Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

Draft Statement of Common Ground with Environment Agency (Revision B)

Revision B
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Glossary of Acronyms

CIA	Cumulative Impact Assessment
DCO	Development Consent Order
DEFRA	Department for the Environment and Rural Affairs
DEL	Dudgeon Extension Limited
DEP	Dudgeon Offshore Wind Farm Extension Project
EA	Environment Agency
EIA	Environmental Impact Assessment
EPP	Evidence Plan Process
EPS	European Protected Species
ES	Environmental Statement
ETG	Expert Topic Group
km	Kilometre
MW	Megawatts
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OWF	Offshore Wind Farm
PEIR	Preliminary Environmental Information Report
PPG	Planning Practice Guidance
SEL	Scira Extension Limited
SEP	Sheringham Offshore Wind Farm Extension Project
UK	United Kingdom

Glossary of Terms

Dudgeon Offshore Wind Farm Extension Project (DEP)	The Dudgeon Offshore Wind Farm Extension onshore and offshore sites including all onshore and offshore infrastructure.
DEP onshore site	The Dudgeon Offshore Wind Farm Extension onshore area consisting of the DEP onshore substation site, onshore cable corridor, construction compounds, temporary working areas and onshore landfall area.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive. This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, potential Special Protection Areas, Special Protection Areas, Ramsar sites, proposed Ramsar sites and sites compensating for damage to a European site and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017, although some of the sites listed here are afforded equivalent policy protection under the National Planning Policy Framework (2021) (paragraph 176) and joint Defra/Welsh Government/Natural England/NRW Guidance (February 2021).
Evidence Plan Process (EPP)	A voluntary consultation process with specialist stakeholders to agree the approach, and information to support, the EIA and HRA for certain topics.
Expert Topic Group (ETG)	A forum for targeted engagement with regulators and interested stakeholders through the EPP.
Horizontal directional drilling (HDD) zones	The areas within the onshore cable route which would house HDD entry or exit points.
Interlink cable corridor	This is the area which will contain the interlink cables between offshore substation platform/s and the adjacent Offshore Temporary Works Area.
Jointing bays	Underground structures constructed at regular intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	The point at the coastline at which the offshore export cables are brought onshore, connecting to the onshore cables at the transition joint bay above mean high water
Offshore cable corridors	This is the area which will contain the offshore export cables or interlink cables, including the adjacent Offshore Temporary Works Area.

Onshore cable corridor	The area between the landfall and the onshore substation sites, within which the onshore cable circuits will be installed along with other temporary works for construction.
Onshore export cables	The cables which would bring electricity from the landfall to the onshore substation. 220 – 230kV.
Onshore Substation	Compound containing electrical equipment to enable connection to the National Grid.
Order Limits	The area subject to the application for development consent, including all permanent and temporary works for SEP and DEP.
Sheringham Shoal Offshore Wind Farm Extension Project (SEP)	The Sheringham Shoal Offshore Wind Farm Extension onshore and offshore sites including all onshore and offshore infrastructure.
SEP onshore site	The Sheringham Shoal Wind Farm Extension onshore area consisting of the SEP onshore substation site, onshore cable corridor, construction compounds, temporary working areas and onshore landfall area.
Study area	Area where potential impacts from the project could occur, as defined for each individual Environmental Impact Assessment (EIA) topic.
The Applicant	Equinor New Energy Limited. As the owners of SEP and DEP, Scira Extension Limited and Dudgeon Extension Limited are the named undertakers that have the benefit of the DCO. References in this document to obligations on, or commitments by, 'the Applicant' are given on behalf of SEL and DEL as the undertakers of SEP and DEP.

1 Introduction

1.1 Background

1. This draft Statement of Common Ground (SoCG) has been prepared by Equinor New Energy Limited (the Applicant) and The Environment Agency (EA). It identifies areas of the Sheringham Shoal Offshore Wind Farm Extension Project (SEP) and Dudgeon Offshore Wind Farm Extension Project (DEP) Development Consent Order (DCO) application (the Application) where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Act 2008: Guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this draft SoCG.
3. This draft SoCG has been structured to reflect topics of the Application which are of interest to the EA. The applicable matters considered within this draft SoCG apply to the EA's statutory remit.
4. **Table 1** presents the topics included in the draft SoCG with the Applicant and the EA.

