



Application by East Anglia Limited

East Anglia THREE Offshore Wind farm

The Examining Authority's first written questions and requests for information

Issued on Wednesday 6 July 2016

The following table sets out the Examining Authority's (ExA) first written questions and requests for information.

Column 2 of the table indicates **to whom questions are directed**. In no way does this preclude an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a **unique reference number** which combines a section number and a question number.

When you are answering a question, please start your answer by quoting the unique reference number.

If you are answering a limited number of questions, responses in a letter format will suffice. If you are answering several questions, it will assist the ExA if you use a table based on that used below. An editable version of this table, in Microsoft Word, is available on request from the case team by emailing:

EastAngliaThree@pins.gsi.gov.uk

Question to:		Question:
G	General	
GA1	Applicant	Please set out the rationale for the number and locations of the jointing bay compounds that are being proposed.
GA2	Applicant and Local Authorities	<p>In the event that the haul roads, Construction Consolidation Sites (CCSs) and other elements of the scheme were left <i>in situ</i> between East Anglia ONE and East Anglia THREE Offshore Wind Farms, could the Applicant set out the proposed maximum timescales that they would be left as such and the trigger mechanisms for their reinstatement?</p> <p>Could the Local Authorities also please provide comments on the above matter?</p>
GA3	Little Bealings Parish Council and Applicant	<p>Little Bealings Parish Council in its Relevant Representation (RR) [RR-007] has raised concerns about the safety of local residents as a result of the use of High Voltage Alternating Current (HVAC) instead of High Voltage Direct Current (HVDC). Could Little Bealings Parish Council please expand on these concerns?</p> <p>Does the Applicant have any comments to make on Little Bealings Parish Council's RR with regard to the safety of residents associated with HVAC vs HVDC?</p>
GA4	Applicant	Please identify a relevant plan which shows the 'points' that reference the grid coordinates listed in the draft Development Consent Order (DCO) in

Question to:		Question:
		Schedule 1 Part 1, paragraph 2.
GA5	Applicant	Given that the East Anglia ONE Offshore Wind Farm (Corrections and Amendments) Order 2016 contains certain corrections to latitude and longitude coordinates, and as referred to at the DCO Issue Specific Hearing, can the Applicant confirm the accuracy of those coordinates listed within the draft DCO?
PN	Principle and nature of the development	
PN1	Applicant	Please provide an indicative layout for the proposed substation(s) during construction, to include all land required for construction activities. Could the Applicant also demonstrate how the substation(s) for East Anglia THREE Offshore Wind Farm interacts with the substation for East Anglia ONE Offshore Wind Farm?
PN2	Applicant	Please provide an indicative layout of a proposed Primary Construction Consolidation Site (PCCS). Could the Applicant also clarify whether both of the proposed PCCSs would have the same layout?
PN3	Applicant	Please indicate whether a joint Sustainable Drainage System (SuDS) solution in conjunction with the East Anglia ONE Offshore Wind Farm substation has been considered and, if not, please provide details of the proposed run-off attenuation storage for the East Anglia THREE Offshore Wind Farm substation(s) in accordance with SuDS principles.

Question to:		Question:
PN4	Applicant	What are the factors that will determine whether the final decision (said to be made post-consent) will be for High Voltage Direct Current (HVDC) or Low Frequency Alternating Current (LFAC) transmission given that the choice has implications for the provision or not of offshore converter stations, or greater amounts of cabling and a larger compound area for the onshore substation?
PN5	Applicant	Please explain the proposed cable types and scenarios, for both onshore and offshore, and clarify the terminology used in the Environmental Statement (ES) in relation to the proposed cabling? Could the Applicant also confirm the number and types of onshore cables that it is anticipated would be used according to the different scenarios?
PN6	Applicant	Work No.4 – interconnection between East Anglia ONE and East Anglia THREE Offshore Wind Farms– is included within the DCO as associated development. Paragraph 4.4 of the Cable Statement indicates that the interconnection is required for the transmission of electricity between either wind farm. Please explain why it is necessary for the transmission of electricity between the two projects.
PN7	Applicant	Please explain how jointing bays for the onshore cables would relate to those that will be required for East Anglia ONE Offshore Wind Farm and does scope exist for the rationalisation of such bays between the two projects?
PN8	Applicant	Paragraph 163 of Chapter 5 of the ES states that a magnetic field in proximity to HVAC sub-sea cables is null and its presence in the sea bottom is inert. What is the position if HVDC is used?

Question to:		Question:
CL	Construction onshore	
CL1	Applicant	Please provide a detailed Code of Construction Practice (CoCP) for one of the stages of the construction works.
CL2	Applicant	Is draft DCO Requirement 25 intended to include all activities being undertaken at any of the Construction Consolidation Sites (CCSs)?
CL3	Applicant	Please set out the proposed methodology for the storage, management and replacement of all topsoil and subsoil arising as a result of construction operations, and clarify how this will be incorporated into the draft DCO.
CL4	Applicant	Please provide details of the temporary ramp and haul road to the base of Bawdsey Cliffs if the 'short duct' method is utilised?
CL5	Applicant	The RR of Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC) [RR-023] sought additional details in regard to the maintenance, inspection routines and access for vehicles in respect of buried cables on the foreshore, and on inspection and maintenance actions in the event of cable exposure on the foreshore. Please can the Applicant provide clarification on these matters?
CL6	Suffolk Coastal District Council and Waveney District Council	Please provide an update on the refused residential planning application at Top Street, Martlesham which the Councils state in their joint RR [APP-023] involves land affected by the cable corridor.

Question to:		Question:
CL7	Applicant, Environment Agency	Please provide an update on any discussions regarding dewatering that may be necessary as part of the jointing bay process.
CL8	Environment Agency	Please expand on your disagreement with some of the criteria used for considering the sensitivity of water-bodies in Chapter 21 of the ES [APP-129], as identified in your RR [RR-038] and the consequences of this.
CL9	Applicant	The Environment Agency notes that the onshore cable route passes through areas of non-tidal flooding associated with the Rivers Gipping, Lark, Fynn and Somersham but that the nature of the flood risk at these locations does not appear to be assessed. Please comment.
TT	Traffic and Transport	
TT1	Suffolk County Council, the District Councils and Parish Councils.	As indicated in ES Chapter 27 [APP-135], Table 27.3, the Applicant has raised the possibility that subject to the necessary agreements and consents, parts of the haul road used for East Anglia ONE Offshore Wind Farm could be left <i>in-situ</i> rather than being re-instated, for the future use of East Anglia THREE Offshore Wind Farm construction traffic. In addition, the possibility has been raised that if the East Anglia THREE Offshore Wind Farm works were to be implemented in a two phased project then lengths of the haul road could be left <i>in-situ</i> between these two phases. Please comment on your preference regarding the haul roads being re-instated or left <i>in-situ</i> between projects and/or the phases of East Anglia THREE Offshore Wind Farm.
TT2	Applicant	Please confirm that 20 (two-way) vehicle movements, as referenced in ES Chapter 27 [APP-135], Table 27.3, means 10 inbound vehicle movements and

Question to:		Question:
		10 outbound vehicle movements, and that the six (two way) vehicle movements that are also referred to in Table 27.3 means 3 inbound vehicle movements and 3 outbound vehicle movements.
TT3	Applicant and SCC	<p>Please confirm that all vehicles, including Heavy Goods Vehicles (HGVs) carrying construction materials and all staff, would first report to one of the two PCCSs before making an onward journey. How will this be monitored and enforced?</p> <p>Can SCC provide specific comment on the adequacy of the two proposed PCCSs in terms of highway safety, having specific regard to whether adequate visibility splays can be achieved in both directions for all vehicles exiting the PCCSs?</p>
TT4	Applicant	Could the Applicant please set out the criteria for determining whether place to place widening along proposed haul roads will be required?
TT5	Applicant	Please set out the measures by which details of pending construction works will be advertised in the local community.
TT6	Applicant and SCC	<p>Can the Applicant and SCC please clarify how the traffic routing arrangements, including the commitment for HGVs not to travel through either Sproughton or Coddendam, would be monitored and enforced?</p> <p>Can the Applicant provide details of what sanctions would apply against any HGV drivers that contravened these routing arrangements?</p>
TT7	Applicant	In its RR [RR-024], SCC has raised a number of concerns with regards to the

