

**SCOTTISHPOWER
RENEWABLES**

East Anglia ONE North and East Anglia TWO Offshore Windfarms

Applicants' Comments on Natural England's Deadline 10 Submissions

Applicant: East Anglia TWO and East Anglia ONE North Limited

Document Reference: ExA.AS-8.D11.V1

SPR Reference: EA1N_EA2-DWF-ENV-REP-IBR-001076

Date: 7th June 2021

Revision: Version 01

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Applicable to East Anglia ONE North and East Anglia TWO



Revision Summary				
Rev	Date	Prepared by	Checked by	Approved by
01	07/06/2021	Paolo Pizzolla	Lesly Jamieson / Ian MacKay	Rich Morris

Description of Revisions			
Rev	Page	Section	Description
01	n/a	n/a	Final for Submission



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Glossary of Acronyms

AEol	Adverse Effect on Integrity
A-OE	Alde-Ore Estuary
APP	Application Document
AS	Additional Submission
BDMPS	Biologically Defined Minimum Population Size
CIA	Cumulative Impact Assessment
CRM	Collision Risk Modelling
CRM	Collision Risk Modelling
DCO	Development Consent Order
DML	Deemed Marine Licence
EIA	Environmental Impact Assessment
FFC	Flamborough & Filey Coast
GBBG	Great Black-Backed Gull
HDD	Horizontal Directional Drilling
HRA	Habitats Regulation Assessment
ISH	Issue Specific Hearing
JNCC	Joint Nature Conservation Committee
LBBG	Lesser Black-Backed Gull
MHWS	Mean High Water Springs
MMO	Marine Management Organisation
NE	Natural England
OLEMS	Outline Landscape and Ecological Management Strategy
OTE	Outer Thames Estuary
OWF	Offshore Windfarm
PD	Procedural Decision
PEIR	Preliminary Environmental Information Report
PVA	Population Viability Analysis
RSPB	Royal Society for the Protection of Birds
RTD	Red-Throated Diver
SIP	Site Integrity Plan
SNCB	Statutory nature Conservation Body
SPA	Special Protected Area
UK	United Kingdom
UXO	Unexploded Ordnance



Glossary of Terminology

Applicant	East Anglia TWO Limited / East Anglia ONE North Limited
Construction operation and maintenance platform	A fixed offshore structure required for construction, operation, and maintenance personnel and activities.
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive, as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017 and regulation 18 of the Conservation of Offshore Marine Habitats and Species Regulations 2017. These include candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Horizontal directional drilling (HDD)	A method of cable installation where the cable is drilled beneath a feature without the need for trenching.
Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.
Jointing bay	Underground structures constructed at intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land, and connect to the onshore cables.
Link boxes	Underground chambers within the onshore cable route housing electrical earthing links.
Meteorological mast	An offshore structure which contains metrological instruments used for wind data acquisition.
Mitigation areas	Areas captured within the onshore development area specifically for mitigating expected or anticipated impacts.
Marking buoys	Buoys to delineate spatial features / restrictions within the offshore development area.

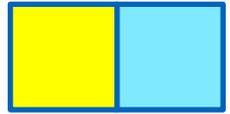


Monitoring buoys	Buoys to monitor <i>in situ</i> condition within the windfarm, for example wave and metocean conditions.
Natura 2000 site	A site forming part of the network of sites made up of Special Areas of Conservation and Special Protection Areas designated respectively under the Habitats Directive and Birds Directive.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and landfall.
Offshore development area	The East Anglia TWO / East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).
Offshore electrical infrastructure	The transmission assets required to export generated electricity to shore. This includes inter-array cables from the wind turbines to the offshore electrical platforms, offshore electrical platforms, platform link cables and export cables from the offshore electrical platforms to the landfall.
Offshore electrical platform	A fixed structure located within the windfarm area, containing electrical equipment to aggregate the power from the wind turbines and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore infrastructure	All of the offshore infrastructure including wind turbines, platforms, and cables.
Offshore platform	A collective term for the construction, operation and maintenance platform and the offshore electrical platforms.
Platform link cable	Electrical cable which links one or more offshore platforms. These cables will include fibre optic cables.
Safety zones	A marine area declared for the purposes of safety around a renewable energy installation or works / construction area under the Energy Act 2004.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transition bay	Underground structures at the landfall that house the joints between the offshore export cables and the onshore cables.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.

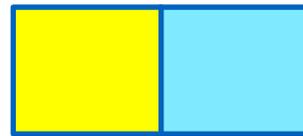


1 Introduction

1. This document presents the Applicants' comments on Natural England's (NE) Deadline 10 submissions.
2. See **Section 2** for the Applicants' comments on NE's Appendix C10 – Further Advice to the Watercourse Crossing of the Hundred River (REP10-052).
3. The Applicants have no comment on NE's Cover letter (REP10-050).
4. With regard to NE's Appendix A21 - Comments on Without Prejudice Compensation Mechanisms - Annex 1 – Prey Availability Compensation Mechanisms [REP6-046] (REP10-051), although the Applicants note the points made, the Applicants have no comments on this appendix as the prey availability compensation measures have not been put forward for the Projects. The Applicants maintain their position that prey availability measures are currently not feasible for the reasons described in **Offshore Ornithology Without Prejudice Compensation Mechanisms - Annex 1 - Prey Availability Compensation Mechanisms** (REP6-046).
5. The Applicants have also provided a response to the NE Deadline 10 Risk and Issues Log (REP10-053) in **section 3**. Rows which are greyed out indicate matters either:
 - Assigned a green score which both parties agree are closed;
 - Red or amber matters which are 'agree to disagree'; or
 - Matters on which the Applicants have no further comments.
6. The Applicants consider a number of other matters assigned a red or amber risk score to also now be resolved and would request NE to consider whether the risk scores for these matters can be reduced in future iterations of the Risk and Issues Log.
7. The Applicants note that there are differences between the East Anglia TWO and East Anglia ONE North Risk and Issues Log. In order to avoid repetition, the Applicants have therefore consolidated the risk and issues log for each project and highlighted the points which are specific to the East Anglia ONE North or East Anglia TWO project using the colour coding in accordance with the Examining Authority's procedural decisions on document management of 23rd December 2019 (PD-004). The ID numbering is based on the East Anglia TWO Risk and issues Log with the East Anglia ONE North specific points given the numbering assigned to them in the East Anglia ONE North Risk and Issues log but with 'EA1N' preceding them.

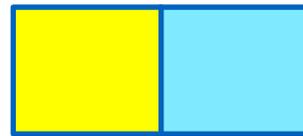


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8. Therefore, this document is applicable to both the East Anglia TWO and East Anglia ONE North DCO applications, and is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.



2 Applicants' Comments on NE Appendix C10 [REP10-052] – Natural England's Further Advice to the Watercourse Crossing of the Hundred River

ID	NE Comment	Applicants' Comments
Introduction		
1	1. Natural England has considered the representations of interested parties in relation to the area of woodland and meadow adjacent to the Hundred River and provide the following advice:	Noted
Classification as Wet Woodland		
2	2. Natural England's previous advice in relation to the February 2021 survey remains unchanged.	The Applicants have previously responded to NE's advice in relation to the February 2021 survey within section 4 of REP8-049.
3	3. We have spoken to the Local Planning Authority in relation to the specific area of woodland where the proposed works will intersect, and note that other than on the river edges the ground conditions were considered to be dry even after significant amounts of rain and snow. In addition, the area of the proposed works is on the margins of the woodland and therefore is likely to have different ecological conditions/characteristics to that of the surrounding wood.	Noted
4	4. Natural England's advice, on the basis of the evidence presented, is that while some areas of this woodland may have attributes of wet woodland, it is unlikely that the area to be affected by the proposed works is wet woodland.	The Applicants welcome that NE are now in agreement with the Applicants and the Councils regarding the habitat classification at the Hundred River Crossing.
5	5. We do consider that lowland mixed deciduous woodland is declining, and every effort should be made to avoid, reduce and mitigate the impacts to this habitat. We note that the Applicant has set out in the Outline Landscape and	Through the final Ecological Management Plan (EMP) to be produced in accordance with the Outline Landscape and Ecological

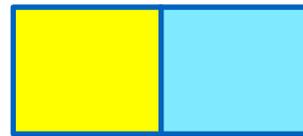


ID	NE Comment	Applicants' Comments
	<p>Ecological Management Strategy (OLEMS) [REP8-019] that the planting of trees over the cable corridor will not be possible. Therefore we recommend that the Applicants provide further details on how impacts to this woodland and fragmentation thereof will be mitigated for and enhancements provided.</p>	<p>Monitoring Strategy (OLEMS) (document reference 8.7), potential impacts on the mixed deciduous woodland will be mitigated.</p> <p>With regards to mitigation of the impacts identified to the woodland west of the Hundred River, the Applicants state within section 3.6 of the OLEMS (document reference 8.7) that the Applicants “will engage with the relevant planning authority post-consent to inform the micrositing of the onshore cable route to avoid trees of particular importance where possible”.</p> <p>The Applicants have committed to a reduced width for the onshore cable route through the woodland either side of Aldeburgh Road from 32m to 16.1m per Project¹. Where both Projects are consented and constructed, the onshore cable route working width outside of the ‘Hundred River crossing buffer’, but within the woodland to the east and west of Aldeburgh Road will be 27.1m.</p> <p>Whilst trees cannot be planted directly over the onshore cables for the reasons explained in Section 3.5.10 of the OLEMS (document reference 8.7), the final Landscape Management Plan will set out a scheme for planting of shallower-rooting species such as grasses, shrubs and scrub directly over onshore cables within the vicinity of the Hundred River crossing. It should be noted that the onshore cables will not be laid within the full width of the 34m wide ‘Hundred River crossing buffer’, meaning that larger species can be replanted within this area where they avoid the onshore cables. The Applicants also note Section 5.1.1.1 of the OLEMS (document reference 8.7) commits the Applicants to planting an area of new mixed deciduous and coniferous</p>

¹ The reduced onshore cable route at this location does not apply to the ‘Hundred River crossing buffer’ (an area 40m from the western bank of the Hundred River) where the width of the onshore cable route is up to 34m per Project to accommodate a greater extent of above ground works in this area (such as vehicle turning areas, laydown, small welfare and safety areas reflecting the working near water).