Table 1: Topics included in the draft SOCG

Topic/Chapter	Reference	Part of the Evidence Plan Process (EPP) (Yes/No)
Ground Conditions and Contamination	APP-103	No
Water Resources and Flood Risk	APP-104	Yes
Onshore Ecology and Ornithology	APP-106	Yes

5. Further detail of those topics included in the Evidence Plan Process (EPP) can be found in the **Consultation Report Appendix 1 (Evidence Plan)** (APP-030). Details of the consultation undertaken on those topics not included in the EPP are set out in the corresponding chapters of the Environmental Statement (ES).
6. Topic specific matters agreed, not agreed, and matters that remain under discussion between the Applicant and the EA are included within this draft SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and the EA to reach agreement on each matter wherever possible or refine the extent of disagreement between parties. The notes column of the draft SoCG tables provides commentary on these matters.
7. Throughout the draft SoCG the phrase "Agreed" identifies any point of agreement between the Applicant and the EA. The phrase "Not Agreed" identifies any point that is not agreed between the Applicant and the EA.

1.2 The Development

8. SEP and DEP will each have an export capacity greater than 100 megawatts (MW). The SEP and DEP wind farm sites are 15.8 kilometres (km) and 26.5km from the coast for SEP and DEP respectively at their closest point. When operational, SEP and DEP combined would have the potential to generate renewable power for

around 785,000 United Kingdom (UK) homes from up to 23 wind turbines at SEP and up to 30 wind turbines at DEP.

9. SEP and DEP will be connected to shore by offshore export cables installed to the landfall at Weybourne, on the north Norfolk coast. From there, the onshore export cables travel approximately 60km inland to a new high voltage alternating current (HVAC) onshore substation near to the existing Norwich Main substation. The onshore substation will be constructed to accommodate the connection of both SEP and DEP to the transmission grid.

10. The key offshore components will comprise:

- Offshore wind turbines and their associated foundations;
- Offshore Substation Platform/s (OSP/s) and their associated foundations;
- Scour protection around foundations;
- Subsea cables comprising:
  - Offshore export cables (linking the OSP/s to the landfall)
  - Interlink cables (linking two separate project areas)
  - Infield cables (linking the wind turbine generators to the OSP/s)
  - External cable protection on subsea cables as required
  - Fibre optic communications cables integrated with the power cables; and
- Temporary working areas.

11. The key components at the landfall will comprise:

- Up to two ducts (one per project) installed under the cliff by Horizontal Directional Drill (HDD). An additional drill per project is included (four in total) in the impact assessment worst-case scenarios where applicable, for contingency purposes in the unlikely event of HDD failure; and
- Up to two transition joint bays to house the connection between the offshore and onshore cables.

12. The key onshore components will comprise:

- Ducts installed underground to house the electrical cables along the onshore cable corridor;
- Onshore cables installed within ducts;
- Joint bays and links boxes installed along the cable corridor;
- Trenchless crossing zones at certain locations such as some roads, railways, and sensitive habitats (e.g. rivers of conservation importance);
- Temporary construction compounds and accesses;
- An onshore substation and onward 400kV connection to the existing Norwich Main substation; and
- Permanent operational substation access.

1.3 Consultation with the EA

13. The Applicant has engaged with the EA on the project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to Section 42 of the Planning Act 2008.

14. During formal (Section 42) consultation, the EA provided comments on the Preliminary Environmental Information Report (PEIR) by way of a letter dated 10th June 2021.

15. Further to the statutory Section 42 consultation, four meetings were held with the EA through the EPP. These are detailed throughout the SoCG and minutes of the meetings are provided in **Consultation Report Appendix 1** (APP-030).

1.4 Summary of Agreed, Not Agreed and In Discussion

16. In order to easily identify whether a matter is 'agreed', 'not agreed' or 'in discussion', the position status colour coding system set out in **Table 2** is been used in the SoCG.

17. Details on specific topics that are 'agreed', 'not agreed' or 'in discussion' between the Applicant and the EA are presented in **Table 5**, **Table 7** and **Table 9**.