Question to:		Question:
		transport assessment presented in ES Chapter 27 [APP-135], particularly in relation to car sharing, cycling and the outline travel plan. Could the Applicant provide a response to the points raised by SCC in paragraphs 148 to 164 of its RR [RR-024]?
AQ	Air Quality	
AQ1	Applicant, SCC and District Councils	<p>The Outline CoCP [APP-281] refers to an Air Quality Management Plan (AQMP) forming part of a 'construction CEMP'. Can the Applicant set out the methodology, timescale and consultation process for producing the proposed AQMP (ES Chapter 20 [APP-128], page 11, Table 20.5) and clarify how the 'construction CEMP' relates to the CoCP?</p> <p>Do SCC and the District Councils have any comments to make on the proposed AQMP?</p>
AQ2	Applicant, SCC and District Councils	<p>Could the Applicant explain how the mitigation measures for dust during the construction phase(s) are to be carried out, and also set out how dust emissions are to be monitored in order to determine whether the residual effects require additional mitigation (ES Chapter 20 [APP-128], paragraph 44).</p> <p>Do SCC and the District Councils have any concerns with regards to the proposed measures to control dust arising during construction operations?</p>

Question to:		Question:
GGC	Geology and ground conditions	
GGC1	Applicant	ES Chapter 19 [APP-127] p7, refers to a Statement of Common Ground (SoCG) being provided for soils, geology and ground conditions. Please provide a summary of the proposed content and the timescale for the provision of this document. Can the Applicant also identify the parties to the proposed SoCG?
GGC2	Applicant	Can the Applicant please clarify how the figures for spoil and material to be stored on site, as set out in ES Chapter 19 [APP-127], Table 19.2, have been calculated. What allowance, if any, has been made for 'bulking up' of replaced materials?
GGC3	Applicant	ES Chapter 19 [APP-127] paragraph 24 refers to adherence to an Incident Response Plan. What is the status of this document, when will it be provided and how will it be secured through the draft DCO?
GGC4	Applicant	Can the Applicant please set out the mechanism by which ground stability in the vicinity of the proposed substation(s) is to be monitored and, if required, mitigation measures undertaken?

Question to:		Question:
NV	Noise and Vibration	
NV1	Applicant	As it has not been decided whether a HVDC or LFAC substation will be required, can the Applicant justify the use of noise modelling for the proposed substation(s) that is based on the East Anglia ONE Offshore Wind Farm?
NV2	Applicant	Please can the Applicant provide further information on the reversing alarms that are fitted on the HGVs that are proposed to be used for construction operations?
NV3	SCC and the relevant District Councils	Please comment on the noise mitigation measures outlined in ES Chapter 26 [APP-134] page 51, and, in particular, whether these measures will ensure night time noise would be reduced to below the 35db threshold at the locations that are predicted to experience a 'major adverse' noise impact without any mitigation.
NV4	Applicant	Please can the Applicant provide details and locations of proposed noise barriers/acoustic screens, and set out how the proposed landscape planting has been considered in regard to noise mitigation?
NV5	Applicant and SCC	What mechanism is there to inspect the proposed haul roads for potholes and to secure a programme of temporary or permanent pothole infilling (ES Chapter 26, [APP-134], paragraph 73).

Question to:		Question:
AV	Aviation	
AV1	Applicant, Ministry of Defence	The Ministry of Defence (MoD) in its RR [RR-020] states that it is expecting a mitigation modelling report from the Applicant relating to impacts on radar, in order to be able to comment on the acceptability of Requirement 33 in the draft DCO. Please can an update on this be provided?
EL	Ecology onshore	
EL1	NE, Local Authorities and Suffolk Wildlife Trust	Are you content with the ecological surveys and data sources, as detailed in Table 23.7 of ES Chapter 23 [APP-131]? Do you have any outstanding concerns with regards to the terrestrial ecology baseline data?
EL2	Applicant	Could the Applicant set out the measures by which the lighting for the substation(s), in accordance with Table 23.16 of the ES Chapter 23 [APP-131], will be secured and its effect monitored in regard to bats?
EL3	Applicant	Please clarify the roles and responsibilities of the Ecological Clerk of Works and the Arboricultural Clerk of Works (as per the Outline Landscape and Ecology Management Strategy (OLEMS) [APP-286] page 10).
EL4	Applicant	Could the Applicant set out the relationship between the Arboricultural Implications Assessments, Arboricultural Method Statements, Tree Protection Plans and Mitigation Strategy and how these are to be secured in the draft DCO Requirements (as per OLEMS, page 13 [APP-286])?

Question to:		Question:
EL5	Applicant	Can the Applicant please clarify how the proposed Landscape Management Scheme (LMS) ties in with the Mitigation Strategy referred to above (at question EL4)?
EL6	NE	With reference to the comments made in Suffolk Wildlife Trust's RR [RR-034] regarding changes to the licensing regime for water voles, could Natural England (NE) confirm whether it is satisfied with the information provided in the ES in regard to water voles, and confirm whether the Applicant would require a licence in respect of water voles for the proposed development?
EL7	Applicant, NE	Suffolk County Council (SCC) has raised concerns in its RR [RR-024] with regards to the potential impact of long term retention of the proposed haul roads on bats and the adequacy of the proposed mitigation. Could the Applicant respond to the point raised at paragraph 94 of SCC's RR? Does NE have any outstanding concerns with regards to the predicted impacts on bats and the Applicant's proposed mitigation?
ELO	Ecology onshore – Ornithology	
ELO1	NE, RSPB	Can NE and RSPB confirm that the one wintering season survey, supplemented by WeBS data from the British Trust for Ornithology, is sufficient to provide a robust assessment?

Question to:		Question:
EL02	Applicant	<p>SCC states in its RR [RR-024] that the impact on skylark has not been mitigated and, whilst it acknowledges that impact on skylarks would not be significant in Environmental Impact Assessment (EIA) terms, SCC considers the predicted impacts on skylarks should be compensated for, in accordance with NPS EN-1 (paragraphs 91 to 93).</p> <p>Could the Applicant comment on what measures, if any, are available to mitigate impacts on skylarks within the proposed mitigation package?</p>
CO	Construction offshore	
CO1	Applicant	Please provide an update on discussions with Galloper Offshore Wind Farm Ltd and Greater Gabbard Offshore Wind Limited in respect of cable crossing agreements (ES Chapter 18, Table 18.1).
CO2	Applicant	ES Chapter 18, [APP-126] section 18.5.4 notes that there are currently licensed oil and gas areas which overlap with the East Anglia THREE Offshore Wind Farm site. These are licensed to ENI, which proposes to drill one exploratory well within the site and two wells in close proximity. What are the implications of this, how would mutual interests be safeguarded, and please detail any ongoing engagement with relevant operators?
CO3	Applicant, MMO, MoD	Given the possibility of the presence of unexploded ordnance within the East Anglia THREE Offshore Wind Farm site, are parties satisfied that risk can be reduced to as low as reasonably practicable (ALARP) through proposed embedded mitigation and matters such as pre-construction monitoring and surveys that are secured through condition 17 of the Deemed Marine Licences

Question to:		Question:
		(DMLs)?
CO4	Applicant	ES Chapter 28, [APP-136] paragraphs 97-98 note that Great Yarmouth, Lowestoft and Harwich could potentially be used for construction, or operation and maintenance for the project. Has any decision on the chosen port(s) been made yet or is likely within the Examination period?
LH	Visual, Landscape and Heritage – onshore	
LH1	Applicant, Local Authorities and Historic England	Please comment on the current status and results of the archaeological evaluation being undertaken in connection with the East Anglia ONE Offshore Wind Farm scheme, including any implications for the East Anglia THREE Offshore Wind Farm.
LH2	Applicant	As indicated in paragraph 46 of the Outline Written Scheme of Investigation: Archaeology and Cultural Heritage (Onshore) [APP-284] what is the proposed methodology for identifying substantial areas of impact beyond those already investigated as part of the East Anglia ONE Offshore Wind Farm project, and for determining whether or not trial trenching would be required in any such areas?
LH3	Applicant	What degree of flexibility is there with the precise siting of the proposed jointing bay compounds?
LH4	Applicant	With reference to ES Chapter 25 [APP-133] paragraph 24, to what extent has