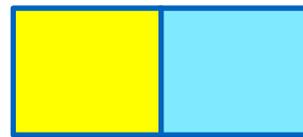


ID	NE Comment	Applicants' Comments
		<p>woodland within the area of Work No. 24 to offset the woodland lost within the vicinity of Aldeburgh Road. All trees and shrubs planted within Work No. 24 as well as reinstated trees and shrubs at the Hundred River will be subject to a ten year management period and the adaptive management provisions set out within section 4.2 of the OLEMS (document reference 8.7).</p>
<p>Habitat for Hairy Dragonfly</p>		
3	<p>6. Given the extension to the EA1N and EA2 examination Natural England note that the examination timeframes now include the appropriate survey window for this species. Therefore, we recommend that a survey is undertaken at the end of May/beginning of June to better understand the potential presence of hairy dragonfly and potential use of the meadow adjacent to the Hundred River which will then inform further advice/discussions on this matter.</p>	<p>Hairy dragonfly requires clean and still water with large amounts of emergent vegetation, including common club rush, fen sedge and true bulrush. It also requires open sunny areas with dense vegetation for protection and is susceptible to poor water conditions. Preferred habitat is ditches within grazing marsh.</p> <p>No records of hairy dragonfly were returned for the Hundred River crossing location during the ecological desk study that was undertaken for the Applications.</p> <p>All the ecological surveys undertaken by the Applicants (those in 2018, 2019, February 2021 and May 2021 (a May 2021 survey report has been submitted at Deadline 11, document reference ExA.AS-21.D11.V1)) referred to species-specific guidance when assessing habitats for their suitability to support legally protected and notable species. No evidence of suitable hairy dragonfly habitat has been found to date. It is industry practice to undertake species-specific surveys only where suitable habitat has been identified.</p>



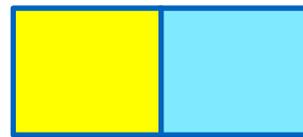
ID	NE Comment	Applicants' Comments
		<p>Additionally, according to the British Dragonfly Society², in order to ascertain the maximum abundance of species it is necessary to undertake up to three survey visits during the months from May to September.</p> <p>As such, the Applicants do not intend to undertake a hairy dragonfly survey during the Examinations, but would note that the Outline Landscape and Ecological Management Strategy (document reference 8.7) includes the commitment to undertake pre-construction surveys (within the optimal survey window and for specific species if identified as being required) of the proposed Hundred River crossing location (as well as across the Order limits). Should the findings of these surveys differ from those recorded to date they will be used to inform the necessary mitigation measures. They will also inform the final Ecological Management Plan (secured under Requirement 21 of the draft DCO (document reference 3.1)) and the final Watercourse Crossing Method Statement.</p>

² British Dragonfly Society, (2021). Dragonfly Survey Guidance. Available at <https://british-dragonflies.org.uk/wp-content/uploads/2019/04/Survey-guidance.pdf> [Accessed 04/06/2021]

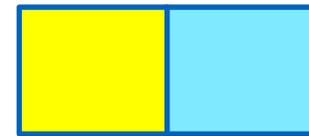


3 Applicants' Comments on NE Appendix I1h - Risk and Issues Log (REP10-053)

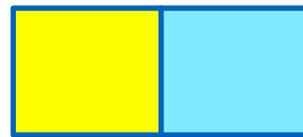
No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10	Applicants' Response
Offshore Ornithology (Appendix A)							
1	Red-throated diver displacement impacts on Outer Thames Estuary SPA		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged from REP9-067.		The Applicants responded to REP9-067 in REP10-017.
2	Collision Risk Modelling (CRM) parameters		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP9-066.		The Applicants responded to REP9-066 in REP10-017. An updated Offshore Ornithology Cumulative and In-combination Collision Risk document has been submitted at Deadline 11



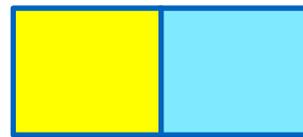
No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10	Applicants' Response
							(document reference ExA.AS-3.D11.V1)
3	Cumulative and in-combination assessments (displacement and CRM);		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged from REP9-066 and REP9-067.		The Applicants responded to REP9-066 and REP9-067 in REP10-017.
4	Scale of predicted cumulative and in-combination collision impacts and requirement for mitigation.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments. Also, the Applicant submitted a Cumulative and In- Combination Collision		Natural England's position remains unchanged from REP9-066.		The Applicants responded to REP9-066 in REP10-017.



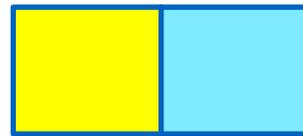
No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10	Applicants' Response
			update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.				
Terrestrial Ecology (Appendix C)							
8	Potential for supporting habitat loss within the Sandlings SPA		Our position remains unchanged - see Natural England Position summary to related documents in cover letter at Deadline 9.		Ongoing.		The Applicants responded to NE's deadline 9 cover letter in REP10-017.
9	Clarification of redline boundary for cable corridor		Our position remains unchanged.		We agree to disagree on whether this document should be updated prior to consent. However, on this occasion only we are prepared to close the matter on the R&I issues log.		Noted. This matter is closed.



No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10	Applicants' Response
10	Potential for disturbance to designated breeding features of Sandlings SPA		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged and we await inclusion within the CoCP as a SNCB consultee.		Issue resolved as all nesting birds will be protected as part of the Breeding Bird Protection Plan (secured under Requirement 21 of the draft DCO (document reference 3.1).		Noted. This matter is closed.
11	Request for SNCB consultation on management plans		Issue Ongoing. Natural England notes that within the OLEMS version 3, Paragraph 426 states that SNCB's will be consulted on the final EMP. Although Natural England is not specifically named as a consultee and request to be named. SNCB also to be added to the relevant plans within the OCoCP. NE are in discussion with the Applicant on this matter.		Natural England is in discussion with the Applicant and will review the list of plans for which the SNCB is named within the OCoCP when it is next submitted by the Applicant into examination.		The Applicants submitted an updated Outline CoCP at Deadline 10 (REP10-004). This update clarified the elements of the CoCP that NE will be consulted on and confirmed that the draft DCO will be updated to make provision for consultation with the relevant SNCB during the approval of the plans specified in paragraph 11 of the Outline CoCP . The Applicants anticipate that this



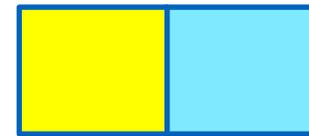
No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10	Applicants' Response
							will address NE's outstanding representation on this matter.
Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project (Appendix E)							
14	Comments on the AONB special Qualities		No update		No further update.		No further comments. The Applicants and NE have reached final positions on this matter.
15	Significant cumulative effects with the EA2 OWF project.		No update		No further update.		No further comments. The Applicants and NE have reached final positions on this matter.
Development Consent Order, Deemed Marine Licences and related certified documentation (Appendix G)							
18	Cable protection should not be permitted to be deployed over any area over the full lifetime of the project.		Issue Ongoing - The issue regarding deployment of cable protection in new areas for 5 years		Please see issue 25 in All Other Matters.		The Applicants welcome that NE have agreed to the wording of condition 24 of the Generation DML and Condition 20 of the



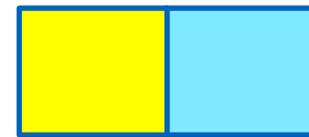
No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10	Applicants' Response
			after construction remains outstanding.				<p>Transmission DML on a without prejudice basis.</p> <p>The Applicants consider that final positions have been reached on this matter.</p> <p>This matter is considered to be closed.</p>



No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
1. Red-throated diver displacement impacts on Outer Thames Estuary SPA (OTE SPA)							
Document used: 5.3 EA2 Information to Support the Appropriate Assessment Report							
1	The EA2 boundary has been amended since the Preliminary Environmental Information Report (PEIR) consultation and is now more than 8km from the SPA boundary. This change was for seascape reasons, but also reduced impacts on the SPA. However based on studies conducted at other windfarms, the extent of displacement effects is likely to exceed 8km. Therefore the EA2 array will result in a long-lasting reduction in the availability of diver habitat in part of the SPA and a change of the distribution of divers within the SPA, and result in an adverse effect on integrity (AEOI) from the		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		NE note the Applicant's response in REP9-017 and agree there would be no AEOI as a result of EA2 alone.		Noted

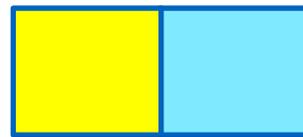


No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	project alone. The AEOI the boundary should be avoided so no part of the array is within 10 km of the boundary of the SPA.						
EA1N - 1	Part of the EA1N offshore windfarm (OWF) is immediately adjacent to the OTE SPA and is likely to result in displacement of RTD and result in an adverse effect on integrity (AEOI) from the project. The boundary of the development should be amended so no part of the array is within 10 km of the SPA.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the incombination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b. NE's previous advice remains unchanged.		Natural England's comments on RTD displacement remain unchanged.		Noted. The Applicants have responded to NE's Appendix A17b in REP10-017. In addition, the Applicants have submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary SPA assessment at Deadline 11 (document reference ExA.AS-29.D11.V5) to include East Anglia TWO within the in-combination assessment.

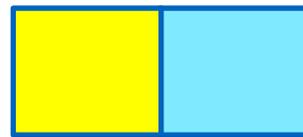


Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

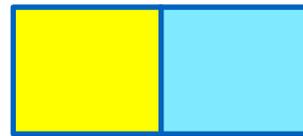
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
EA1N - 2	Natural England recommends that the Applicant reviews the targets and supporting notes for the attributes identified in our relevant representation [REP-059]. The targets set out the desired state of the attribute and the supporting notes provide detailed evidence of displacement impacts on RTD.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the incombination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b. NE's previous advice remains unchanged.		Natural England's comments on RTD displacement remain unchanged.		See response at No. EA1N - 1 of this item above.
2	The level of vessel traffic associated with site maintenance has been quantified. However, the impacts of increased traffic on RTD have not been considered, these need to be discussed and mitigated.		This protocol provides appropriate best practice to mitigate disturbance from vessels and helicopters transiting the SPA to an acceptable level to exclude an adverse effect. Though please note that it doesn't address the impacts from presence of the turbines and from cable installation. Please see D8 Offshore Ornithology [REP8-110] Statement of Common Ground		NE has remaining concerns that the updated protocol doesn't address the impacts from presence of the turbines and from cable installation. But as a protocol for managing disturbance from transiting vessel we are agreed. Please see our position as set		Potential displacement impacts from operational turbines and export cable installation are not relevant to the Best Practice Protocol for Minimising Disturbance to RTD (REP8-036) which is not intended to cover these potential impacts. The Applicants consider this matter to be closed.



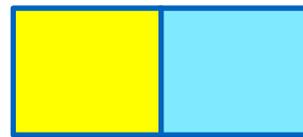
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
			between the Applicant and Natural England.		out in the cover letter at Deadline 9 [REP9-063].		
3	No consideration has been given to the assessment of displacement from the array itself. Perhaps this is because the Applicant has only considered that potential impacts extend to 4km only. When using a 10km buffer around the array the overlap with the SPA is 4.4 km ² , which although is a small proportion of the area of sea within the SPA, it needs to be considered as part of the in- combination effect		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		There would be no AEol as a result of East Anglia TWO alone, however, this issue is concerning in-combination effects with EA1N therefore the issue is ongoing		The Applicants maintain their position on the extent of in-combination displacement as assessed in REP8-034. The Applicants have responded to NE's Appendix A17b in REP10-017.