Table 2: Position status key

Position Status	Position Colour Coding
Agreed The matter is considered to be agreed between the parties.	Agreed
Not Agreed – no material impact The Matter is not agreed between the parties however the outcome of the approach taken by either the Applicant or the EA is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG. Discussions on these matters have concluded.	Not Agreed – no material impact
Not Agreed – material impact The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or the EA is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	Not Agreed – material impact
In discussion The matter is neither 'agreed' nor 'not agreed' and is a matter where further discussion is required between the parties (e.g. where documents are yet to be shared with the EA).	In discussion

2 Statement of Common Ground

18. A summary of the consultation undertaken to date with the EA and the matters agreed or not agreed between the Applicant and the EA (based on discussions and information exchanged between the Applicant and the EA during the pre-application phase of the Application) are set out below for each of the draft SoCG topic areas.

2.1 Project-wide Considerations

19. Table 3 provides areas of agreement and disagreement for project-wide considerations.

Table 3: Project-wide considerations

ID	The Applicants position	The EAs position	Position Summary
Site Selection			
3	As described in ES Chapter 3 Site Selection and Assessment of Alternatives (APP-116), the methodology adopted for selecting and assessing the landfall location, is considered robust and appropriate.	The Environment Agency has considered the impacts on the environment of the landfall location and has not noted any major omissions in the selection process in respect of matters within its remit	*Agreed*
4	As set out in document reference APP-175, the methodology adopted for selecting and assessing the onshore substation location options, including the final option, is considered robust and appropriate.	The Environment Agency has considered the impacts on the environment of the landfall location and has not noted any major omissions in the selection process in respect of matters within its remit	*Agreed*
5	As set out in document reference APP-177, the methodology adopted for selecting and assessing the main compound location options, including the final option, is considered robust and appropriate.	The Environment Agency has considered the impacts on the environment of the landfall location and has not noted any major omissions in the selection process in respect of matters within its remit	*Agreed*
6	As described in ES Chapter 3 Site Selection and Assessment of Alternatives (APP-116), the methodology adopted for selecting and assessing the cable corridor, including the final option, is considered robust and appropriate.	The Environment Agency has considered the impacts on the environment of the landfall location and has not noted any major omissions in the selection process in respect of matters within its remit	*Agreed*
Good Design			
7	The Applicant demonstrates in the DCO application how the project has been guided by a clear Project Vision (APP-313), overarching design principles /objectives and will deliver a project that reflects Good Design, in accordance with good practice (including safety).	The Environment Agency has considered matters only within its remit and not the overall design. We have raised one area of concern which is under discussion. Further to this original position, an email has been provided by the EA (21/03/23) to confirm that the Flood Risk at Matlaske Road Technical Note (REP2-054)	*Agreed*

ID	The Applicants position	The EAs position	Position Summary
		has addressed the EAs concerns.	

2.2 Water Resource and Flood Risk (including Water Framework Directive and Water Quality)

Table 4: Summary of consultation with the EA regarding water resources and flood risk

Date	Contact Type[1]	Topic
Pre-Application		
19/05/2020	ETG Meeting 1	The following topics were discussed during the ETG meeting: • The site selection at landfall, onshore substation, and cable corridor. • The approach to the environmental baseline (study areas and data sources) and assessment methodologies.
10/06/2021	Section 42 Consultation	Environment Agency response to section 42 consultation on PEIR. Appendix 4 of the Consultation Report (APP-033)
06/09/2021	ETG Meeting 2	The following topics were discussed during the ETG meeting: • Project update • Flood risk at the onshore substation (OnSS) • Review and discuss Section 42 comments
30/09/2021	ETG Meeting 2 (supplementary meeting with The EA)	The following topics were discussed during the ETG meeting: • Discussion of Section 42 comments • Spring Beck and the Waybourne Natural Flood Management (NFM) schemes • Definition of receptor sensitivity and value and impact magnitude
07/04/2022	ETG Meeting 4 (Part 1 of 2)	The following topics were discussed during the ETG meeting: • Overview of OnSS layout refinement • Context to OnSS Infiltration Technical Note • Summary of OnSS Infiltration Technical Note • Summary of Geophysical Surveys • Discussion around flood risk and drainage clarifications
24/06/2022	ETG Meeting 5 (Part 2 of 2)	The following topics were discussed during the ETG meeting: • Update on hydraulic modelling • Update on geophysical surveys and supplementary ground investigation • Update on wider stakeholder engagement • Review of Agreement Log

[1] The EA did not attend ETG Meeting 3.