Question to:		Question:
		the further archaeological evaluation covered the stretches of open trenching required in connection with the substation(s)? If it has not covered these areas, will this be covered in a specific Written Scheme of Investigation (WSI)?
LH5	Applicant	How would any necessary archaeological mitigation or further investigation in regard to any further groundworks that may be required for maintenance purposes, as referenced in ES Chapter 25 [APP-133] paragraph 127, be secured in the draft DCO?
LH6	Applicant, Suffolk County Council, Suffolk Coastal District Council and Waveney District Council.	With reference to the points raised in the RRs of SCC [RR-024] and SCDC and WDC [RR-023] could the Applicant set out the implications of ash dieback (<i>Chalara fraxinea</i>) for the existing woodlands and proposed landscaping, particularly in connection with the proposed substation(s)? Could an update be provided with regards to any discussions held between the Applicant and the relevant Local Authorities on this matter since the submission of the DCO application?
LH7	Applicant	Please clarify the reasons for the gap in the proposed landscaping to the north of the substation(s) for the East Anglia THREE Offshore Wind Farm.
LH8	Historic England	The Suffolk Preservation Society (SPS) has raised concerns in its RR [RR-012] with regard to the " <i>further significant impacts of a Converter station on the setting of designated heritage assets together with considerable concerns about future identified expansions</i> ".

Question to:		Question:
		SPS also expresses reservations regarding the adequacy of the assessment, in particular during the operational period of the substation(s). Please could Historic England comment on the adequacy of the Applicant's assessment, having particular regard to the settings of designated heritage assets? Does it have any concerns regarding the Applicant's assessment?
LH9	Applicant	Please explain how the concept of good design as set out in National Policy Statement (NPS) EN-1 has been taken into account in relation to both onshore and offshore components of the project.
LH10	Applicant, relevant local authorities	<p>East Anglia ONE Offshore Wind Farm has an accompanying S106 development consent obligation relating to off-site planting. Is there any intention for off-site planting to mitigate the visual impact of the East Anglia THREE Offshore Wind Farm substation(s) or is reliance being placed on the mitigation to be secured through East Anglia ONE Offshore Wind Farm? If the latter:</p> <ul style="list-style-type: none"> a) could the Applicant supply a copy of the concluded S106 obligation; b) state what progress has been made towards securing the landscaping; and c) state if there are there any plans showing the location of actual or proposed planting.
LH11	Applicant	Table 2 of the Design and Access Statement (DAS) [APP-283] refers to Design Principles for the substation, the key principles having been agreed for East Anglia ONE Offshore Wind Farm. Principle 1 refers to the discharge of conditions which relate to East Anglia ONE Offshore Wind Farm and therefore requires updating to make it relevant to the present project. Do the Design

Question to:		Question:
		Principles require refinement to make them more fit for purpose, as claimed by the Suffolk Preservation Society in its RR [RR-012] and, if so, how should this be done?
LH12	Applicant	The Suffolk Preservation Society in its RR [RR-012] suggests that there has been a failure to provide a clear and accessible narrative account of how the significance of heritage assets' settings would be affected by the converter station. Please comment.
LH13	Applicant	Please comment on the claim by the Suffolk Preservation Society [RR-012] that the landscape impacts of the scheme in relation to the substation(s) have not been fully identified or adequately mitigated, and have been underestimated.
LH14	Applicant	Babergh and Mid Suffolk District Councils note in their RR [RR-029] that a strategic master plan for the East Anglia ONE Offshore Wind Farm substation has been produced. It is suggested that this should be used to inform the present project. Please provide a copy of this master plan and comment on its applicability and utility for the consideration of the East Anglia THREE Offshore Wind Farm substation(s).
BE	Benthic Ecology Issues	

Question to:		Question:
BE1	Applicant	In ES Chapter 5 [APP-113] Table 5.7, scour protection areas are given for jacket foundations. Can the Applicant provide further reasoning for the rationale for scour protection around suction caissons being one diameter either side of the caisson?
BE2	Applicant	In ES Chapter 5 [APP-113] Table 5.18, the total estimated scour protection required for East Anglia THREE Offshore Wind Farm is given as 2,673,260m ² . However, Requirement 9 of Schedule 1 Part 3 of the draft DCO [APP-025] states that the total amount of scour protection must not exceed 2,6726km ² . Can the Applicant explain the apparent discrepancy and confirm that the worst case scenario has been considered in the ES?
BE3	NE, MMO	<p>1) In ES Appendix 10.1, Benthic Ecology Evidence Plan [APP-154] Cefas expressed concern regarding <i>Mytilus</i> found in the cable route and considered that a pre-construction survey may be required if it was reef forming. Appendix 5.4(6) of the Habitats Regulations Assessment (HRA) Evidence Plan Agreement Logs [APP-107] goes on to state that NE and the MMO (with Cefas as their advisers) agree "<i>that detailed assessment of biogenic reef (Sabellaria or Mytilus) is a matter for pre-construction survey and final routeing.</i>"</p> <p>2) NE expressed concern both in ES Appendix 10.1 [APP-154] and in its RR [RR-003] regarding the survey methodology proposed to monitor the presence, extent and elevation of <i>Sabellaria spinulosa</i> and suggested an alternative methodology involving drop down photography.</p> <p>3) NE continues, in the RR, to suggest that mitigation "<i>could include waiting</i></p>

Question to:		Question:
		<p><i>for visibility to clear during periods of slack water or, if available, use of a freshwater lens."</i></p> <p>4) NE, in Table 10.1 of ES Chapter 10 Benthic Ecology [APP-118] noted "<i>that there are four distinct areas showing consistently high Sabellaria presence, with reef identified in Figure 21 and Figure 50. These areas appear to be established and therefore it is our view that a buffer may be required around these areas."</i></p> <p>5) NE considers it best practice to implement a monitoring regime to investigate the impacts construction and operation have on brittlestar (<i>Ophiuroidea</i>) beds as they are considered a species of conservation interest.</p> <p>Are NE and MMO content that the In Principle Monitoring Plan (IPMP) [APP-295] adequately addresses these concerns and that they are secured through the DMLs?</p>
BE4	Applicant, NE	<p>The Applicant includes the following as embedded mitigation in ES Chapter 10 [APP-118]: "<i>sea bed disturbance would be minimised by not placing gravity base structures in areas where sandwaves are greater than 5m, therefore reducing the potential for increased suspended sediment, reducing the potential for habitat impact"</i>.</p> <p>Could the Applicant clarify how this embedded mitigation would be secured, through the draft DCO or DMLs, as appropriate? Have there been any further discussions with NE on this matter, in light of the point raised at paragraph</p>

Question to:		Question:
		5.4.2 of its RR [RR-003]?
BE5	Applicant, NE, MMO	<p>The Applicant includes the following as embedded mitigation in ES Chapter 10 [APP-118]: <i>"Should dredging be required in the vicinity of station 30 (see Figure 8.1) where elevated levels of arsenic have been detected, EATL would collect further data to assess the extent of the affected area and if found to be extensive would agree with the MMO a strategy for the disposal of material from this area to minimise impacts"</i>.</p> <p>Could the Applicant comment on whether it intends to secure this embedded mitigation through the draft DCO or DMLs, as appropriate?</p> <p>NE, in RR-003 paragraph 5.4.3, considers that a monitoring method for recording elevated levels of arsenic should be included in the IPMP. Could the Applicant confirm whether it intends to amend the IPMP to include for such monitoring?</p> <p>MMO, in its RR [RR-031], requests that this area (Site 30) be excluded from any dredge and disposal granted by this licence. It goes on to state that should dredge and sediment disposal become necessary in this area, additional marine licence applications will be required and onshore disposal considered.</p> <p>Could the MMO confirm whether the Applicant's ES sufficiently assesses the implications of dredge and disposal in this area, including the necessary mitigation measures to do so?</p>