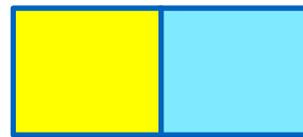
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	together with other plans and projects, including EA1N.						
4	Natural England agrees that there is likely to be no adverse effect alone as a result of RTD displacement due to cable laying (cable laying operations are of a temporary nature). We are unable to rule out AEOL in-combination from displacement therefore a seasonal restriction in cable laying activity should put be in place.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		NE's comments on in-combination effects remain unchanged.		The Applicants responded with regard to the request for a seasonal restriction on cable installation within the Applicants' Comments on Natural England's Deadline 8 Risk and Issues Log (REP9-017) (section 2, page 9) . In summary, the restriction proposed would present a significant risk to completing the construction programme on time and meeting Contract for Difference (CfD) contractual milestones for delivery of first power. However, it should be noted that through the Best Practice Protocol for



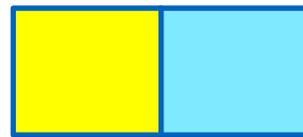
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
							<p>Minimising Disturbance to Red Throated Diver (REP8-037), the Applicants have committed to re-routeing other construction vessel traffic between the construction port and the windfarm site to avoid as much of the SPA as is possible through the core winter months of 1st November to 1st March inclusive.</p>



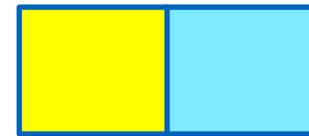
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
EA1N - 5	Natural England does not agree with the Applicant's estimate that up to 33 individuals will be displaced within the SPA. The extent of displacement effects is known to extend to beyond 10km, and therefore assuming that displacement effects only go out to 4km means the impacts are potentially underestimated.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the incombination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b. NE's previous advice remains unchanged.		Natural England's position remains unchanged.		See response at No. EA1N - 1 of this item above.



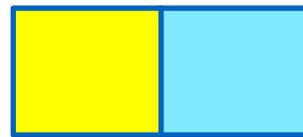
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
5	<p>The focus on predicted mortality and the effect this would have on the abundance of RTD within the SPA is not the only issue for assessing impacts on the SPA. The change in distribution of divers due to the close proximity of the array to the OTE SPA also needs to be considered. Also, the mortality rates are a relatively crude method of capturing a range of potentially deleterious effects that could arise from displacement, including reduced fitness for migration and reduced productivity during the breeding season.</p>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.</p>		<p>Natural England's comments on RTD displacement remain unchanged.</p>		<p>See response to No. 3 of this item above.</p>



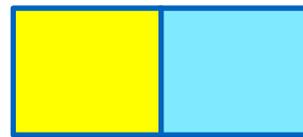
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
EA1N - 7	There is a requirement to maintain the extent and distribution of supporting habitats for the designated species. Natural England does not agree with the statement that "this requirement is not strictly at risk". Although the turbines themselves are not proposed to be constructed within the SPA, the supporting habitat will be directly affected. An AEOI cannot be ruled out beyond reasonable scientific doubt for the project alone.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged.		See response at No. EA1N - 1 of this item above.



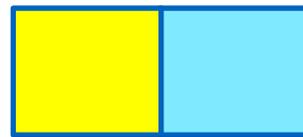
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
EA1N - 8	There are in-combination effects from operational windfarms within the SPA. Low densities within existing operational windfarms reported in Irwin and others (2019) provides evidence of the impact of operational windfarms on the distribution of RTD within the SPA.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged.		See response at No. EA1N - 1 of this item above.
2. Collision Risk Modelling (CRM) parameters. Document used: 6.1.12 EA2 Environmental Statement Chapter 12 Offshore Ornithology, 6.3.12.2 EA2 Environmental Statement Appendix 12.2 Ornithology Technical Appendix, 5.3 EA2 Information to Support the Appropriate Assessment Report							
6	Natural England recommends that the Applicant takes a more narrative approach to the assessment, and considers the Option 1 outputs for the species identified in our relevant representation in the context of the relevant		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP9-066.		The Applicants responded to NE's Appendix A16b in REP10-017. Required changes to the Cumulative and In-combination Collision Risk tables have been made in the updated version of the document submitted at



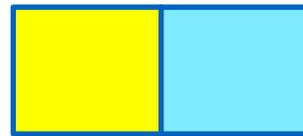
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	Option 2 95% CIs, as part of a more range-based approach to consideration of CRM impacts. This should consider the mean/central predicted collision figures and those based on the range of predicted figures resulting from the Applicant's consideration of the uncertainty/variability in the input parameters.						Deadline 11 (document reference ExA.AS-3.D11.V1).
7	It is of concern that the predicted mortalities using CRM Option 1, based on site specific estimates of PCH are significantly higher than the outputs using Option 2, which is based on generic boat based estimates of flight height.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP9-066.		See response to No. 6 of this item above.



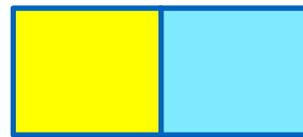
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
8	Natural England welcomes the use of our recommended Avoidance rates and nocturnal activity factors, and accept that there is an argument to present the Applicant's preferred options alongside. However, given the significant difference in predicted mortality when Option 1 is used, we suggest that this demonstrates that overall assessments of collision risk may not be precautionary enough.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP9-066.		See response to No. 6 of this item above.
3. Cumulative and In-combination Assessments Documents used: 6.1.12 EA2 Environmental Statement Chapter 12 Offshore Ornithology (Paragraph numbers given refer to this document), 6.3.12.3 EA2 ES Appendix 12.3 Supplementary Information for the Cumulative Impact Assessment.							
9	The cumulative operational displacement assessment totals for RTD are based on an incomplete data set.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033,		NE are content missing projects have been added. Please see REP9-067 for our latest		Noted. The Applicants responded to REP9-067 in REP10-017.



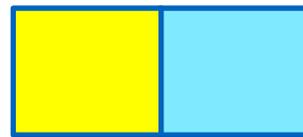
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	Table 12.37 excludes a number of projects. These missing projects will reduce the confidence in the assessments and result in a significant under-estimation of the cumulative/in-combination assessments.		REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		advice on RTD displacement.		
EA1N - 13	The disproportionate contribution that EA1N makes is clear in Table A12.3.9. EA1N alone contributes 9.5% of the cumulative total, whereas all other Tier 4 projects combined (i.e. excluding EA1N) contribute 5.6% of the relative contribution to potential displacement. The approach considering the relative contribution does not adequately consider the overall level of cumulative displacement. This is due to		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the incombination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b. NE's previous advice remains unchanged.		Natural England's comments on RTD displacement remain unchanged.		See response at No. EA1N - 1 of this item above.



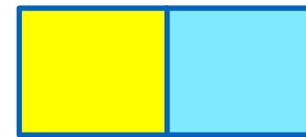
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	displacement from a number of projects not being included.						



No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
10	<p>The contribution that EA2 makes is clear in Table A12.3.10. EA2 alone contributes 2.8% of the cumulative total, whereas all other Tier 4 projects combined (i.e. excluding EA2 but including EA1N) contribute 12.3% of the relative contribution to potential displacement.</p> <p>Although the approach considering the relative contribution to the cumulative total is helpful, and identifies that contribution made by EA2 is not insignificant, it does not adequately consider the overall level of cumulative displacement. This is due to displacement from a number of projects not being included.</p>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.</p>		<p>Natural England's position remains unchanged from REP-066 and REP-067.</p>		<p>The Applicants responded to REP9-066 and REP9-067 in REP10-017.</p>

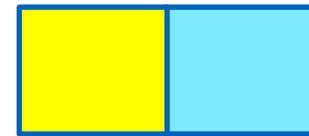


No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
11	The assessment includes several sources of precaution, but it includes assumptions that may not reflect the full extent of diver displacement. Natural England welcomes that assumptions around 100% displacement out to 4km are used, but we know this may underestimate the degree of displacement if the extent of displacement is >10km.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.		The Applicants responded to REP9-066 and REP9-067 in REP10-017.
12	Due to the Applicant's worst case scenario assessment of minor adverse, and considering that some projects are not included in the assessment, Natural England is unable to rule out a significant adverse effect for cumulative operational		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.		The Applicants responded to REP9-066 and REP9-067 in REP10-017



Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

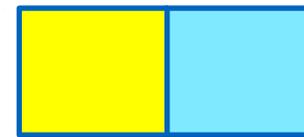
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	displacement on RTD at the EIA scale.						
14	AEOI can be ruled out for the razorbill and guillemot features of the Flamborough and Filey Coast SPA (FFC SPA) for impacts in-combination with other plans and projects when Hornsea 3 was included in the in-combination total.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.		The Applicants responded to REP9-066 and REP9-067 in REP10-017
15	The cumulative annual gannet collision risk prediction of 2,607 (Table 12.42) differs from the totals agreed at the end of the Norfolk Vanguard examination, which was 2,735. We seek clarification		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		NE's position remains unchanged from REP9-066.		The cumulative collision risk figures have been through numerous iterations throughout the examination. Updated cumulative collision risk tables have been submitted at Deadline 11 (ExA.AS-3.D11.V1)



No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	on why these two totals differ.						The Applicants responded to Appendix A16b (REP9-066) in REP10-017
17	It is acknowledged that if the higher avoidance rates in Bowgen & Cook (2018) are used, the overall impact significance will be reduced. However, Natural England advised that a significant (moderate adverse) impact on gannet at the EIA scale could not be ruled out due to cumulative collision totals at the end of the Vanguard hearing, and therefore adding more collisions from Boreas, the East Anglia projects and Hornsea 4 will not change this position.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		NE's position remains unchanged from REP9-066.		The Applicants responded to Appendix A16b (REP9-066) in REP10-017



No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
18	The kittiwake cumulative collision risk assessment in Table 12.43 differs to the totals agreed by Natural England at the end of the Vanguard hearing. This agreed total was 4,114. There will also be a need to include the figures from Hornsea 4's PEIR. Before these figures are added there is already a 2.5% increase above baseline mortality.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		NE's position remains unchanged from REP9-066.		The Applicants responded to Appendix A16b (REP9-066) in REP10-017
20	Taking into account some elements of potential precaution will lead to a reduction in mortality estimates. There are elements of the assessment which could result in an underestimate of collision risk. There is also the critical issue of variability in all of		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.		The Applicants responded to NE's Appendix A16b in REP10-017. Required changes to the Cumulative and In-combination Collision Risk tables have been made in the updated version of the document submitted at Deadline 11 (document reference ExA.AS-3.D11.V1).



