the applicant's statement that *'no new issues have been identified that change the findings of the ecological assessment presented in the ES'*

#### **6. Tottington Mount Management Plan(TMMP)**

Discuss the outcomes of the meeting between E.ON and SDNPA on 17 October 2013 and whether agreement has been reached on the adequacy of the TMMP. Whether this should be secured by requirement in the DCO.

#### **7. Seahorses**

The ExA has now received data from the applicant. It is noted that the mitigation for black bream and herring are thought to be suitable for seahorse mitigation. Whether NE has received this information and if it considers it sufficient.

Whether there is an agreement on the conclusions of the report and the necessary mitigation. Whether this should be secured by a requirement in the DCO.

## **8. Updates on Statements of Common Ground**

The ExA requests updates on Statements of Common Ground with MMO, NE and other IPs in relation to ecological issues.

## **9. Other issues**

Discussion of further issues if required.

## **10. Any Other business**

**NOTE: The ExA had considered allowing oral cross-questioning at this hearing. The ExA has decided not to undertake this approach at this hearing, but may review the situation for further hearings.**