Question to:		Question:
		<p>Could the Applicant and the MMO provide an update with regard to any agreements reached in respect of Site 30, including any proposals to exclude this area from dredge and disposal consent? Could the Applicant and MMO also comment on how such restrictions would be secured through the DCO/DMLs?</p>
BE6	Applicant, NE, MMO	<p>NE, in RR-003 paragraph 5.4.4, discusses the status of Orford Inshore recommended Marine Coastal Zone (rMCZ). Can NE provide an update on the status of Orford Inshore rMCZ?</p> <p>NE states in its RR that "<i>Recommended MCZ are a material consideration in the marine licensing process</i>" and also that "<i>Orford Inshore rMCZ contains a features (subtidal mixed sediment) that may be affected by cable installation, operation and decommissioning.</i>" The Applicant states at paragraph 143 of ES Chapter 10 [APP-118] that "<i>...at this stage the Orford Inshore recommended MCZ is not being considered for designation and therefore in line with guidance provided by the MMO it is not considered within this EIA.</i>"</p> <p>Could NE and MMO comment on whether the Applicant would be required to undertake further assessment for the marine licence in respect of the rMCZ? In NE's opinion, does the Applicant's ES adequately assess the feature (subtidal mixed sediment) of the rMCZ? Does NE have any outstanding concerns with regard to effects on the rMCZ as a result of the proposed development?</p>

Question to:		Question:
BE7	Applicant	The percentage of the East Anglia Zone affected by East Anglia THREE Offshore Wind Farm is stated in paragraph 291 of ES Chapter 10 [APP-118] as 0.34%, which is different to that stated in Table 10.2 (0.43%). Can the Applicant clarify which is the correct figure?
BE8	NE, Applicant	NE, at paragraph 5.4.6 of its RR [RR-003], advises that assumptions of homogeneity in East Anglia THREE Offshore Wind Farm cannot be extended to the cumulative sensitivity of habitats across the southern North Sea. Have NE and the Applicant come to agreement on this aspect?
BE9	NE, Applicant	NE, at paragraph 5.4.7 of its RR [RR-003], states that the assessment of cumulative impacts varies in context between the North Sea and the southern North Sea, and that NE would welcome consistency, notably in paragraph 361 of the ES. Have NE and the Applicant come to agreement on this aspect?
ECO	Ecology offshore – ornithology	
ECO1	Applicant, NE	With reference to the Evidence Plan [APP-170] and NE's RR [RR-003], which refers to on-going discussions post-acceptance, can the Applicant and NE provide an update on the outstanding issues related to offshore ornithology?
ECO2	Applicant, RSPB	With reference to the Evidence Plan [APP-170] and RSPB's RR [RR-035], which refers to on-going discussions post-acceptance, can the Applicant and RSPB provide an update on the outstanding issues related to offshore ornithology?

Question to:		Question:
ECO3	Applicant, NE, RSPB	<p>What progress has been made in resolving the methodological and impact assessment issues raised primarily in NE's RR [RR-003] in relation to the Applicant's ornithological assessment for East Anglia THREE Offshore Wind Farm <u>alone</u>, including issues in relation to:</p> <ul style="list-style-type: none"> (a) Use of PBR vs PVA - the need for Population Viability Analysis (PVA) modelling (b) Displacement – guillemot, razorbill and puffin <ul style="list-style-type: none"> (i). The determination of appropriate breeding season population scales and sizes for species (ii). The method for summing seasonal displacement impacts (c) Collision - kittiwake <ul style="list-style-type: none"> (i). The appropriate population scale used to assess impacts in the PVA model (ii). Use of density dependent model vs density independent model (d) Collision - great black-backed gull <ul style="list-style-type: none"> (i). The need for PVA modelling for this species (ii). Use of appropriate population scale and apportioning
ECO4	Applicant, NE and RSPB	<p>What progress has been made in resolving the methodological and impact assessment issues raised primarily in NE's RR [RR-003] in relation to the Applicant's ornithological assessment for East Anglia THREE Offshore Wind Farm <u>cumulatively</u>, including issues in relation to:</p>

Question to:	Question:
	<p>(a) Displacement – guillemot, razorbill and puffin</p> <ul style="list-style-type: none"> (i). The assessment of cumulative impacts across the whole annual cycle by summing of seasonal impacts. Followed by assessing the cumulative totals against an appropriate population scale (ii). The use of 70% displacement and 10% mortality as the worst-case (iii). The addition of displacement impacts in the breeding season from other North Sea projects to the overall cumulative assessment of displacement impacts – the need for further assessment (iv). The significance of cumulative displacement impacts on guillemot (v). The significance of cumulative displacement impacts on razorbill (vi). The significance of cumulative displacement impacts on puffin <p>(b) Collision risk - gannet</p> <ul style="list-style-type: none"> (i). The need for further population modelling for gannet and the implications of the cumulative effect <p>(c) Collision risk – kittiwake</p> <ul style="list-style-type: none"> (i). The need for further population modelling for kittiwake (ii). Use of density dependent model vs density independent model (iii). The appropriate population scale used to assess impacts in the PVA model (iv). Any proposals of best practice that can reduce the cumulative/in-combination collision total

Question to:		Question:
		<p>(d) Collision risk – lesser black-backed gull (i). Need for further consideration as to the appropriate scale for assessing impacts</p> <p>(e) Collision risk – herring gull (i). Need for further consideration as to the appropriate scale for assessing impacts</p> <p>(f) Collision risk – great black-backed gull (i). Need for further population (PVA) modelling</p>
ECO5	Applicant, NE	<p>Can the Applicant and NE provide comment on the minor/additional points raised by NE in Appendix 1 to its RR [RR-003], where they are not addressed above? Have any agreements been reached and/or amendments to the documents proposed, particularly in relation to (but not limited to) the following?</p> <p>(a) Displacement from the project alone: (ii). The points raised in NE's RR Appendix 1 [RR-003] in relation to gannet (points 12, 13, and 14) (iii). The points raised in NE's RR Appendix 1 [RR-003] in relation to auks (points 15 to 24) (iv). The points raised in NE's RR [RR-003] in relation to red throated diver (points 5, 6, 10, and 11)</p> <p>(b) Collision risk from the project alone: (i). Clarification regarding which model was used for non-seabird</p>

Question to:		Question:
		<p>migrants - Migropath or SOSS-05?</p> <ul style="list-style-type: none"> (ii). Need to include breeding season impacts (iii). The nocturnal factor used for gulls (iv). The additive impact of collision and displacement impacts (v). The need to update Table 13.35 for seabird migrants
ECO6	Applicant, NE, MMO, RSPB	<p>Paragraph 2.6.71 of NPS EN-3 supports ecological monitoring to mitigate where appropriate any adverse ecological impacts of the project under consideration, and to enable further useful information to be provided for future projects.</p> <ul style="list-style-type: none"> (a) Can the Applicant please expand on the intended offshore ornithological monitoring programme for the full life cycle of the East Anglia THREE Offshore Wind Farm project, including any proposed pre-construction monitoring? (b) Can the Applicant expand on the proposed monitoring in relation to gannet, which is identified as a secondary species in the In Principle Monitoring Plan [APP-295], with reference to NE's comment at point 27 of Appendix 1 to its RR [RR-003]? (c) Is NE content with the approach to the offshore ornithological monitoring for East Anglia THREE as currently proposed in the In Principle Monitoring Plan [APP-295]? (d) Are NE and MMO content that the current conditions in the dDMLs provide sufficient certainty about the delivery of monitoring measures (as specified in the IPMP)?