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No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	the input data, not least in bird density.						
EA1N - 25	An increase of 6% above baseline mortality for great black-backed gull based on the largest Biologically Defined Minimum Population Scale (BDMPS) is significant.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update		The Applicants responded to Appendix A16b (REP9-066) in REP10-017
22	Natural England notes that it is suggested that using a nocturnal activity factor of 3 (50%) in collision risk modelling is likely to be an overestimate of nocturnal activity. We advise that a range between 25% and				No further update.		The Applicants consider that the adoption of the commonly agreed cumulative totals from Boreas deadline 8 position means this matter is resolved. The Applicants have provided an updated Cumulative and In-combination Collision Risk document at Deadline 11

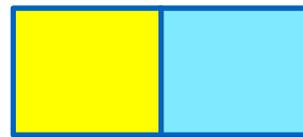
Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021



No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	50% are presented with the assessment.						(document reference ExA.AS-3.D11.V1).
23	The Population Viability Analysis (PVA) model outputs predicted populations being up to 7.7% smaller using the density dependent model, and up to 21.5% smaller than the un-impacted scenario using density independent outputs based on an annual mortality of 900.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.		The Applicants responded to NE's Appendix A16b (REP9-066) in REP10-017.
24	Natural England disagrees with the summary that concludes no greater than minor adverse significance for all species. At the end of Norfolk Vanguard we advised significant adverse effect at EIA for cumulative collision for gannet, kittiwake and great black-backed gull.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.		The Applicants responded to NE's Appendix A16b (REP9-066) in REP10-017.



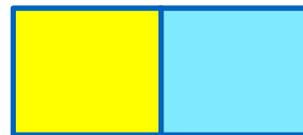
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	Since then more birds have been added to these totals from Boreas, EA1N, EA2 and also Hornsea 4, and as a result our position remains unchanged.						
4. Scale of predicted cumulative and in-combination impacts and requirement for mitigation. Documents used: 5.3 EA2 Information to Support the Appropriate Assessment Report, 6.1.12 EA2 Environmental Statement Chapter 12 Offshore Ornithology, 6.3.12.3 EA2 ES Appendix 12.3 Supplementary Information for the Cumulative Impact Assessment.							
25	<p>For EIA we have been unable to rule out a significant adverse effect for cumulative operational impacts on:</p> <ul style="list-style-type: none"> kittiwake, gannet and great black-backed gull; guillemot, razorbill and red-throated diver For HRA we have been unable to rule out adverse effect on integrity on: 		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments. Also, the Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.		The Applicants responded to NE Appendix A16b (REP9-066) in REP10-017.



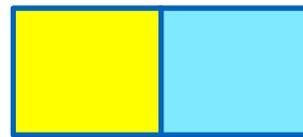
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<ul style="list-style-type: none"> kittiwake from FFC SPA; guillemot and razorbill at FFC SPA; lesser black-backed gull from Alde-Ore Estuary SPA due to in-combination collision impacts; red-throated diver from Outer Thames Estuary SPA due to in-combination displacement effects. 						
Added since Relevant Reps submission:							
28	In our Relevant and Written Representations, Natural England raised the issue of the potential in- combination impacts from EA1N and EA2 on lesser black-backed gull LBBG from the Alde-Ore Estuary SPA from collision.		The Applicant submitted a Cumulative and In- Combination Collision update at Deadline 8 [REP8- 035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.		The Applicants responded to REP9-066 and REP9-067 in REP10-017.



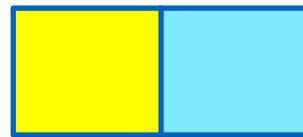
No.	Taken from Natural England's Relevant and Written Representations [EA2/EA1N] Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
33	Please see point 24 of DCO/DML tab		Please see point 34 of DCO/DML tab.		Please see point 34 of DCO/DML tab.		Please see point 34 of DCO/DML tab.



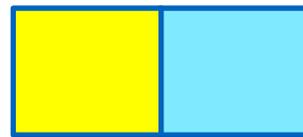
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Document used: 5.3 EA1N Information to Support the Appropriate Assessment Report							
1	<p>If an open cut trench method is selected habitat restoration should be implemented to compensate and improve supporting habitat lost. Any scrub removed should be reinstated by planting hawthorn and blackthorn. Areas of acid grassland should be created as heathland by ensuring that soil removed is appropriately stored, reinstated and capped with sandy topsoil. Locally sourced heather seed should be sown across the restoration area to recreate pioneer heath. The Applicant should provide information on the areas to be restored and methodology including timescales and species.</p> <p>The applicant should consider opportunities for net</p>		<p>NE notes the updated Ecological Enhancement Clarification Note Addendum at Deadline 8 [REP8-041]. Our position remains unchanged - See Natural England Cover Letter at Deadline 9.</p>		<p>NE notes the updated Ecological Enhancement Clarification Note Addendum at Deadline 8 [REP8-041]. Whilst Natural England acknowledges that the Ecological Clarification note addendum addresses our concerns raised at [REP4-092, REP5-084, REP8-162] in relation to removal of hedgerows and reinstating either like for like or better; the points raised by NE at Deadline 2 [REP2-054] in relation to the Ecological Enhancement Clarification note [REP1-35] remain unchanged. See Natural England Cover Letter at Deadline 9 [REP9-063].</p>		<p>Noted.</p> <p>An Ecological Enhancement Clarification Note Addendum (REP8-041) was submitted at Deadline 8. The document outlines the opportunities for ecological enhancement to be provided by the Projects throughout the onshore development area by way of various measures proposed within the Environmental Statement (ES) and the Outline Landscape and Ecological Management Strategy (OLEMS) (document reference 8.7). This addendum to the Ecological Enhancement Clarification Note submitted at Deadline 1 (REP1-035) reflects a number of updates to these measures during the</p>



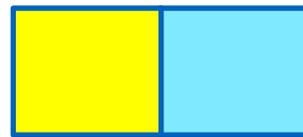
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>gain in improving and extending relevant and supporting habitats. We recommend consultation with the landowner and RSPB is sought regarding restoration works and net gain opportunity.</p>				<p>Natural England notes the inclusion of hawthorn and blackthorn planting in the Outline Crossing Method Statement [REP6-036] and welcomes the extension of commitment to the habitat management plan in work area 12A to ten years (excluding horse paddock).</p>		<p>Examinations and provides up to date information on the Projects' potential to deliver ecological enhancement; it should be read in conjunction with the Ecological Enhancement Clarification Note (REP1-035).</p> <p>The Applicants note NE's view that the Projects should deliver over 10% ecological enhancement on the baseline, aligning with the thresholds required of Biodiversity Net Gain which the Applicants consider is not a formal requirement for Nationally Significant Infrastructure Projects (NSIPs) (and as agreed by NE in their Deadline 2 submissions (REP2-054)). Whilst this is acknowledged by the Applicants, other</p>



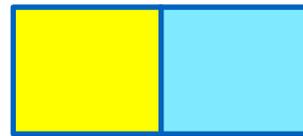
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
							<p>considerations have been taken into account in the proposed outline landscape mitigation plan such as visual and historic environment effects of planting.</p> <p>A full response to NE's Deadline 2 submission (REP2-054) has been provided within the <i>Applicants' Comments on Natural England's Deadline 2 Submissions</i> submitted at Deadline 3 (REP3-070).</p>
Document used: 6.1.22 EA1N Environmental Statement Chapter 22 Onshore Ecology							



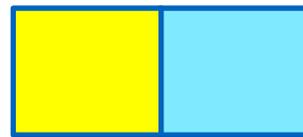
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
6	<p>Within the Leiston to Aldeburgh SSSI the variety of water bodies and terrestrial habitats provides suitable breeding and hunting areas for many species of dragonfly and damselfly, including the nationally scarce hairy dragonfly <i>Brachytron pratense</i>. We advise consideration of this species, as previously requested in Natural England's advice letter dated the 26th March 2019.</p>		<p>Natural England's position remains unchanged. Please see previous comments [REP8-162] [REP7- 073 [REP5-084] [REP4-092]</p>		<p>Please see NE Deadline 10 Appendix C10.</p>		<p>The Applicants note NE's engagement with East Suffolk Council (ESC) and Suffolk County Council (SCC) on the characterisation of woodland within the Order limits at Aldeburgh Road and welcome NE's clarification on this matter. NE previously advised within their Deadline 7 submission (REP7-073) that February is a sub-optimal time of year to undertake a habitat survey, which the Applicants have responded to within Section 4 of the Applicants' Comments on Natural England's Deadline 7 Submissions (REP8-049). The Applicants have responded to Appendix C10 in section 2.</p>



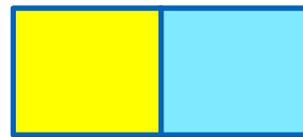
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
8	<p>The Hundred River feeds into Sandlings SPA and we expect to see an assessment of alternatives to include HDD under this water course and impacts outlined.</p> <p>We welcome the commitment to reinstate and improve habitats.</p>		<p>Ongoing with further update on our position in relation to the potential wet woodland and hair dragonfly at Deadline 10.</p>		<p>Ongoing issue please see Deadline 10 Appendix C10 in relation to wet woodland and hairy dragonfly which need to be addressed before NE provide further advice.</p>		<p>In the interest of closing this matter to the satisfaction of the ExA, the Applicants revisited the site of the Hundred River crossing on 28th May 2021 to verify the results of the pre-application surveys and February 2021 survey results presented within the Ecology Survey Results (REP6-035). The findings of this most recent site visit have been submitted at Deadline 11 within the Hundred River Ecology Site Visit Report (document reference ExA.AS-22.D11.V1).</p> <p>Regarding the Hundred River crossing technique, the Applicants note that the rationale for a trenchless crossing being unfeasible for the crossing of the Hundred River is set out within</p>



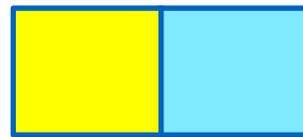
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
							<p>Appendix 2 of the Outline Watercourse Crossing Method Statement (REP8-084).</p> <p>The Applicants have responded to Appendix C10 in section 2.</p>
9	Any works that directly impact upon badgers should be subject to mitigation, compensation and/or a protected species license from Natural England to avoid an offence under the Wildlife and Countryside Act 1981 (as amended). We refer to the Planning Inspectorates advice note 11 which advises early engagement with Natural England. We advise that an outline plan is provided.		NE and the Applicant held a meeting on 30th March 2021 to discuss outstanding issues. Natural England understand the Applicant will submit a response at Deadline 9.		Natural England continue to engage with the Applicant with regard to the draft LONI application for badger.		The Applicants are currently updating the draft licence application documents in seeking a Letter of No Impediment (LoNI) for badgers, following receipt of comments from NE's wildlife licencing team. A LoNI for badgers will be submitted to the Examinations as soon as this becomes available.



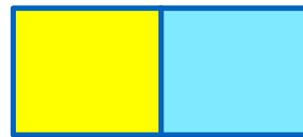
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
10	Mitigation should include micro-siting of cable route to avoid badger setts, and mitigation and compensation as outlined within Natural England standing advice. This should all be included in an outline plan during examination.		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit . The advice provided at Deadline 8 [REP8-162] remains unchanged.		Natural England continue to engage with the Applicant in relation to the draft LONI Application .		The Applicants refer to their response to No 9 of this item above.
11	We welcome the mitigation prescribed for bats in principal, but advise that potential impacts to bat habitat should be clearly mapped with roosting, foraging and commuting areas shown in relation to the redline boundary. As consistent with Natural England's previous advice letter the 26th March 2019. The Applicant should also consider any in combination impacts with proposed		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.		We agree to disagree on whether this document should be updated prior to consent. However, on this occasion only we are prepare to close the matter on the R&I issues log.		Noted. This matter is closed.



