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Date:	08 February 2022	Contact name:	Paul Salmon
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Classification:	Project related		
Project Reference:	EN010095		

Alternative Use Boston Projects Limited (the Applicant) Deadline 6 submission – 8 February 2022

Dear Sir,

Further to the Examining Authority's (ExA's) Rule 8 letter dated 14 October 2021, please find enclosed with this letter the following documents which have been requested from the Applicant at Deadline 6 (8 February 2022):

- 1. An updated Application Guide** (document reference 1.2(5))
- 2. Comments on Response to the Examining Authority's Second Written Questions** (document reference 9.66).
- 3. An updated draft Development Consent Order** (document reference 2.1(3)) (clean version) and document reference 2.1(3)) (tracked version).
- 4. Schedule of changes to the draft Development Consent Order** (document reference 9.67).
- 5. A Statement of Commonality** (document reference 9.3(2)). The ExA's attention is drawn to Section 1.5 of this document, which provides a high level summary of the position with each interested part as at Deadline 6.
- 6. To provide further information alongside the Statement of Commonality, the Applicant also submits updated Statements of Common Ground (SoCGs) with interested parties, where progress has been made since the previous submission. The SoCGs have taken into consideration the matters which the ExA requested in its Rule 4 and 6 letter at Annex E and its Rule 8 letter. The SoCGs are all in draft form and include tracked and clean copies.**
 - Draft Statement of Common Ground between Alternative Use Boston Projects Limited and Lincolnshire County Council (document reference 8.1(2))
 - Draft Statement of Common Ground between Alternative Use Boston Projects Limited and the Environment Agency (document reference 8.2(2))

- Draft Statement of Common Ground between Alternative Use Boston Projects Limited and Historic England (document reference 8.3(2))
- Draft Statement of Common Ground between Alternative Use Boston Projects Limited and the Port of Boston (document reference 8.4(2))
- Draft Statement of Common Ground between Alternative Use Boston Projects Limited and the UK Health Security Agency (formerly Public Health England) (document reference 8.5(2))
- Draft Statement of Common Ground between Alternative Use Boston Projects Limited and Boston Borough Council (document reference 8.7(2))
- Draft Statement of Common Ground between Alternative Use Boston Projects Limited and Anglian Water (document reference 8.8(1))
- Draft Statement of Common Ground between Alternative Use Boston Projects Limited and the Marine Management Organisation (document reference 8.10(1))

Due to resource constraints and/or Covid related absences at the respective interested parties, SoCGs with NE, Lincolnshire Wildlife Trust and the RSPB have not been submitted at Deadline 6. The Applicant is continuing to work proactively with these organisations, aiming to submit Statements of Common Ground by Deadline 7.

Discussions are ongoing with Western Power Distribution (WPD) in relation to protections and safeguards of WPD's assets therefore the SoCG has not been updated at this deadline, however the parties are close to finalising an agreement.

An updated version of the Boston and Fosdyke Fishing Society SoCG has also not been progressed as the Boston and Fosdyke Fishing Society are currently reviewing the Navigational Risk Assessment submitted by the Applicant at Deadline 2 (REP2-010). The Applicant continues to have discussions with the Boston and Fosdyke Fishing Society and will submit an updated SoCG before the end of examination.

7. In response to question 2.1.0.6 of the Examining Authority's Second Written Questions which requests answers to all unanswered points raised by interested parties at previous deadlines (PD-010), the Applicant has submitted a **Second Report on Outstanding Submissions** (document reference 9.68).

In addition, the following documents have been provided in response to additional comments by interested parties:

8. An updated **Outline Marine Mammal Mitigation Protocol** (document reference 9.12(1)) (clean version) and (document reference 9.12(1)) (tracked version) in order to address comments raised by the MMO and Natural England (as explained within the Response to the Marine Management Organisation (MMO) and Natural England's queries regarding Marine Mammals and Fish (document reference 9.49, REP4-014)).

9. An updated **Without Prejudice Habitats Regulations Assessment Derogation Case: Compensation Measures** (document reference 9.30(1)) (clean version) and (document reference 9.30(1)) (tracked version) has been submitted taking account of comments made by Natural England and RSPB and due to additional information collated by the Applicant on the potential compensation sites.

10. An updated **Air Quality Deposition Monitoring Plan** (document reference 9.51(1)) (clean version) and (document reference 9.51(1)) (tracked version) in response to the Examining Authority's Second Written Question 2.2.0.4.

11. An updated **Navigation Risk Assessment** (document reference 9.27(1)) (clean version) and (document reference 9.27(1)) (tracked version) in response to the Port of Boston's comments on the initial draft of this document (document reference 9.27, REP2-010) submitted at Deadline 2.

12. Technical Note for Navigation Management and Ornithology (document reference 9.70) in response to the Examining Authority's Second Written Question 2.10.0.1, relating to the potential for management of vessels to affect Habitats Regulations outcomes.

13. Change in Waterbird Behaviour Survey Report (document reference 9.71) in order to provide further information to Natural England and the RSPB.

14. Comparison of Predicted Critical Load and Level Results Using Maximum Permissible Emission Limits and Realistic Emission Scenarios (document reference 9.72) in response to Natural England's concerns regarding emissions limits.

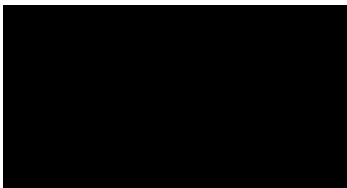
15. Port of Boston Pilotage Statement (document reference 9.73) which has been prepared by the Port of Boston (the Port) to further inform the DCO examination on matters pertaining to navigation. This Statement has been provided to the Applicant for submission at Deadline 6 by the Port. The Applicant agrees that the Pilotage Statement provides a detailed description of pilotage at the port and how the increase in commercial shipping arising from the Facility will be safely managed by the Port of Boston, and therefore submits under the Applicant's cover.

Following comments from the RSPB and UKWIN, the Applicant noted further information would be provided on reasoning to address the alternative locations point at Deadline 6 (noted within document reference 9.63, REP5-008, and document reference 9.64, REP5-009). The Applicant stands by the objectives set out in the Without Prejudice Habitats Regulations Assessment Derogation Case: Assessment of Alternative Solutions (document reference 9.28, REP2-011) Table 5-1 and therefore the screening out of the alternative locations option. However, in order to address RSPB and UKWIN's concerns, the Applicant will undertake further consideration and provide an update at Deadline 7.

I should be grateful if you would acknowledge safe receipt of this letter and arrange for a copy of it and its enclosures to be placed before the Examining Authority.

Yours sincerely,

For and on Behalf of HaskoningDHV UK Ltd, on behalf of Alternative Use Boston Project Ltd.



Paul Salmon
Technical Director
Industry & Buildings