Question to:		Question:
ECO7	Applicant, NE	<p>Designated sites:</p> <p>(a) Can the Applicant clarify whether the designated sites listed in Table 13.10 of ES Chapter 13 [APP-121] are only those that may have connectivity to the proposed development, with reference to point 2 of Appendix 1 of NE's RR [RR-003]?</p> <p>(b) Can the Applicant confirm whether any adverse impacts are predicted on any of the Site of Special Scientific Interest (SSSIs) identified in Table 13.10 of ES Chapter 13 [APP-121]?</p> <p>(c) Does NE have any concerns regarding the impacts on SSSIs as a result of the proposed development?</p>
ECO8	Applicant, NE, RSPB	<p>With reference to point 3 in Appendix 1 of NE's RR [RR-003] and Table 13.11 of ES Chapter 13 [APP-121], can the Applicant confirm whether the change in conservation status of kittiwake, puffin, and red-throated diver, as reported in the most recent 'Birds of Conservation Concern 4' (2015), alters the conclusions of the impact assessment?</p> <p>Do NE and RSPB consider that the conclusions of the impact assessment are altered by this change in status?</p>
ECO9	Applicant, NE, RSPB, Rijkswaterstaat	Can the Applicant and NE respond to the point raised by Rijkswaterstaat in its RR [RR-016] concerning the sensitivity assigned to guillemot in the

Question to:		Question:
		assessment, as reported in Table 13.14 of ES Chapter 13 [APP-121]? Does NE or RSPB have any concerns regarding the Applicant's assignment of sensitivity to guillemot?
ECO10	Applicant, NE, MMO	Can the Applicant clarify the number of concurrent piling events assessed in ES Chapter 13 [APP-121] for each offshore ornithology receptor? Is the statement in paragraph 77 of ES Chapter 13 correct, which states " <i>no more than <u>one</u> foundation expected to be installed at any time</i> " [emphasis added]? Are the NE and the MMO satisfied that the dDCO and dDMLs are sufficient to ensure that the number of concurrent piling events would not exceed two, as assessed in the ES?
ECO11	NE, MMO	In ES Chapter 13 [APP-121], Table 13.2 lists the worst-case assumptions considered for the impact assessment presented, including assumptions regarding the maximum number of vessels to be used during construction. Are the MMO and NE satisfied that the controls in the dDCO and DMLs are sufficient to ensure that the maximum number of vessels used in construction, as assessed as a worst-case assumption in the ES, is secured?
ECMM	Ecology offshore – marine mammals	
ECMM1	MMO, NE	Regarding underwater noise, the dDCO and DMLs [APP-025] do not constrain piling duration. Are the MMO and NE satisfied that the wording of the draft DMLs is sufficient to ensure that the duration of piling would not exceed the

Question to:		Question:
		durations given and assessed in ES Chapter 12 [APP-120]?
ECMM2	MMO, NE	There are no constraints within the DCO [APP-025] on the maximum hammer energy that would be used during piling. Are the MMO and NE satisfied that the wording of the draft DMLs is sufficient to ensure that the hammer energy used during piling would not exceed the figures given in the ES?
ECMM3	Applicant, MMO	The ES states that lethal injury and auditory injury from piling activities would be avoided through the use of the mitigation zone. The exact extent of the mitigation zone will only be determined post-consent. Can the Applicant indicate whether the mitigation zone could end up extending beyond the Order limits and, if so, would this preclude its implementation? Does the MMO think that this could preclude its implementation?
ECMM4	NE	ES Chapter 12 [APP-120] considers inter-related effects on marine mammals in relation to prey species, vessel noise, ship strikes, ducted propellers and underwater noise from pile driving and operational noise. The ES considers the individual effects from each of these impacts but does not consider combined effects on marine mammals. Is NE satisfied that any inter-related (within project) effects on marine mammals have been fully addressed?
ECMM5	Whale and Dolphin Conservation, NE	ES Chapter 12 [APP-120] includes an assessment of cumulative impacts on marine mammals at Section 12.7. The Applicant's methodology and rationale for the projects considered is described in Section 12.4.4, supported by Appendix 12.1 [APP-164]. Whale and Dolphin Conservation in its RR [RR-002] states that the cumulative effects of offshore wind farms with other industries operating in the marine environment (such as shipping, oil and gas exploration) are largely unknown, but it is important that cumulative and in-

Question to:		Question:
		<p>combination impacts be adequately considered.</p> <p>Can Whale and Dolphin Conservation explain what further information they would expect to see from the Applicant in relation to cumulative effects? Does NE agree with the Applicant's approach to assessing effects from oil and gas exploration?</p>
ECMM6	Applicant, NE	<p>ES Chapter 12 [APP-120] emphasises the level of uncertainty in completing a cumulative impact assessment and the need for strategic assessment. The Applicant refers to the DEPONS (Disturbance Effects on the Harbour Porpoise Population in the North Sea) and the Population Consequences of Disturbance (PCoD) models, which will consider cumulative population level effects from underwater noise. NE, in RR-003, also refers to these models and they do not advise the Applicant to undertake any further work at the current time to address the strategic issue of cumulative noise effects on underwater mammals. The Wildlife Trusts state in its RR [RR-022] that they do not feel the DEPONS project is sufficiently advanced for its conclusions to be relied on or to deliver monitoring in future.</p> <p>Can NE or the Applicant provide an update on whether the PCoD or DEPONS models have been finalised? If so, can the results be provided to the examination? Is any further analysis of cumulative effects of piling on marine mammals required?</p> <p>Are NE satisfied that relying on the DEPONS project would provide adequate monitoring?</p>
ECMM7	NE	Does NE agree with the conclusions of the Applicant's cumulative impact

Question to:		Question:
		assessment presented in ES Chapter 12 [APP-120]?
ECMM8	NE, MMO	Are NE and the MMO satisfied that the wording of Condition 13(f) in the draft DMLs in Schedules 10 to 13 provides adequate protection for marine mammals, and takes into account the mitigation proposed in the ES, including the statement in the draft Marine Mammal Mitigation Protocol (MMMP) [APP-298] to agree the final MMMP with MMO in consultation with NE?
ECMM9	Applicant, MMO	MMO, in its RR [RR-031], states that it is reviewing further information provided by the Applicant in relation to the maximum worst case scenario for underwater noise and will seek resolution through the SoCG process. Can the Applicant and MMO provide an update on progress to resolve this concern?
ECMM10	Applicant, NE, Whale and Dolphin Conservation	<p>Whale and Dolphin Conservation in its RR [RR-002], expresses concern about the potential for cetaceans, in particular harbour porpoises, to be disturbed and displaced by the noise generated by pile driving. Whale and Dolphin Conservation proposes:</p> <ul style="list-style-type: none"> • That pile driving is not used at all during construction; • Should consent be granted, that a robust impact monitoring strategy (Marine Mammal Monitoring Plan (MMMP)) is developed for the range of species that can reasonably be impacted and a report provided within a reasonable timeframe; • That the monitoring strategy is appropriate to consider cumulative impacts of all developments in the region; • A robust MMMP should include: shut-down when marine mammals approach within a specified distance of operations (mitigation zone);

Question to:		Question:
		<ul style="list-style-type: none"> Should any incident that results in mortality occur during construction, activities should be halted immediately until an investigation can be completed. <p>Can the Applicant and NE comment on these proposals, particularly in relation to no pile driving during construction, shut-down when marine mammals are within the mitigation zone and actions following a mortality incident. Does the Applicant or NE consider that any of these measures are necessary to avoid harm either to individual marine mammals or at a population level?</p> <p>What additional monitoring would Whale and Dolphin Conservation like included in the Applicant's proposed approach to monitoring?</p>
ECMM11	Applicant, NE	The Wildlife Trusts in its RR [RR-022] would like the MMMP to cover reduction in disturbance as well as avoiding the risk of injury to marine mammals. Does the Applicant or NE think that these proposals are necessary to avoid harm either to individual marine mammals or at a population level? Is the Applicant willing to undertake wider consultation on the development of the MMMP?
ECMM12	NE	Does NE consider that further mitigation for the significant residual impact identified by the Applicant in relation to cumulative disturbance to harbour porpoise (worse case) is required? If so, how should this be delivered?
ECMM13	Applicant, Rijkswaterstaat, NE	Rijkswaterstaat in its RR [RR-016] expresses concerns regarding cumulative impacts from wind farms on harbour porpoise and recommends limiting noise

Question to:		Question:
		<p>levels to keep these under a level where significant negative effects on harbour porpoise will not occur.</p> <p>Can the Applicant and Rijkswaterstaat provide an update on progress with the SoCG?</p> <p>Can Rijkswaterstaat provide an update on the Memorandum of Understanding between North Sea countries, especially regarding whether cumulative effect assessments will be a subject?</p> <p>What are the Applicant and NE's views on the suggested approach of setting a sound level below which harm will not occur?</p>
ECMM14	MMO	Does the MMO see any reason why, in principle, an EPS licence for harbour porpoise would not be granted?
OA	Offshore Archaeology and Cultural Heritage	
OA1	Applicant	With reference to ES Chapter 17 [APP-125] please confirm that the 100m proposed for the Archaeological Exclusion Zones (AEZs) is a distance in all directions from the measured extent of any receptor (ie analogous with a 100m radius measurement rather than a 100m diameter), and clarify the situation regarding AEZs for A2 receptors? Does the Applicant intend to include AEZs around A2 receptors?