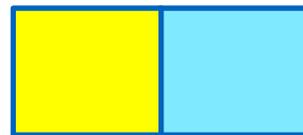
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	development at Sizewell C and any other foreseeable plans or projects. This should be provided as an outline plan as part of the examination.						
12	Any works that directly impact upon great crested newts should be subject to mitigation, compensation and/or a protected species license from Natural England to avoid an offence under the Wildlife and Countryside Act 1981 (as amended). We refer to the Planning Inspectorates advice note 11 which advises early engagement with Natural England. Natural		NE and the Applicant held a meeting on 30th March 2021 to discuss outstanding issues with the LONI. It is expected the Applicant will submit comments at Deadline 9.		Natural England continue to engage with the Applicant with regard to the draft LONI Application.		The Applicants submitted a draft licence application to NE's wildlife licencing team in seeking a LoNI for great crested newts (GCN). Whilst the level and type of survey data for the Applications and obtaining a LoNI had been agreed pre-Application by NE through Expert Topic Group (ETG) meetings, NE have now concluded they cannot determine the



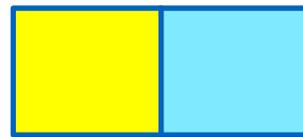
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	England advises that the Applicant approaches us for a Letter of No Impediment (LONI) as early as possible.						application based on the currently available survey data due to a change in NE's practice. The Applicants will therefore progress licensing for GCN post consent based on the results of pre-construction surveys and this approach has been discussed with NE.
13	The Environmental Statement confirms suitable habitat within the vicinity of works and highlights the possibility of killing or injuring reptiles as a risk during construction. Natural England advises that reptile surveys are completed prior to construction to quantify potential impacts and to finalise mitigation works. Reptile mitigation should ensure that there is no net		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.		We agree to disagree on whether this document should be updated prior to consent. However, on this occasion only we are prepare to close the matter on the R&I issues log.		Noted. This matter is closed



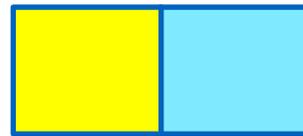
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>loss of local reptile conservation status, by providing sufficient quality, quantity and connectivity of habitat to accommodate the reptile population in the long term, either on site or at an alternative site nearby. We advise that an outline plan is provided as part of the examination.</p>						



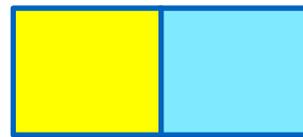
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Documents used: 6.1.23 EA1N Environmental Statement Chapter 23 Onshore Ornithology							
14	<p>The open cut trench method of cable installation will result in the temporary loss of supporting habitat, including the breeding sites of turtle dove which are features of interest for Leiston to Aldeburgh SSSI. We understand that any habitat removed during the period of works will be reinstated, however there is a risk that the required mitigation will not be sufficiently established to provide suitable nesting habitat for the following breeding season. Natural England advises that the 3ha of compensatory turtle dove feeding habitat to be provided should be in place in advance of works.</p> <p>We understand that an HDD technique will avoid the loss</p>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Natural England is content that mitigation measures for loss of nesting habitat will remain in situ and managed for a period of time post consent.</p> <p>However as per out D8 response in Appendix C9 we remain concerned that the mitigation will be 'established' prior to construction, but there remains no guarantee/confirmation that it is delivering the required mitigation prior to construction commencing.</p>		<p>Regarding guarantee / confirmation that the birds will be using the mitigation areas prior to construction commencing, the Applicants reiterate the position from ID3a within Section 4 of the Applicants Comments on Natural England's Deadline 8 Submissions (REP9-016) that whilst the Applicants can control how this mitigation habitat is prepared, it cannot control the extent to which birds use this mitigation area. .</p>



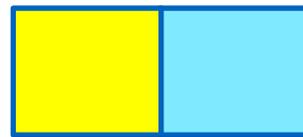
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	of designated habitat and on this basis Natural England expresses a preference for an HDD method.						
15	The open cut trench method of cable installation will result in the temporary loss of designated and supporting habitat, including the breeding sites of nightingale		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice.		Natural England notes the inclusion of hawthorn and blackthorn planting in REP6-036 to create suitable restorative habitat for nightingale and turtle		See No 14 of this item above.



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>which is cited as a feature of interest for Leiston to Aldeburgh SSSI. To mitigate impacts, the Applicant proposes the provision of nesting sites for nightingale will be delivered through habitat management within and on the outskirts of the designated sites and in line with BTO habitat management guidelines. This mitigation method will need to be secured in the DCO and clearly set out in an outline habitat management/mitigation plan as there is the potential for the works themselves to be damaging to the designated sites. We advise that any scrub removal is restored with hawthorn and blackthorn.</p>		<p>The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>dove – Whilst we agree with the post installation mitigation please see also Item 14 in relation to delivery of mitigation prior to commencement of works.</p>		



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
16	We welcome the inclusion of barn owl mitigation and the commitment to consult with the Suffolk Community Barn Owl Project. We advise that any compensatory habitat is provided in appropriate timescales. NE should be consulted on any mitigation in a designated site. This will need to be secured in the DCO and included in an outline management plan.		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.		Issue resolved.		Noted. This matter is closed.
17	We agree with the necessity of pre-construction surveys prior to any works taking place. If active nests are found, it should be noted that all wild birds, their nests and eggs are afforded legal protection under the Wildlife and Countryside Act 1981 (as amended), and therefore works in the vicinity of the nest may have to be delayed		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.		Issue resolved as all nesting birds will be protected as part of the Breeding Bird Protection Plan (secured under Requirement 21 of the draft DCO (document reference 3.1).		Noted. This matter is closed.



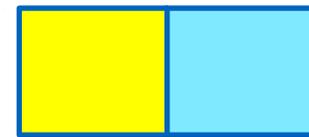
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>until any chicks have fledged. Or site preparation works need to be agreed upfront with relevant authorities in consultation with Natural England to be locations temporarily unsuitable for nesting.</p> <p>If exclusion or buffer zones are proposed, the size of the exclusion zone should be well researched to reflect the disturbance tolerance level of the species identified and be of a sufficient distance to prevent disturbance (noise, visual and vibration) to nesting birds.</p>						
<p>Documents used: 6.7 EA1N Onshore Schedule of Mitigation</p>							



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
18	<p>Monitoring:</p> <p>Natural England notes that detail on monitoring plans is currently lacking and advises that a commitment to post-construction monitoring is made, in particular in the following cases:</p> <ul style="list-style-type: none"> • 1 year post-completion of turf stripped and grassland areas which have been removed to assess that natural colonisation or reseeded has been successful, and whether additional mitigation works may be required • Following re-instatement of habitats (see Ref 5.12 in Onshore Schedule of Mitigation), in particular if open cut trenching is used. • 7 years monitoring of hedgerows or until the 		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Issue ongoing in relation to the EMP.</p>		<p>The Applicants have provided a response to NE's Deadline 8 Appendix C9 (REP8-162) at Deadline 9 in Applicants' Comments on NE Deadline 8 Submissions (REP9-016).</p> <p>The Applicants understand that NE's ongoing issue relates to the fact that a separate outline EMP has not been submitted however, the Applicants would reiterate that the OLEMS is the outline EMP. The Applicants consider this matter closed.</p>

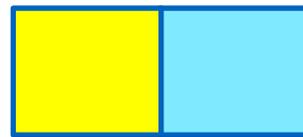


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	hedgerows have recovered.						
21	Natural England supports the seasonal restriction of construction works (outside of the breeding bird season; 1st February to 31st August for woodlark and 1st of April to 31st August for nightjar) within the boundary, or 200m outside of the Sandlings SPA		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged		Natural England is in discussion with the Applicant and will review the list of plans for which the SNCB is named within the OCoCP when it is next submitted by the Applicant into examination.		The Applicants submitted an updated OCoCP at Deadline 10 (REP10-004). The updates clarified the elements of the CoCP that NE will be consulted on and confirmed that the draft DCO will be updated to make provision for consultation

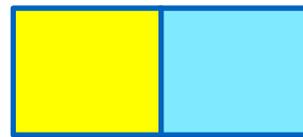


Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

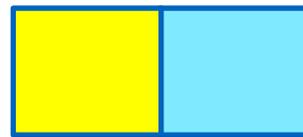
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	<p>to prevent damage or disturbance to designated features of interest.</p> <p>This should be included as a condition in the DCO and COCP. Natural England request consultation on the COCP and suggest that the relevant conservation bodies are included within the document to ensure contact details are accessible if and when required.</p>		and we await inclusion within the CoCP as a SNCB consultee.				with the relevant SNCB during the approval of the plans specified in paragraph 11 of the Outline CoCP . The Applicants anticipate that this will address NE's outstanding representation on this matter.
Documents used: 8.7 EA1N Outline Landscape and Ecological Management Strategy							
24	Natural England requests that Statutory Nature Conservation Bodies (SNCBs) including Natural England are consulted on the Ecological Management Plan.		Issue Ongoing. Natural England are in discussions with the Applicant.		Issue Ongoing. Natural England are in discussions with the Applicant.		Requirement 21 of the draft Development Consent Order (DCO) (document reference 3.1) stipulates that NE will be consulted by the relevant planning authority during the approval of the final EMP. This matter is closed.



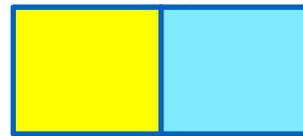
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Added since Relevant Reps submission:							
26	NEW ISSUE AT DEADLINE 5. After the submission of the EA1N/EA2 applications the area of woodland on the west side bank adjacent to the proposed Hundred River crossing location has been identified, as priority deciduous woodland, but MAGIC.gov.uk doesn't differentiate between the different types of priority deciduous woodland. If this is wet woodland it is a priority habitat under the UK biodiversity Action Plan (UK BAP) which are considered the habitats that are most threatened and requiring conservation. Therefore, Natural England would advise that mitigation measures are required to		Natural England's position remains unchanged. Please see previous comments [REP8-162] [REP7- 073 [REP5-084] [REP4-092]		See Natural England summary position in Deadline 9 cover letter [REP9-063] and further response Appendix C10 at Deadline 10 .		The Applicants have responded to Appendix C10 in section 2 . This matter is closed.



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	avoid impacts to this woodland.						