Date	Contact Type[1]	Topic
Post-Application		
12 January 2023	Meeting	Meeting with EA to discuss their Relevant Representation and draft SoCG.
17 February 2023	Email	Email with attached EA updates to the draft SoCG
09 March 2023	Email	Email with the attached document: Flood Risk at Matlaske Road Technical Note [REP2-054]. This Technical Note provides a summary of the assessment of flood risk undertaken at Matlaske Road, south of Little Barningham. It aims to address concerns raised by the Environment Agency within their Relevant Representation [RR-032] with regards to the flood risk both to and from the Project in this location and to provide clarification that it has been appropriately considered as part of the Flood Risk Assessment (FRA) process.
21 March 2023	Email	Email from the EA to confirm that the technical note has addressed our concerns around flood risk at Matlaske Road.

Table 5: Topics agreed, in discussion or not agreed in relation to water resource and flood risk (including Water Framework Directive and Water Quality)

ID	The Applicant Position	The EAs Position	Position Summary
EIA – Policy and Planning			
1	All relevant plans and policies have been identified in Section 18.4 of ES Chapter 18 Water Resources and Flood Risk (APP-104) and these have been appropriate considered in the assessment.	Agreed	*Agreed*
EIA – Baseline Environment			
2	The ES adequately characterises the baseline environment in terms of water resources and flood risk as detailed in Section 18.4 of ES Chapter 18 Water Resource and Flood Risk (APP-104).	The Applicant confirmed that the WFD water body boundaries will be used to delineate receptors. The desk-based assessment and results of the walkover surveys will be used to identify value and sensitivity for each receptor. Biological characteristics (e.g. designations and the presence of priority species) will be also taken into account when assigning sensitivity and value of receptors. Discussed and agreed during ETG meeting, 19/05/2020.	*Agreed*
3	Sufficient survey data has been collected to inform the assessment as presented within ES Chapter 18 Water Resource and Flood Risk (APP-104) and the Flood Risk Environment (APP-058). This was discussed and agreed during ETG meetings	The data used for the assessment will be mostly secondary data which will be supplemented by a targeted geomorphological walkover survey (compatible with European Committee for Standardisation standard EN 14614 Water quality - Guidance standard for assessing the hydromorphological features of rivers, September 2020) to inform the assessment of impacts at the proposed crossing locations of Main Rivers and Water Framework Directive (WFD) river water bodies.	*Agreed*

ID	The Applicant Position	The EAs Position	Position Summary
		Discussed and agreed during ETG meeting, 19/05/2020.	
4	The ES adequately characterises the baseline environment in terms of water quality (including bathing waters) as detailed in Section 18.4 of ES Chapter 18 Water Resource and Flood Risk (APP-104) and in the Water Framework Directive Compliance Assessment (APP-208).	Agreed	*Agreed*
EIA – Assessment Methodology			
5	The study areas identified in Section 18.3 of ES Chapter 18 Water Resource and Flood Risk (APP-104) are appropriate.	Agreed	*Agreed*
6	The realistic worst-case assumptions presented in the assessment for the development scenarios, as outlined in Table 18-2 of ES Chapter 18 Water Resource and Flood Risk (APP-104) are appropriate. Flood Risk at Matlaske Road Technical Note (REP2-054) provides a summary of the assessment of flood risk undertaken at Matlaske Road, south of Little Barningham. It aims to address concerns raised by the Environment Agency within their Relevant Representation [RR-032] with regards to the flood risk both to and from the Project in this location and to provide clarification that it has been appropriately considered as part of the Flood Risk Assessment (FRA) process.	Impact 4 does not clearly set out the increased potential flood risk at trenched crossings – this is In Discussion. Further to this original position, an email has been provided by the EA (21/03/23) to confirm that the Flood Risk at Matlaske Road Technical Note (REP2-054) has addressed the EAs concerns.	*Agreed*
7	The impact assessment methodologies used for the EIA, as presented in Section 18.4 of ES Chapter 18 Water Resource and Flood Risk (APP-104), provide an appropriate approach to assessing potential impacts on the Projects.	Discussed and initially agreed at the ETG meeting, 19/05/2022. Concerns were raised by the Environment Agency at Section 42 (S42) on the definition of magnitude. This was discussed further at the ETG meeting on 06/09/2021 and resolved 30/09/2021.	*Agreed*