Question to:		Question:
OA2	Applicant	Can the Applicant please define which of the A3 receptors would have AEZs around them and clarify whether these AEZs would also be 100m in radius from the A3 receptor.
OA3	Applicant	Can the Applicant please provide further details on the Offshore Renewables Protocol for Archaeological Discoveries (ORPAD) system of embedded mitigation as referred to in ES Chapter 17 [APP-125].
OA4	Historic England and MMO	Can Historic England and the MMO please provide comments on the acceptability of the proposed mitigation measures in ES Chapter 17 [APP-125], including the ORPAD system. Do you have any concerns regarding the mitigation and how it has been secured within the draft DCO and DMLs (as appropriate)?
OA5	Applicant, Historic England and MMO	<p>ES Chapter 17 [APP-125] page 34, paragraph 40 refers to there being up to two cables of up to 90km in length to interconnect the proposed East Anglia THREE and East Anglia ONE Offshore Wind Farm projects. The ES goes on to state that the potential effects of these cables have not yet been assessed as part of the worst case and <i>"once interconnection cable routeing has been determined they will be added in to the assessment"</i>.</p> <p>ES Chapter 17 does, however, include the interconnector corridor within the study area for the impact assessment. Please could the Applicant expand on what is meant by paragraph 40 of ES Chapter 17 which states these cables have not been assessed? Please set out when and how this assessment is likely to take place and how any mitigation measures would be secured in the draft DCO/DMLs?</p>

Question to:		Question:
		Could Historic England and MMO provide comments on the Applicant's assessment of the interconnector cables. Do you have any concerns with regards to the Applicant's assessment?
OA6	MMO and Historic England	Please comment as to whether it is considered that sufficient data sources (as detailed in ES Chapter 17 [APP-125], Table 17.18, pages 36-41) have been undertaken?
OA7	Historic England	Does Historic England have any comments on the Applicant's draft WSI for offshore archaeology? With reference to the points raised regarding method statements in your RR [RR-019], are you satisfied that clear method statements would be secured through the WSI (and in turn through the DMLs), as currently drafted?
OA8	Applicant	Could the Applicant please respond to the point made in Historic England's RR [RR-019] in relation to the pre-construction geotechnical/geophysical data?
MGPP	Marine Geology, Oceanography and Physical Processes, Marine Water and Sediment Quality	
MGPP1	MMO and NE	In the absence of detailed design information, can the MMO and NE comment on whether they concur with the Applicant's worst case scenarios regarding the potential effects of the project on marine geology, oceanography, physical process, marine water and sediment quality as detailed in Chapters 7 and 8 of the ES [APP-115 and APP-116]?

Question to:		Question:
MGPP2	Applicant	Please comment on the likelihood of achieving the maximum 10% and 2.5% respective figures for unburied cables requiring protection as detailed in ES Chapter 7 [APP-115], paragraph 72, and explain how the future detailed pre-construction design work would be secured in the draft DCO?
MGPP3	Applicant	In its comments dated 27 August 2015 (ES Chapter 7 [APP-115] Table 7.1, page 12) NE indicates that concrete mattresses are harder to remove on decommissioning than other forms of scour protection. However, you have stated that the mattresses are easy to remove. Please explain these conflicting statements.
MGPP4	Applicant	In ES Chapter 7 [APP-115] Table 7.1, page 16, it is stated that there would be no overlap between East Anglia ONE and East Anglia THREE Offshore Wind Farm projects. How would this be secured in the draft DCO?
MGPP5	Applicant	How will the offshore construction impacts of East Anglia ONE Offshore Wind Farm be monitored and compared against modelling assumptions, eg the Delft3D plume modelling, and how will the impacts arising from actual construction activities be used to inform the project design and construction considerations for East Anglia THREE Offshore Wind Farm?
MGPP6	MMO	Please can the MMO comment on the acceptability of the borehole logs that have been undertaken within the East Anglia THREE Offshore Wind Farm site and the applicability of the modelling simulations that are based on East Anglia ONE Offshore Wind Farm?

Question to:		Question:
MGPP7	Applicant	Please confirm whether all the ships that will be used for construction activities will be flagged under signatory countries that are subject to the MARPOL Convention 73/78?
MGPP8	Applicant	The MMO comments in its RR [RR-031] that the draft IPMP [APP-295] does not appropriately reflect the draft DML condition 19(2)(b) in Schedules 10 to 15. Could the Applicant provide an update to the draft IPMP to reflect the comments made by the MMO? If the Applicant does not consider this necessary, please could the Applicant justify its position?
MGPP9	Applicant	Could the Applicant comment on the advice provided by the MMO in its RR [RR-031] to include the development and implementation of a cable burial risk agreement approach, to ensure the ongoing management of cable burial throughout the lifetime of the project, as secured through a DML condition to the appropriate schedules. Is the Applicant amenable to including such a condition in the draft DMLs? If not, please could the Applicant justify its position?
HRA	Habitats Regulations Assessment	
HRA1	NE	Can NE provide the conservation objectives for Flamborough Head and Bempton Cliffs SPA, Flamborough and Filey Coast pSPA, Deben Estuary SPA, Outer Thames Estuary SPA, and Alde-Ore Estuary SPA?
HRA2	NE	In the light of the recent consultation issued for the Outer Thames Estuary pSPA, issued since the submission of the Applicant's HRA report [APP-101], can NE comment on whether the Applicant's HRA report sufficiently considers

Question to:		Question:
		this pSPA and its proposed qualifying features? Does NE agree with the Applicant's conclusion on this pSPA?
HRA3	NE	The ExA notes the Applicant's consideration of a possible Greater Wash SPA in the HRA report. Can NE comment on whether it agrees with the Applicant's conclusion screening out effects on the qualifying features of the possible Greater Wash SPA? Can NE provide an update with regard to any likely future consultation on this possible SPA and associated timescales?
HRA4	Applicant, NE, MMO	<p>The ExA notes the inclusion of a condition for a MMMP in the draft DMLs (Condition 13(f) in Schedule 10 – Licence 1, Phase 1; and Schedule 11 – Licence 2, Phase 2). This condition secures a MMMP only where driven or part-driven piles are proposed to be used. Can the Applicant clarify whether lethal effects associated with underwater noise, which have been screened out of the HRA on the basis that the MMMP is provided as mitigation, could arise from other construction (or operation, decommissioning) activities, beyond the installation of driven or part-driven piles?</p> <p>Are NE and the MMO satisfied that the current wording of the draft DMLs is sufficient to ensure the mitigation considered in the HRA report, including the MMMP, would be delivered?</p>
HRA5	Whale and Dolphin Conservation, the Wildlife Trusts, and other IPs	Are Whale and Dolphin Conservation, the Wildlife Trusts, and other interested parties (IPs) satisfied that the current wording of the draft DMLs is sufficient to ensure the mitigation considered in the HRA report, including the MMMP, would be delivered?
HRA6	Applicant	Can the Applicant confirm how it has arrived at a figure of seven jointing bays