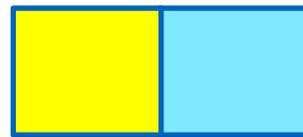
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix D - LVIA – Terrestrial aspects of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Document Used: 6.1.29 EA1N Environmental Statement Chapter 29 Landscape and Visual Impact Assessment							
2	NE would like to see an anticipated timetable / schedule for how construction activities would progress along the cable route within and in the immediate setting of the AONB, what construction consolidation sites and associated or other construction infrastructure and equipment would be present and how long after commencement all signs of active construction activity would be removed from the AONB. This information would complement the stated		N/A		Ongoing.		The Applicants refer to Plate 6.32 within Chapter 6 of the ES (APP-054) and the Onshore Cable Route Works Programme Clarification Note (REP3-056) which provides an illustration of the indicative onshore cable route construction sequence and timing. This can be viewed in conjunction with Figure 6.2 - East Anglia TWO (and East Anglia ONE North) Onshore Development Area of the ES (APP-097) to provide more context on the phasing of the works.



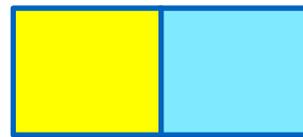
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix D - LVIA – Terrestrial aspects of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	expectation that the landfall construction site and infrastructure for each scheme being present for twenty months.						
3	NE welcomes the assessment of cumulative impacts of the EA1N and EA2 OWFs with the construction and operational phases of Sizewell C. In addition to the outlined mitigation to reinstate the landscape		N/A		See summary position within Natural England's Deadline 9 cover letter [REP9-063].		The Applicants note that the NE summary position within REP9-063 states: <i>"Natural England note the submission of this assessment and has no further comment."</i> The Applicants consider this matter to be closed.



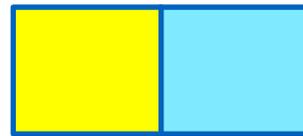
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix D - LVIA – Terrestrial aspects of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>character and special qualities of the AONB post-construction, Natural England advises that all parties consider landscape enhancement/net gain opportunities within the AONB. We advise that there is an agreement put in place on how this could be achieved with the AONB partnership in consultation with Natural England and others.</p>						



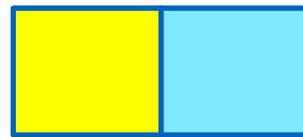
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Comments on 'Good Design'							
1	(Point 3.1.1). Due to the technology choice selected for use in the worst case scenario, and reflecting that smaller turbines are available, NE considers that the NPS requirements for 'good design' have not yet been fully applied in the design of the EA2 scheme. And as a consequence the statutory purpose of the AONB will be adversely effected by the EA2 proposal as it is currently configured.		Ongoing Issue		Ongoing Issue		<p>The Applicants note that at para 4.5.1 of EN-1 on Good Design, it is stated that fitness for purpose and sustainability are part of the good design process and therefore it is important that these factors are given due consideration in the good design process.</p> <p>NE indicated at ISH8 that turbines would need to be 210m to avoid significant effects. Turbines of this size would not be a viable option to maintain the capacity of the Project, and therefore would not be fit for purpose.</p> <p>Agree to disagree – this matter is closed.</p>
Comments on Visibility							



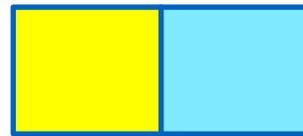
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
2	(Point 3.2.1) Natural England notes that the text used in Offshore Visibility Appendix (PIER Appendix 28.7, ES Appendix 28.8) are essentially the same. We reiterate the relevant parts of our s42 consultation response. We also add further comments in response to new text in the ES SLVIA and as a result of the evidence gathered by NE in the summer of 2019 as provided for within our Relevant Representation. An understanding of the likely number of turbines within the array which would contribute most to the predicted significant landscape and visual effects would be helpful in determining this application.		Ongoing Issue		Agree to disagree.		No further comments
EA1N - 1	(Point 3.1.1) Natural England notes that the text used in		No update		No update		No further comments



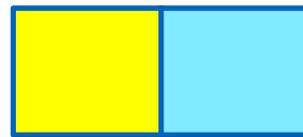
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>Offshore Visibility Appendix (PIER Appendix 28.7, ES Appendix 28.8) are essentially the same.</p> <p>We reiterate the relevant parts of our s42 consultation response. We also add further comments in response to new text in the ES SLVIA and as a result of the evidence gathered by NE in the summer of 2019 as provided for within our Relevant Representation. An understanding of the likely number of turbines within the array which would contribute most to the predicted significant landscape and visual effects would be helpful in determining this application.</p>						
Comments on the revised layout design							



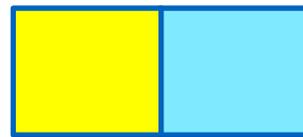
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
4	<p>(Point 3.3.1) Magnitude of effect - The revised design presented in the ES is welcomed by NE for the reduction in the magnitude of effect this represents.</p> <p>(Point 3.3.2) Reduced Lateral Spread -NE agrees that the revised layout will reduce the magnitude of seascape, landscape and visual effects on the setting and key coastal viewpoints of the AONB. NE agree that the revised design results in a notable reduction in the lateral spread (See ES Table 28.3) which we calculated to be between 31% and 28%. (Point 3.3.3) Concentrated Grouping - Natural England agrees that concentrating the turbines into a smaller area will assist in</p>		Issue Ongoing		Issue ongoing.		<p>The Applicants also note that at para 4.5.1 of EN-1 on Good Design, it is stated that fitness for purpose and sustainability are part of the good design process and therefore it is important that these factors are given due consideration in the good design process.</p> <p>NE indicated at ISH8 that turbines would need to be 210m to avoid significant effects. Turbines of this size would not be a viable option to maintain the capacity of the Project. and therefore would not be fit for purpose</p> <p>Agree to disagree – this matter is closed.</p>



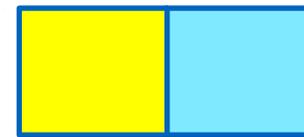
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	reducing the magnitude of effect of the scheme.						



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
5	(Point 3.3.4) Increased distance to shore - Natural England concludes therefore that the revised design provides no embedded mitigation in terms of proximity to the coast of the AONB nor in the height of the turbines used in the worst case scenario. Consequently the magnitude of this effect remains the same as that for the scheme design presented in the PEIR. This is primarily due to the height of the turbines used in the worst case scenario that so many significant landscape and visual effects have been identified in the SLVIA for landscape and visual receptors located in the northern portion of the AONB.		Agreed to disagree.		No further update.		No further comments – agree to disagree

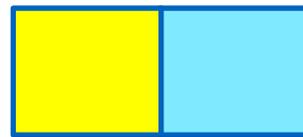


No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
6	(Point 3.3.5) Cumulative effects -Natural England agrees that the cumulative effect of EA2, in conjunction with EA1N, will be reduced through the creation of a clear gap in the seascape between these 2 schemes. This has effectively removed the possibility that a 'curtaining' effect would be apparent from certain viewpoints located on the coastline of the AONB. However we note that significant cumulative effects are still predicated.		Agree to disagree.		No further update.		No further comments – agree to disagree
Comments on the AONB Baseline							
8	(Point 3.5.1) For the s42 consultation Natural England made comments on the anticipated trends in the AONB baseline conditions		Ongoing Issue.		Ongoing issue.		The Applicants have provided an updated assessment which takes into account the material changes made to the Sizewell C beach landing facility (REP8-075).

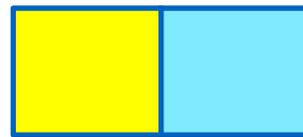


Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

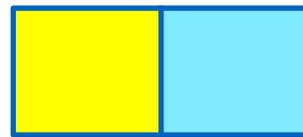
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	and these are repeated from the s42 consultation.						
9	(Point 3.5.2) Natural England accepts the reasoning set out in the ES paragraph 3.5.2 but is concerned about the conclusions drawn. The applicant is correct in stating that the seascape covered by the study (and the wider seascape of the southern North Sea) is increasingly characterised by the presence of a number of large offshore windfarms. However, we consider that it is incorrect to assume that the acceptable landscape and seascape change which this has produced sets a precedent for EA2.		Agree to disagree.		No further update.		No further comments – agree to disagree.



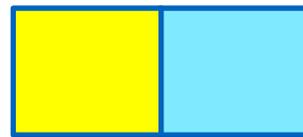
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Comments on landscape receptors							
10	Table 3.7 and Point 3.7.1) Our advice provided at s42 remains the same for these LCT areas. The concerns for these LCT areas LCT 06 Area B, LCT 06 Area D, LCT 29 Covehithe Broad and Easton Broad) have been presented within our relevant representations.		Agree to disagree.		No further update.		No further comments – agree to disagree
EA2 Comments on the AONB Special Qualities							
11	Table 4 Summary of Natural England's position based on Table 28.10 of the ES		Agree to disagree.		No further update.		No further comments – agree to disagree



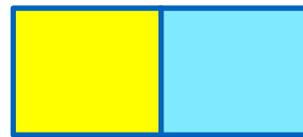
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12	(Point 3.8.1) The role of the seascape setting of the AONB in shaping and maintaining the special qualities of the area is a vital consideration and a critical component of the SLVIA. It is a key interest for Natural England. We therefore welcome this assessment for the evidence and clarity it provides and believe it will greatly assist in the determination of the scheme.		Agree to disagree.		No further update.		No further comments – agree to disagree
13	(Point 3.8.2)Landscape Quality – Influence of Incongruous features - We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.		No further comments – agree to disagree



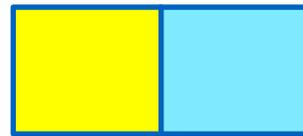
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14	(Point 3.8.3) Scenic Quality - Appeal to the senses; Sensory stimuli and 'big Suffolk skies' We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.		No further comments – agree to disagree
15	(Point 3.8.4) Relative Wildness -- Sense of remoteness; pockets of relative wildness. We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.		No further comments – agree to disagree



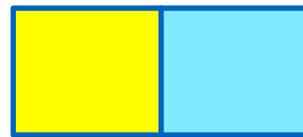
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16	(Point 3.8.5) Relative Wildness -- Sense of remoteness; largely undeveloped coastlines - We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.		No further comments – agree to disagree
17	(Point 3.8.6) Relative Wildness -- Sense of passing time and a return to nature. We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.		No further comments – agree to disagree



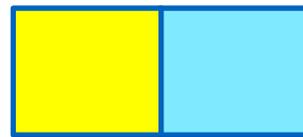
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18	(Point 3.8.7) Relative Tranquillity - Distractors from tranquillity. We disagree with the magnitude of change judgment of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.		No further comments – agree to disagree
Comments on Viewpoints and Visual Receptors							
19	(Point 3.9.1 and Table 5) Our advice provided at s42 remains the same for those visual receptor groups at those viewpoints listed in the table above where we agree with the judgement in the ES SLVIA. Where we disagree with the judgement in the ES SLVIA we offer on comments point 20 and 21 (Point 3.92 and 3.9.3 of RR). These comments have been updated		Agree to disagree.		No further update.		No further comments – agree to disagree



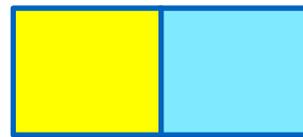
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	following the site visits undertaken in the summer of 2019.						