ID	The Applicant Position	The EAs Position	Position Summary
8	The impact assessments presented in Section 18.6 of ES Chapter 18 Water Resource and Flood Risk (APP-104) are consistent with the agreed assessment methodologies. Flood Risk at Matlaske Road Technical Note [REP2-054] provides a summary of the assessment of flood risk undertaken at Matlaske Road, south of Little Barningham. It aims to address concerns raised by the Environment Agency within their Relevant Representation [RR-032] with regards to the flood risk both to and from the Project in this location and to provide clarification that it has been appropriately considered as part of the Flood Risk Assessment (FRA) process.	In discussion – as for ID6. Further to this original position, an email has been provided by the EA (21/03/23) to confirm that the Flood Risk at Matlaske Road Technical Note [REP2-054] has addressed the EAs concerns.	*Agreed*
9	Section 18.6 of ES Chapter 18 Water Resource and Flood Risk (APP-104) represents a comprehensive list of the potential impacts.	Agreed	*Agreed*
10	The assessment of cumulative impacts, as detailed in Section 18.7 of ES Chapter 18 Water Resource and Flood Risk (APP-104) is consistent with the agreed methodologies.	Agreed	*Agreed*
11	The assessment methodology, as detailed in the Water Framework Directive Compliance Assessment (APP-208) provides an appropriate approach to assessing potential impacts on the Projects.	Agreed	*Agreed*
EIA – Project-Alone Assessment Conclusions			
12	The conclusions of the impact assessment as details in Section 18.6 of ES Chapter 18 Water Resource and Flood Risk (APP-104) are appropriate and are considered not significant in EIA terms. In relation to the comments received, the Applicant would like to signpost the EA to the Flood Risk Assessment submitted as part of the DCO application (Section 8.2.4.5, AS-023). This document	Below is a summary of the points raised by the EA in their RR (RR-032): • The assessment in the ES Chapter (APP-104) does not appear to assess the magnitude of flood risk effects resulting from trenched crossings of ordinary watercourses that are in Fluvial Flood Zones 2 and 3a.	*Agreed*

ID	The Applicant Position	The EAs Position	Position Summary
	provides further information in relation to flood risk impacts of the trenched crossing at the ordinary watercourse southwest of Little Barningham. Flood Risk at Matlaske Road Technical Note (REP2-054) provides a summary of the assessment of flood risk undertaken at Matlaske Road, south of Little Barningham. It aims to address concerns raised by the Environment Agency within their Relevant Representation (RR-032) with regards to the flood risk both to and from the Project in this location and to provide clarification that it has been appropriately considered as part of the Flood Risk Assessment (FRA) process.	• The crossing of the ordinary watercourse southwest of Little Barningham appears to be open cut (Figure 18.5, APP-104). • Immediately upstream of this location are a number of properties in fluvial Flood Zone 3a This area is also within the flood alert area for The River Bure, Spixworth Beck and surrounding Becks. • There is a potential increase of flood risk to several homes arising from the use of trenched techniques at this crossing. • Based on the current proposal, an assessment of the flood risk impacts of this trenched crossing is required in the Flood Risk Assessment • Alternatively, EA recommend that this crossing is undertaken using trenchless techniques (HDD). Further to this original position, an email has been provided by the EA (21/03/23) to confirm that the Flood Risk at Matlaske Road Technical Note (REP2-054) has addressed the EAs concerns.	
EIA – Cumulative Impact Assessment (CIA) Conclusions			
13	The conclusions of the CIA as details in Section 18.7 of ES Chapter 18 Water Resource and Flood Risk (APP-104) are appropriate and are considered not significant in EIA terms.	Agreed	*Agreed*