Question to:		Question:
		in the Deben estuary area, six to the east and one to the west (paragraphs 305 to 309 of the HRA report [APP-101]). It is noted that the dDCO does not limit this number in the area. Would a change in distribution result in a different assessment outcome?
HRA7	Applicant	<p>Screening Matrices (Appendix 5.4(1) [APP-102]): can the Applicant provide revised matrices to address the following:</p> <p>Alde-Ore Estuary SPA/Ramsar:</p> <ul style="list-style-type: none"> • Please provide a separate matrix for the Alde-Ore Estuary Ramsar, as per the Planning Inspectorate's Advice Note 10; • Footnote (f) has been included but this does not feature within the matrix, can the Applicant amend or clarify; • It would be helpful if the footnotes in the matrix included specific references to the evidence supporting the conclusion (e.g. references to paragraphs in the ES and/or HRA reports), as recommended in Advice Note 10. <p>Deben Estuary SPA/Ramsar:</p> <ul style="list-style-type: none"> • Please provide a separate matrix for the Deben Estuary Ramsar, as per Advice Note 10; • It is noted that footnotes (a) and (f) do not feature in the matrix, can the Applicant amend or clarify; • It would be helpful if the footnotes in the matrix included specific references to the evidence supporting the conclusion (e.g. references to paragraphs in the ES and/or HRA reports), as recommended in

Question to:	Question:
	<p>Advice Note 10.</p> <p>Outer Thames Estuary SPA:</p> <ul style="list-style-type: none"> • It is noted that footnotes (a) and (f) do not feature in the matrix, can the Applicant amend or clarify; • It would be helpful if the footnotes in the matrix included specific references to the evidence supporting the conclusion (e.g. references to paragraphs in the ES and/or HRA reports), as recommended in Advice Note 10. <p>Flamborough and Filey Coast pSPA</p> <ul style="list-style-type: none"> • It is noted that footnotes (f) and (g) do not feature in the matrix, can the Applicant amend or clarify; • It would be helpful if the footnotes in the matrix included specific references to the evidence supporting the conclusion (e.g. references to paragraphs in the ES and/or HRA reports), as recommended in Advice Note 10. <p>Flamborough Head and Bempton Cliffs SPA</p> <ul style="list-style-type: none"> • No matrix has been provided for this site and its kittiwake qualifying feature. Please provide separately. There is a duty to consider both the existing SPA and the pSPA. <p>The matrices should be provided in PDF and Word format, as per Advice Note</p>

Question to:		Question:
		10.
HRA8	NE	<p>Can NE confirm whether herring gull is a qualifying feature of the Alde-Ore Estuary SPA and the Alde-Ore Estuary Ramsar site? Herring gull has been described as part of a seabird assemblage in the Applicant's HRA report [APP-101] and screening matrix [APP-102]; however, the seabird assemblage (including herring gull) and herring gull alone do not appear on the Natura 2000 forms for the SPA and Ramsar. Can NE confirm whether there has been any formal consultation that has brought about these additions to the SPA or Ramsar, or any consultations that are forthcoming?</p>
HRA9	Applicant	<p>In respect of the Integrity Matrices (Appendix 5.4(5) [APP-106]), and with reference to the Planning Inspectorate's Advice Note 10, can the Applicant provide revised matrices to address the following:</p> <ul style="list-style-type: none"> • A separate integrity matrix for Flamborough Head and Bempton Cliffs SPA (kittiwake); • Separate matrices for SPAs and Ramsar sites for the following (only in respect of those qualifying features screened in): <ul style="list-style-type: none"> ○ Alde-Ore SPA ○ Alde-Ore Ramsar ○ Deben Estuary SPA ○ Deben Estuary Ramsar • It is noted that footnote (b) is missing from the matrix for the Outer Thames Estuary SPA, can the Applicant amend or clarify; • The footnotes to each matrix should include specific references to the evidence supporting the conclusion (e.g. references to paragraphs in the ES and/or HRA reports).

Question to:		Question:
		The matrices should be provided in PDF and Word format, as per Advice Note 10.
HRA10	Applicant, NE, RSPB	Can the Applicant, NE and the RSPB provide an update of progress with any SoCG in relation to HRA?
FN	Fishing and navigation	
FN1	NE, MMO	Can NE and MMO confirm that they agree with the Applicant that impacts on fish and shellfish species during construction, operation and decommissioning of the proposed East Anglia THREE Offshore Wind Farm project will be no greater than minor adverse and no additional mitigation is required?
FN2	Applicant	Could the Applicant provide an update as to whether it has been able to obtain the shark by-watch data and final report from Cefas since the submission of the DCO application? Could this be made available to the Examination?
FN3	Marine Scotland	Could Marine Scotland provide further background information on the point raised in its RR [RR-036] relating to sea trout and eel? Does it have any concerns with regard to the Applicant's assessment on fish and shellfish ecology?

Question to:		Question:
FN4	Applicant	The National Federation of Fishermen (NFFO) refers in its RR [RR-014] to the fact that it was a party to an agreed SoCG in respect of East Anglia ONE Offshore Wind Farm but it has yet to be consulted on the present proposal. Please indicate the position regarding consultation with the NFFO and whether there is an intention to provide a SoCG, as requested in the ExA's Rule 6 letter.
FN5	Applicant, NFFO, VisNed	Has a draft Co-existence and Fisheries Liaison Plan been produced yet that would form the basis for discussion and agreement with fishing organisations and, if so, could that be produced as an Examination document?
FN6	Applicant	Please comment on the NFFO's reference in its RR [RR-014] (supported by the RR from Visned) [RR-025] that Chapter 14 of the ES [APP-122] does not sufficiently acknowledge the range of issues that would have a bearing on the degree to which fisheries could be limited, particularly during the operational phase of the project.
FN7	Applicant	Rijkswaterstaat in its RR [RR-016] notes that it is in the process of finalising a SoCG with the Applicant but that the Dutch Government is concerned about shipping movements south of the proposed wind farm. Please provide an update on the provision of a SoCG and negotiations with Trinity House and the Maritime and Coastguard Agency and involvement of Dutch stakeholders on navigation issues.
FN8	Applicant	The Harwich Fishermen's Association (HFA) [RR-021] notes that despite discussions there are areas of serious concern on which agreement has not

Question to:		Question:
		been reached on mitigation for its members. Amongst concerns are that areas will become un-fishable, fishing techniques will be compromised and that available fishing areas have been condensed because of renewable energy and other schemes. It is stated that the Applicant has been unable to provide guarantees and assurances on how construction would limit effects and how loss would be mitigated. Please comment and provide an update on discussions with the HFA.
SE	Socio-economic	
SE1	Applicant	ES Chapter 28 [APP-136] page 32 makes reference to a large proportion of the East Anglia THREE Offshore Wind Farm construction jobs being taken up by the workforce that constructed East Anglia ONE. What is the likely timescale envisaged between the end of all construction operations on East Anglia ONE Offshore Wind Farm and the start of construction on East Anglia THREE Offshore Wind Farm? What, if any, measures will be undertaken to ensure the same workforce that worked on East Anglia ONE is utilised as far as is practicable?
SE2	Applicant and Local Authorities	Can the Applicant and Local Authorities comment on the likelihood that the Enterprise Zones in Great Yarmouth and Lowestoft (ES Chapter 28 [APP-136], page 34) will be extended beyond 2018?
SE3	Applicant and Local Authorities	In its RR [RR-012] Suffolk Preservation Society referred to the provision of an environmental fund. Please explain why there is no environmental fund (or

Question to:		Question:
		similar funding of community projects in the local area) being proposed? Can the Local Authorities please clarify why such funding is not being sought?
SE4	Applicant	SCC states in its RR [RR-024] that the ES has not made an assessment of the demands that an in-migrant workforce may place on the tourism accommodation sector. SCC identifies that a document on this matter was subsequently produced in the examination of East Anglia ONE Offshore Wind Farm. Could the Applicant provide comment on SCC's RR on this matter and clarify whether a further assessment will be provided?
SE5	Applicant	SCC in its RR [RR-024] has raised concerns that the submitted assessment does not analyse the labour market and skills context of the area, and is overly optimistic about the ability of existing skills and employment infrastructure to respond to the demands of the project. Please can the Applicant provide a response to these matters that have been raised by SCC?
SE6	Applicant, relevant local authorities	ES Chapter 28, [APP-136] Table 28.11 considers the net additional economic impact of the project on the basis of low, medium and high impact. There is no commentary as to which of these three projections is the more likely. Is it possible to refine this assessment to provide a better indication as to which scenario is the more likely?
SE7	Applicant, relevant local authorities	The DCO for East Anglia ONE Offshore Wind Farm included a requirement for the agreement and implementation of a Skills Strategy (Requirement 30). The current draft DCO [APP-025] does not include such a requirement. Is a specific Skills Strategy for the latest project necessary or, if not, what measures are required to complement and/or build on the strategy for East