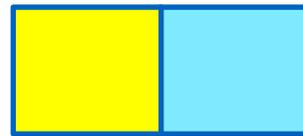
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20	<p>(Point 3.9.2) Viewpoint 10 Sizewell Beach - We disagree with the judgement of no significant effects as set out. In all other instances the sensitivity of 'beach users' and 'walkers on the SCP' (and similar groups) is high; this includes at viewpoints 4, 5, 13, A and D which are either urban or semi-urban in character. Natural England sees no justification in lowering the sensitivity of this group at this location to medium on the premise that the presence of Sizewell nuclear power station would reduce their expectations, and hence the sensitivity, of these groups. The sensitivity for these groups at this location should be assigned as high . We advise that the significance of effect for these</p>		Agree to disagree.		No further update.		No further comments – agree to disagree



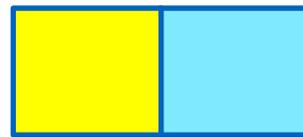
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	2 receptor groups at this location is significant.						



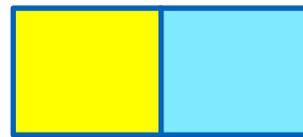
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	<p>(Point 3.9.3) Viewpoint 18 Orford Ness -The judgement for this location in the PEIR was significant (PEIR Appendix 28.4 p.71). We assume that the revised design has resulted in the array being 200m closer to the location of this viewpoint, but with a reduced lateral spread (37.8 to 27.1 degrees). This revision has resulted in a judgment of not significant within the ES. However, we note that significant landscape effects (LCT 06) are predicted to extend to a point approximately 1.25km north of the location of this viewpoint. The reasoning in the ES is essentially the same as that provided in the PEIR, although we note the additional text in the ES. Our concerns remain in relation to:</p>		Agree to disagree.		No further update.		No further comments – agree to disagree



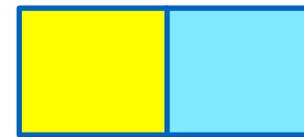
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	That Galloper and Greater gabbard occupy 22% of the visible seaward horizon, the assertion that the vertical height of the turbines will be relatively moderate, and we disagree that Galloper and Greater Gabbard arrays provide justification for EA2.						



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
21	<p>(Point 3.9.3) Viewpoint 18 Orford Ness -The judgement for this location in the PEIR was significant (PEIR Appendix 28.4 p.71). We assume that the revised design has resulted in the array being 200m closer to the location of this viewpoint, but with a reduced lateral spread (37.8 to 27.1 degrees). This revision has resulted in a judgment of not significant within the ES. However, we note that significant landscape effects (LCT 06) are predicted to extend to a point approximately 1.25km north of the location of this viewpoint. The reasoning in the ES is essentially the same as that provided in the PEIR, although we note the additional text in the ES. Our concerns remain in relation to:</p>		Agree to disagree.		No further update.		No further comments – agree to disagree

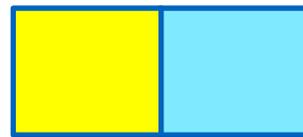


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	That Galloper and Greater Gabbard occupy 22% of the visible seaward horizon, the assertion that the vertical height of the turbines will be relatively moderate, and we disagree that Galloper and Greater Gabbard arrays provide justification for EA2.						
Comments on Suffolk Coast Path							
22	(Point 3.10.1) Section 7 Minsmere and Sizewell - We disagree with the judgement of no significant effects as set out.		Agree to disagree.		No further update.		No further comments – agree to disagree
Comments on Cumulative Effects							

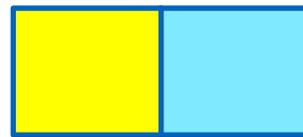


Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

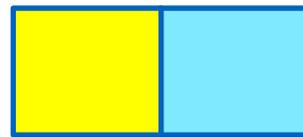
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23	(Point 3.11.1) The ES SLVIA for EA1N judges that there are no significant landscape and visible effects resulting from this scheme despite the use of turbine technology identical to that used in EA2. The separation distance of the EA1N scheme from the coast of the AONB is greater than that of EA2 and the lateral spread smaller when viewed from the coastline. Natural England agrees with this conclusion although notes that opportunities exist to reduce these effects further through the use of shorter turbines.		Agree to disagree.		No further update.		No further comments – agree to disagree
EA1N - 5	(Point 3.9.1) As a result of interactions with the EA2 OWF project Natural England agrees that the EA1N OWF project will not meaningfully contribute to the significant		No update		No update		The Applicant notes and agrees that there will still be residual cumulative effects from the presence of the wind turbines and offshore platforms located within the



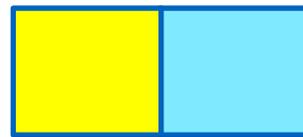
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	cumulative effects of these two OWF projects.						<p>East Anglia TWO windfarm site in conjunction with the wind turbines and offshore platforms located within the East Anglia ONE North windfarm site, although it is understood to be agreed with NE that that the cumulative effect will be reduced through the creation of a clear gap in the seascape between the two windfarms and the avoiding of a 'curtaining' effect. The Applicant notes NE's assessment that the Project will not meaningfully contribute to the significant cumulative effects with East Anglia TWO and agrees with NE that the contribution of the Project to these cumulative effects is relatively small. The Applicant notes agreement elsewhere in NE's response</p>



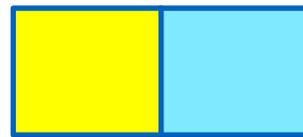
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
							that the Project windfarm site results in no significant landscape and visual effects. Therefore, the Applicants query why this is an ongoing issue for East Anglia ONE North and consider this matter is closed.
Comments on Summary and Conclusions							
24	(Point 3.12.2) We note the increase in the minimum of separation distance to 32.6km and the increase in separation distance from the coast at viewpoints 3, 4, 5 and 6. We also note the decrease in separation distance for viewpoints 7, 8, 9, 10,11,12,13 and 18. Based on these 12 locations the average separation distance remains unchanged at 34.5km.		Agree to disagree.		No further update.		No further comments – agree to disagree



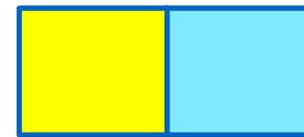
No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
25	(Point 3.12.3) We are unsure of the point that this paragraph is seeking to make.	Yellow	Ongoing Issue.	Yellow	No further update.	Yellow	No further comments
26	(Point 3.12.4) We advise that significant landscape effects are very likely to occur in respect of the setting of LCT 29 Covehithe and wish to see an assessment of this LCT.	Red	Agree to disagree.	Red	No further update.	Red	No further comments – agree to disagree
27	(Point 3.12.5) We disagree that effects on AONB special quality 'big Suffolk Skies' are not significant.	Red	Agree to disagree.	Red	No further update.	Red	No further comments – agree to disagree
29	(Point 3.12.7) Natural England accepts that there is capacity within SCT 06 Offshore Waters to accommodate further windfarms provided that the technology selected and design of the layout, particularly the distance from the coastline of the AONB, is	Yellow	Ongoing issue.	Yellow	No further update.	Yellow	No further comments



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	sufficient to avoid significant adverse landscape and visual effects which are detrimental to the statutory purpose of the designation.						
30	<p>(Point 3.12.8) Natural England notes the incompleteness of some of the statements in the 2nd, 3rd, 5th and 4th bullet points of this paragraph.</p> <p>For the 2nd bullet, significant landscape and visual effects are predicted to extend for at least 35km along the coast for the majority of this distance.</p> <p>Due to the technology selected in the worst case scenario we disagree with the statement in the 3rd bullet point. At the 4th bullet point</p>		Agree to Disagree.		No further update.		No further comments – agree to disagree



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>the statement made at paragraph 155 (Chapter 28 p.46) is needed to clarify the statement made here; 'It (EA2) will however result in changes to the seascape character, perceived from the land, particularly that portion of the Offshore Water LCT (06) which forms the seascape setting of the AONB'. In the 5th Bullet we advise that the phrase 'EA2 windfarm site' although factually correct is misleading. Natural England disagrees with conclusion of the final sentence as set out at the 7th bullet point. Natural England advises that the special qualities of the AONB will be adversely effected by this scheme. Although these effects will be confined to the</p>						



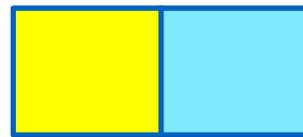
Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - SLVIA - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	northern portion of the designation's coastline, and will not affect every part of the AONB, they are nevertheless predicted to occur.						

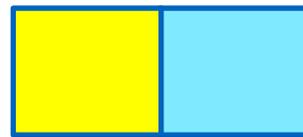
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
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Document used: 6.1.4 EA1N Environmental Statement Chapter 04 Site Selection and Assessment of Alternatives

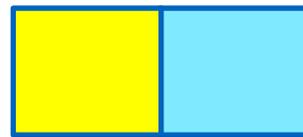
1	Although the decision to cross the Sandlings SPA at the narrowest section is welcomed, it should be noted the decision to HDD or trench through this section has yet to be determined. There is still		No further update		Natural England has provided final comments on HDD vs Open Cut Trench at Deadline 5 [REP5-084].		The Applicants responded to NE's Deadline 5 submission (REP5-084) within the Applicants' Comments on Natural England's Deadline 5 Submissions submitted at Deadline 6 (REP6-030).
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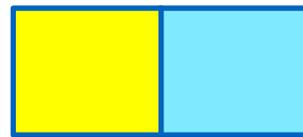
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	the potential for impacts and disturbance to occur to species using the SPA despite this narrowest route.						<p>It is noted from NE's Deadline 5 submission (REP5-084) that their default preference remains for a trenchless technique for the crossing of the Sandlings SPA, although NE acknowledge the project design and commitments of the Projects to minimise impacts upon the SPA and <i>'that if done correctly an open trench option... could enable the SPA habitats to recover within the short to medium term'</i>.</p> <p>The Applicants consider that comprehensive measures associated with an open trench crossing of the Sandlings SPA have been proposed which will sufficiently mitigate construction phase impacts upon the qualifying features</p>



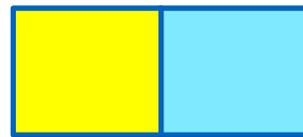
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
							and supporting habitats of the SPA. This matter is therefore closed.
Document used: 6.1.7 EA1N Environmental Statement Chapter 07 Marine Geology, Oceanography and Physical Processes							
8	It is clear from the ES that both project sites exhibit large areas of sandwaves and mega ripples. This suggests to Natural England that a significant amount of sandwave clearance may be needed. If so, then it is essential that the applicant sufficiently considers the impact of disturbance and prey availability upon the interest features of the Outer Thames Estuary SPA, plus the potential loss of <i>Sabellaria spinulosa</i> reef which should		The ongoing issue in relation to micro-siting of <i>Sabellaria</i> reefs remains.		Please see REP7-074 for our latest advice on Sabellaria.		The Applicants responded to REP7-074 at REP8-049.