ID	The Applicant Position	The EAs Position	Position Summary
Draft DCO / Outline Management Plans / Mitigation and Monitoring			
14	Schedule 2, Part 1, Requirement 17 (Operational Drainage Plan) of the Draft DCO (AS-009) is appropriate with regards to the protection of water resource receptors.	Agreed	*Agreed*
15	The Outline Code of Construction Practice (APP-302) includes all relevant mitigation measures specified in ES Chapter 18 Water Resource and Flood Risk (APP-104) and is appropriate for managing construction impacts from the Projects on water resource and flood risk receptors. Requirement 19 (Code of construction practice) of the Draft DCO (REP2-008) to submit a code of construction practice to the planning authority for approval post-consent is appropriate.	In Discussion. The OCoCP does not specifically address mitigation of flood risk to third parties during the construction phase. Further to this original position, an email has been provided by the EA (21/03/23) to confirm that the Flood Risk at Matlaske Road Technical Note (REP2-054) has addressed the EAs concerns.	*Agreed*
Other Matters as Required			
16	The approach to, assessment methodology and conclusions of the Flood Risk Assessment (APP-058) are appropriate. Flood Risk at Matlaske Road Technical Note (REP2-054) provides a summary of the assessment of flood risk undertaken at Matlaske Road, south of Little Barningham. It aims to address concerns raised by the Environment Agency within their Relevant Representation (RR-032) with regards to the flood risk both to and from the Project in this location and to provide clarification that it has been appropriately considered as part of the Flood Risk Assessment (FRA) process.	An email has been provided by the EA (21/03/23) to confirm that the Flood Risk at Matlaske Road Technical Note (REP2-054) has addressed the EAs concerns.	*Agreed*

2.3 Onshore Ecology and Ornithology

Table 6: Summary of consultation with the EA regarding onshore ecology and ornithology

Date	Contact Type	Topic
Pre-Application		
28/01/2020	ETG Meeting 1	The following topics were discussed during the ETG meeting 1: • Scope of ecological survey work. • Approach to Extended Phase 1 Habitat Survey. • Approach to over-wintering bird survey and the selected target species.
10/12/2020	ETG Meeting 2	The following topics were discussed during the ETG meeting 2: • Approach and methodology to over-wintering bird surveys. • Approach to the use of available over-wintering bird survey data from other projects. • Approach and methodology to breeding bird surveys. • Approach and methodology to great crested newt surveys. • Approach and methodology to bat surveys. • The preliminary findings from the Extended Phase 1 habitat Survey. • Biodiversity Net Gain opportunities. • Approach to data gaps.
10/06/2021	Section 42 Consultation	Environment Agency response to Section 42 consultation on the PEIR. Appendix 4 of the Consultation Report (APP-033)
01/07/2021	ETG Meeting 3	The following topics were discussed during the ETG meeting 3: • Update on survey results obtained to date and since last ETG meeting. • Bat survey data form other projects. • Deployment of static bat detectors. • Letter of No Impediment (LoNI). • Habitat improvements and biodiversity net gain. • Bat boxes. • Approach to the Cumulative Impact Assessment (CIA). • Approach to white clawed crayfish surveys. • Fish surveys. • Inclusion of protected species within the water crossing method statement.

Date	Contact Type	Topic
		• Approach to and requirement of outline management plans. • Approach to data gaps. • eDNA surveys. • Monitoring and replanting.
30/06/2022	ETG Meeting 4[2]	The following topics were discussed during the ETG Meeting 4: • Approach taken for the initial BNG assessment. • Approach taken for the initial BNG enhancement options.
Post-Application		
12 January 2023	Meeting	Meeting with EA to discuss their Relevant Representation and draft SoCG.
17 February 2023	Email	Email with attached EA updates to the draft SoCG
09 March 2023	Email	Email with attached document: Potential Impacts of Vibration Disturbance to Spawning Freshwater Fish Technical Note (REP2-056). This Technical Note provides further information in relation to the Environment Agency's Responses to the Examining Authority's First Written Questions (REP1-111). Specifically, Written Question Q1.13.4.3 which queries whether trenchless crossing techniques, e.g. HDD under watercourses would give rise to any likely effects upon fish or aquatic animal species from vibration causing displacement or fatality.
21 March 2023	Email	Email from the EA to confirm that although the EA did not raise concerns about the effect of vibration on fish, the EA are content with the additional study provided.

[2] The EA did not attend ETG Meeting 4.