Question to:		Question:
		Anglia ONE Offshore Wind Farm?
SE8	Applicant	Babergh and Mid Suffolk District Councils note in their RR [RR-029] that further pressure could be placed on the labour market by the project, which may not have the requisite skills. Please comment on this and what, if any, measures should be taken to mitigate such impacts.
CA	Compulsory Acquisition (CA)	
CA1	Applicant	The Applicant has sought to retain flexibility to construct the project in either a single phase or in a two-phased approach. If the latter is adopted how is the timing detailed in the Statement of Reasons (SoR) (i.e. that the second phase would start up to 18 months after the start of phase 1) secured in the draft DCO?
CA2	Applicant	It is unclear how the decision on phasing will be communicated to landowners. It is clearly very important that landowners are made aware of how the project is to proceed as this will have implications for them in terms of the use and enjoyment of their property given that it will influence the extent and duration of interference with their rights. When does the Applicant expect to make a decision on the one/two stage approach and how would this decision be communicated to landowners?
CA3	Applicant	It is clear that the intention is to acquire the freehold of only a limited number

Question to:		Question:
		<p>of plots (450, 453, 454, 454B, 454C and 457-463) and the power to CA land outright is limited to land which is not contained in Schedule 5 or Schedule 7 of the draft DCO. In the Explanatory Memorandum (EM) [APP-026] it is explained (page 19) that all of the plots, with the exception of those listed above, are listed in Schedule 5.</p> <ul style="list-style-type: none"> a) Is this correct or is it the case that all plots other than those listed above should be in either Schedule 5 or 7? b) If all plots other than those listed above should be in either Schedules 5 or 7 can the Applicant please check that this is the case as it appears that there are several plots other than 450, 453, 454, 454B, 454C and 457-463 that appear in neither schedules? c) It is explained in the SoR [APP-027] (paragraph 7.6) that plot numbers have been kept the same as for East Anglia ONE Offshore Wind Farm to avoid confusing landowners but that this has resulted in some plots being 'not used' as they do not form part of the present application. However, it does not appear that 'not used' occurs in the Book of Reference (BoR). It would be helpful if a list of plots that are deliberately missing from the application could be produced to avoid confusion and an explanation provided as to why the application does not include all plots numbered 1 – 471B.
CA4	Applicant	<p>The CA of rights under Article 17 is a wide power to acquire rights compulsorily (both existing rights and new rights) or impose restrictive covenants over the Order land as may be required for any purpose for which land can be acquired under Article 15. It is not clear what existing rights the Applicant may wish to CA although it is assumed it is only existing rights in land in which the Applicant also seeks to CA the freehold. Can the Applicant</p>

Question to:		Question:
		please explain which, if any, existing rights it is intended to CA?
CA5	Applicant	<p>The SoR [APP-027] indicates that a corridor width of 75m will be sought for both a single and a two-phased approach and that this width is sought because it has not been accurately identified where only temporary possession would be sufficient. It is confirmed at paragraph 7.18 that the cable corridor of up to 42m in width (likely to be only 35m in width) is anticipated for most of the corridor.</p> <p>a) What needs to happen before the exact extent of the CA required is identified, including details of any surveys, and why has it not been possible to do these before submission of the application?</p> <p>b) How and when would affected landowners be informed whether their land is going to be subject to CA or only temporary possession?</p>
CA6	Applicant	Can it be confirmed that it is the intention to limit the CA of land in Schedule 7 to land which is also listed in Schedule 5?
CA7	Applicant, The Crown Estate	Can the Applicant confirm whether it is sought to acquire the interests held other than by the Crown in Plots 1, 64-66 and 190? If it is sought to acquire new rights in these interests (as is suggested by their inclusion in Schedule 5 of the DCO) S135 consent from the Crown Estate is needed before the DCO can be made. Has Crown consent been obtained? If it is not sought to acquire new rights in these interests, the DCO and BoR would need to be amended to remove these interests from the scope of CA.
CA8	Applicant	The phrase <i>'Excluding all interests of The Queen's Most Excellent Majesty In</i>

Question to:		Question:
		<p><i>Right Of Her Crown and all interests of The Crown Estate Commissioners'</i> has been included in column 2 of part 1 of the BoR [APP-29] headed '<i>Extent, description and situation of the land</i>', which describes the extent of the land over which CA is sought. It appears that the Applicant has copied and pasted this phrase into other parts of the BoR where it is really not appropriate. For example, it is not appropriate to have it in column 3 of Part 4 headed '<i>Owner of relevant Crown interest and interest</i>' where the owner of the Crown interest is required to be described. It is also not appropriate to have it in column 3 of part 1 headed '<i>Freehold Owners or Reputed Freehold Owners</i>' or column 3 of Part 5 headed '<i>Name and Address</i>'.</p> <p>Please produce an amended BoR that uses the phrase correctly to adequately exclude Crown interests owned by the Crown Estate from the compulsory acquisition authorised by the DCO?</p>
CA9	Applicant, Crown Estate Commissioners, C J Mann, other parties	<p>Plots 1-7 form part of the beach and foreshore and are considered to be open space. The Applicant seeks to compulsorily acquire new rights over these plots. The Applicant's S132 Statement [APP-034] sets out the reasons why it is believed that when burdened with these new rights these plots will be no less advantageous to persons in whom it is vested, other persons entitled to rights, and the public.</p> <p>a) Is there agreement with this assessment? b) Two of the plots are listed as being in unknown ownership. Can the Applicant explain what efforts have been made to locate the owners?</p>
CA10	Applicant	Seven statutory undertakers are listed in the SoR [APP-027] (pages 35-40) as being affected by the Order limits.

Question to:		Question:
		<p>a) Can the Applicant please provide an update on negotiations with them?</p> <p>b) Can an update also be provided on negotiations relating to protective provisions with other statutory undertakers?</p>
CA11	Applicant, Network Rail	Network Rail has expressed concerns in its RR [RR-026] relating to what it considers to be the DCO's currently inadequate protective provisions concerning its statutory undertakings. Can the Applicant/Network Rail please provide an update on negotiations on protective provisions?
CA12	Applicant	Can the Applicant please clarify the position regarding Plot 210 which paragraph 8.21 of the SoR [APP-027] states contains part of the Great Eastern Main Line at Claydon but in respect of which there is no reference to the plot in the BoR and it is not shown on the Land Plan?
CA13	Applicant	At paragraph 3.1 of the Funding Statement [APP-028] it is stated that the Applicant has been advised that the total cost of CA should not exceed £3,742,114 but the source of this advice is not stated. Can the Applicant please expand on this?
CA14	Applicant	At paragraph 3.2 of the Funding Statement [APP-028] it is stated that East Anglia THREE limited and Scottish Power UK plc are to shortly enter into an agreement to fund the property cost estimates for the acquisition of required interests. Has such an agreement now been entered into and, if so, can a signed copy of this be provided?
CA15	Applicant	ES Chapter 5 [APP-113] paragraph 430 indicates that the precise location of cable jointing bays would be determined post-consent, although indicative

Question to:		Question:
		positions are shown in Figure 5.2. Please explain what implications this may have in terms of CA.
CA16	Applicant	Please provide updates on negotiations with the Crown to acquire the necessary interests in respect of land below the mean low water mark at the Bawdsey landfall (SoR [APP-027] paragraph 8.1).
CA17	Applicant	Please provide an update on discussions with Highways England in relation to land under the A12 and A14 (SoR [APP-027] paragraph 8.2). The Applicant should note that s135 only applies to Crown land. It is the ExA's understanding that land owned by HE is no longer Crown land. Please can the Applicant confirm whether any of the land under the A12 and A14 is Crown land?