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	be avoided by micro-siting where possible.						
11	Clarification on why there is such a wide difference in the potential height of drill arisings mounds would be welcome. In addition the persistence of any mound/s would also need to be considered. If this is hard substrata then it would need to be potentially added to the in-combination assessment of any cable/scour protection; especially in relation to potential impacts to the		No further update.		Natural England is content with the commitment to keep drill arisings outside of the SPA.		Noted. This matter is closed.



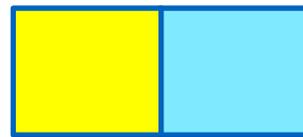
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	conservation objectives for the Outer Thames SPA.						
Document used: 6.1.9 EA1N Environmental Statement Chapter 09 Benthic Ecology							
23	We welcome the commitment to avoid sensitive receptors when undertaking sandwave levelling works, but where possible sand should be disposed in similar particle sized areas.		Ongoing with disposal locations to be agreed post consent.		Ongoing		The Applicants have agreed with the MMO for disposal locations to be licensed post consent once additional contaminant sampling has been undertaken. Therefore, the Applicants query why it is assigned as amber. This matter is closed.



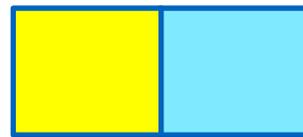
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
25	Natural England notes that the placement of new cable protection over the life time of the project is not included in the assessment. Is this because a separate marine licence will be applied for at the time?		No further Update		Ongoing. Natural England notes the changes to this condition and that after a period of 5 years a new marine licence will be needed for additional scour or cable protection. On a without prejudice basis to our position regarding the deployment of new areas of cable and scour protection, we consider the wording used here appropriate and have no further comment to make. As noted in our covering letter, and our relevant and written representation [RR-59] Natural England do not support the use of new cable protection, or		The Applicants note that the without prejudice condition wording has been agreed with NE and the MMO. The Applicants consider that final positions have been reached on this matter. This matter is closed.



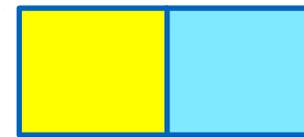
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					scour protection during the Operations and Maintenance phase and therefore cannot agree to the Offshore Operations and Maintenance Plan (OOMP) until this issue is resolved.		
26	Please be advised that the assessment of cable protection is not consistent with Natural England recent draft advice position paper as provided for Boreas examination. Ideally drill arisings should be deposited in areas of scour protection against to turbines and/or similar habitats.		No further update.		Please see issue 25 above.		See No. 25 of this item above
27	Please be advised that mitigation in the form of micro-siting is not normally secured as part of the In Principle		No further update.		Please see REP7-074 for our latest advice on Sabellaria.		The Applicants responded to REP7-074 at REP8-049. This matter is closed.



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	Monitoring Plan. Further consideration should be given to how best to do this.						
29	Please be advised that all reef is reef no matter the quality and is therefore protected as such.		No further update.		Please see REP7-074 for our latest advice on Sabellaria.		The Applicants responded to REP7-074 at REP8-049. This matter is closed.
Document used: 6.1.10 EA1N Environmental Statement Chapter 10 Fish and Shellfish Ecology							
36	Is there a reason why the applicant cannot commit to burying their cable to a minimum depth of 1.5m?		Please see Deadline 8 Applicant's Offshore SoCG [REP8-109].		No further update.		The Applicants consider that final positions have been reached on this matter. This matter is considered to be closed.

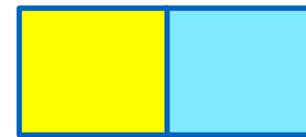


No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
Document Used: 3.1 EA1N Draft Development Consent Order							
2	Natural England does not agree with the definition of "maintain". Specifically that works linked as ancillary works (listed in schedule 1 part 1) are part of maintenance. Works such as cable protection and scour protection deployment are construction activities which can have significant environmental impact. They should not be included within the definition of maintenance. Please see Natural England and the MMO positions on deployment of cable protection.		No update - issue ongoing		Please see issue 25 in All Other Matters.		See No. 25 of the above item.
5	No volumes or areas of cable protection are provided but are recorded within the DMLs. The ES project descriptions have separate areas of cable protection for the cable crossings. Clarification is needed to explain if volumes are recorded within the totals within the DMLs or if they are additional to the DML volumes. If additional, volumes should be recorded in the DCO/DML to ensure the maximums		No further update		Issue ongoing		The Applicants maintain the position presented in AS-036 at Deadline 1 that deposits are licensable marine activities and are therefore regulated by the DMLs. There is no need for these area or volumes to be specified in schedule 1 of the DCO.



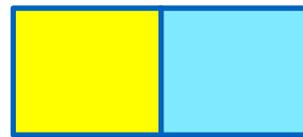
Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
	<p>are stated and enforceable. No volumes or areas of disposal are provided.</p> <p>Maximum amount of disposal should be provided and split into hard substrate (drill arisings), boulder relocation and soft sediments (sandwave levelling and ground preparation). The total volumes are recorded within the DMLs and split according to activity. This application and project description includes detonation of UXO. If these works are to be licenced and given the significant potential for impact the maximum number of detonations and the maximum size of detonation (UXO in kg) should be recorded. These factors should also be recorded in the DMLs to ensure no works outside of the scope of the ES details take place.</p>						<p>The Applicants consider that final positions have been reached on this matter.</p> <p>This matter is considered to be closed.</p>

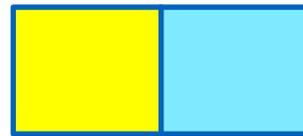


Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

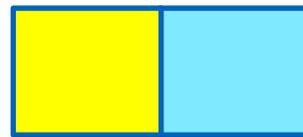
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
6	The relevant statutory nature conservation body should be named as a consultee on the updated Code of Construction Practice (CoCP). This is to ensure the appropriate environmental considerations are provided within these documents.		Issue Ongoing - Natural England are in discussion with the Applicant and await further submission of the CoCP into examination		Natural England continue to engage with the Applicant on this and await an updated OcoCP to be submitted into examination. Please see NE Deadline 10 cover letter.		The Applicants submitted an updated OCoCP at Deadline 10 (REP10-004). This update clarified the elements of the CoCP that NE will be consulted on and confirmed that the draft DCO will be updated to make provision for consultation with the relevant SNCB during the approval of the plans specified in paragraph 11 of the Outline CoCP . The Applicants anticipate that this will address NE's outstanding representation on this matter.
9	Definitions of "commence", "offshore preparation works" and "maintain" are not acceptable, see points 1 and 2.		No update on definition of 'maintain'. Issue Ongoing		Issue ongoing		The Applicants consider the definition of "maintain" to be entirely appropriate. Also see No 2 of this item.



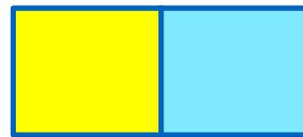
No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
12	The condition allows for changes to the cable protection if proposed following cable laying operations. However, there is no end date within the condition. Natural England's joint position with the MMO is that it is not appropriate for cable protection to be deployed throughout the operation and maintenance (O&M) phase of a project. This is due to the very large spatial and temporal scale of these licenced works, giving a Rochdale Envelope that is too undefined to appropriately assess. An end date should be included based on the proposals within the Natural England and MMO joint position statement. Any cable protection works after this end date should be licenced separately. It should also be noted that further surveys would be required to confirm the presence/absence of Sabellaria reef, such as is required prior to construction.		Natural England continues to note the scour and cable protection issue during the O&M phase is outstanding.		Please see issue 25 in All Other Matters.		See No. 25 of the above item.
Document Used: 8.12 EA1N Outline Offshore Operations and Maintenance Plans							



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
17	Cable burial using surface protection: Natural England assumes this refers to deployment of cable protection, although the table is not clear on this point. This is listed as green indicating that a further marine licence is not required. Natural England does not agree and considers this should be amber. Please see point 2 and the MMO and Natural England position statements on cable protection. This issue is replicated in the transmission section of the plan and both sections should be amended.		Issue Ongoing - The issue regarding deployment of cable protection in new areas for 5 years after construction remains outstanding.		Please see issue 25 in All Other Matters.		See No. 25 of the above item.

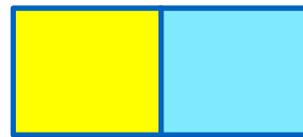


No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
18	Scour protection is listed within the table as green. Therefore, it may be deployed with no additional licence required. This should be changed to amber. Scour protection may be deployed up until the maximum assessed in the ES. Any additional protection above the amount assessed in the ES would need additional licences. Natural England advises that maximum amount allowed should be based on the maximum amount assessed in the ES for the individual foundation type. Not the total assessed volume of scour for the entire project and the document should be amended to reflect this. This issue is replicated in the transmission section of the plan and both sections should be amended.		Issue Ongoing - The issue regarding deployment of cable protection in new areas for 5 years after construction remains outstanding.		Please see issue 25 in All Other Matters.		See No. 25 of the above item.
Document Used: 8.13 EA1N Offshore In Principle Monitoring Plan							

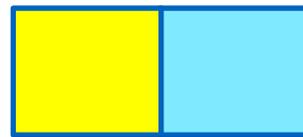


Applicants' Comments on NE's Deadline 10 Submissions
7th June 2021

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20	The proposed benthic monitoring only considers construction activities. The requirement for monitoring for O&M activities, which directly impact the seabed, should be included. This monitoring will be required in the form of geophysical and ground truthing (drop down video) surveys for any areas which have no monitoring and no construction activity within 2 years prior to the proposed O&M works. The post-construction structural/engineering surveys suggested in Table 1 could be used to inform any monitoring should they be in the appropriate location and within an appropriate timeframe.		Issue ongoing		Natural England have agreed to the IPMP as per our Deadline 9 cover letter.		The Applicants welcome this. This matter is closed.



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
24	New Issue. It is noted that the compensation secured within each part is limited to an attempt, at one compensation measure, such as nesting sites or predator control. However, this limits the options for the Secretary of State to those specific compensatory measures. See NE deadline 8 appendix G5 for further details		Issue remains		Issue ongoing		The Applicants responded to each of these points in section 8 of REP10-017.
25	Schedule 18 Part 1-4 and 6, condition 3 (a) Within this condition is a requirement to provide information on the location of compensatory measures. These sections should be amended to note that within this information details need to be provided that explain ecologically why this location is appropriate and likely to support successful compensation (e.g. for nesting sites a site that the target species will colonise with adequate access to prey resource).		No Update		Issue ongoing		



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10	Applicants' Response
26	Schedule 18 Part 1-6 Condition 4 It is not sufficient for compensatory measures to just be in place. They need to be fully functioning and effectively compensating prior to construction/operation.		No Update		Issue ongoing		
27	Schedule 18 Part 5 Condition 3 This condition is incomplete and therefore we are unable to comment on its sufficiency. However, if similar wording that is used in parts		No Update		Issue ongoing		