Table 7: Topics agreed, in discussion or not agreed in relation to Onshore Ecology and Ornithology

ID	The Applicant Position	The Environment Agency's Position	Position Summary
EIA – Policy and Planning			
1	All relevant plans and policies have been identified in Section 20.4 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) and these have been appropriately considered in the assessment.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
EIA – Baseline Environment			
2	The ES adequately characterises the baseline environment in terms of Onshore Ecology and Ornithology as detailed in Section 20.5 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106).	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
3	Survey methodologies for Phase 1 Habitat Surveys and Phase 2 surveys are appropriate and sufficient to inform the assessment. Onshore ecology surveys were undertaken in accordance with industry accepted guidance.	Discussed and agreed in ETG meeting 1, 28/01/2020, that: • hedgerows and trees surveys would be undertaken in accordance with the Hedgerow Regulations and associated methodology. • that static bat detectors are used rather than transect surveys. • eDNA surveys will be used for great crested newt surveys presence/absence. Some population assessments may be progressed depending on the findings. • wintering bird surveys are extended throughout October (pink-footed geese will be arriving, and their presence could influence timing of works).	*Agreed*
4	Survey data, as presented in ES Chapter 20 Onshore Ecology and Ornithology (APP-106) and its associated appendices, are suitable for the assessment.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
5	The suite of ecological surveys undertaken and presented in ES Chapter 20 Onshore Ecology and Ornithology (APP-106) and its associated appendices is relevant and suitable for the assessment.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*

ID	The Applicant Position	The Environment Agency's Position	Position Summary
6	The use of existing data sets which cover the SEP DEP order limits, including NBIS, is appropriate to inform the desk-based assessment and to fill data gaps.	This was agreed in ETG 2 meeting 10/12/2020.	*Agreed*
7	Sufficient survey data has been collected to inform the assessment as presented within ES Chapter 20 Onshore Ecology and Ornithology (APP-106).	This was discussed and agreed during the following ETG meetings: • Extended P1 Habitat Survey, Wintering Bird Surveys covered in ETG 1 (see 1.2 and 1.3) • Over-wintering birds, breeding birds, GCN and bats covered in ETG 2 (see 2.2, 2.3, 2.4 and 2.5) • White clawed crawfish covered in ETG 3 (see 3.8). Agreement that no fish data required reached during ETG 3 (see 3.9)	*Agreed*
EIA – Assessment Methodology			
8	The study area identified in Section 20.3 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) is appropriate for the assessment.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
9	The impact assessment methodologies used for the EIA, as presented in Section 20.4 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106), provide an appropriate approach to assessing potential impacts of the Projects.	Discussed and agreed at ETG 2 meeting 10/12/2020.	*Agreed*
10	The assessment of impacts presented in Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) are consistent. with the agreed assessment methodologies.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
11	Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) represents a comprehensive list of the potential impacts.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
12	The realistic worst-case assumptions presented in the assessment for the development scenarios, as outlined in Table 20-2 of ES	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*

ID	The Applicant Position	The Environment Agency's Position	Position Summary
	Chapter 20 Onshore Ecology and Ornithology (APP-106) are appropriate.		
13	The assessment of cumulative impacts, as detailed in Section 20.7 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) is consistent with the agreed methodologies.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
EIA – Project-Alone Assessment Conclusions			
14	The conclusions of the impact assessment as details in Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) are appropriate and are considered not significant in EIA terms.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
EIA – Cumulative Impact Assessment (CIA) Conclusions			
15	The conclusions of the CIA as details in Section 20.7 of ES Chapter 20 Onshore Ecology and Ornithology (APP-106) are appropriate and are considered not significant in EIA terms.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
Draft DCO / Outline Management Plans / Mitigation and Monitoring			
16	Appropriate ecological protections (including mitigation and management shall be secured within the Ecological Management Plan required under Requirement 13 of the draft DCO (Schedule 2, Part 1) (REP2-008). The Ecological Management Plan must be submitted and approved by the relevant planning authority in consultation with Natural England prior to the commencement of each phase of onshore works including pre-commencement site clearance.	Agreed	*Agreed*
17	The Outline Ecological Management Plan (REP1-027) includes all relevant mitigation measures specified in ES Chapter 20 Onshore Ecology and Ornithology (APP-106) and is appropriate for managing post construction impacts from Projects on landscape receptors.	Agreed – in respect of the species and habitats that fall within the Environment Agency's remit	*Agreed*
18	The Outline Code of Construction Practice (REP1-023) includes all relevant mitigation measures specified in ES Chapter 20 Onshore Ecology and Ornithology (APP-106) and is appropriate for managing	In Discussion	*In Discussion*

ID	The Applicant Position	The Environment Agency's Position	Position Summary
	construction and post construction impacts from Projects on ecological receptors. Requirement 19 (Code of construction practice) of the draft DCO (Revision D) (REP2-008) States that: (1) No phase of the onshore works may commence until a code of construction practice (which must accord with the outline code of construction practice) for that phase has been submitted to and approved by the relevant planning authority following consultation with the Environment Agency, relevant statutory nature conservation bodies and, if applicable, the MMO.	The oCoCP sets out the principles of mitigation specified in Chapter 20 we expect to be consulted on detailed and site/process specific CoCPs as secured by Requirement	
19	The approach to Biodiversity Net Gain, as presented in the Outline Biodiversity Net Gain Strategy (APP-306), provides an appropriate approach to consideration of net gain within the Projects.	Whilst the Environment Agency made suggestions regarding potential projects to deliver Biodiversity Net Gain the assessment of its approach and delivery lies outside our remit.	*NA*
Other matters			
20	Potential Impacts of Vibration Disturbance to Spawning Freshwater Fish Technical Note (REP2-056) provides further information in relation to the Environment Agency's Responses to the Examining Authority's First Written Questions (REP1-111). Specifically, Written Question Q1.13.4.3 which queries whether trenchless crossing techniques, e.g. HDD under watercourses would give rise to any likely effects upon fish or aquatic animal species from vibration causing displacement or fatality. Potential impacts of vibration disturbance through the use of HDD to spawning freshwater are not predicted.	Email from the EA to confirm that although the EA did not raise concerns about the effect of vibration on fish, the EA are content with the additional study provided.	*Agreed*
21	Signal Crayfish – added in response to ExA's Second Written Questions (Q2.13.3.2)	The Environment Agency considers that the risk presented by crayfish plague can be mitigated through good site practices and appropriate watercourse crossing methods which should be detailed in the Code of Construction	*Agreed*

ID	The Applicant Position	*T*he Environment Agency's Position	Position Summary
	As identified in the Outline Code of Construction Practice (REP1-023, para. 149-152), all the watercourse crossings where signal crayfish have been detected are being undertaken using HDD and hence the risk of transferring signal crayfish or spores of crayfish plague to other watercourses have been avoided. The Applicant commits to HDD beneath the watercourses that have been identified as suitable for White Clawed Crayfish and American Signal Crayfish (APP-222). It is the Applicant's position that as a result of this avoidance, specific mitigation measures targeted at managing the risk of transferring signal crayfish or spores of crayfish plague to other watercourses are not required. General INNS avoidance and best practice measures are identified in the Outline Code of Construction Practice (REP1-023, para. 153). These measures are secured via Requirement 19 (Code of construction practice) of the draft DCO (Revision D) (REP2-008)	Practice which is secured by Requirement and for which the Environment Agency is a named consultee. Our requirement is the Applicant adopts (but is not limited to) 'check, clean, dry practices supported by appropriate use of approved disinfectants.	

2.4 Ground Conditions and Contamination (including Waste Assessment)

Table 8: Summary of consultation with the EA regarding Ground Conditions and Contamination

Date	Contact Type	Topic
Pre-Application		
NA	Section 42 Consultation	Environment Agency provided no response in relation to section 42 consultation on Ground Conditions and Contamination presented in the PEIR.
Post-Application		
12 January 2023	Meeting	Meeting with EA to discuss their Relevant Representation and draft SoCG.
17 February 2023	Email	Email with attached EA updates to the draft SoCG

Table 9: Topics agreed, in discussion or not agreed in relation to ground conditions and contamination (including Waste Assessment)

ID	The Applicant Position	The Environment Agency's Position	Position Summary
EIA – Policy and Planning			
1	All relevant plans and policies have been identified in ES Chapter 17 Ground Conditions and Contamination (APP-103) and these have been appropriately considered in the assessment.	Agreed	*Agreed*
2	All relevant plans and policies in relation to waste management have been identified in Appendix 17.2 of the ES (APP-207) and these have been appropriately considered in the assessment	Agreed	*Agreed*
EIA – Baseline Environment			
3	The ES adequately characterises the baseline environment in terms of ground conditions and contamination, as detailed in Section 17.5 of ES Chapter 17 Ground Conditions and Contamination (APP-103).	Agreed	*Agreed*
4	Sufficient survey data has been collected to inform the assessment as presented within ES Chapter 17 Ground Conditions and Contamination (APP-103).	Agreed	*Agreed*
5	Sufficient data has been collected to inform the waste assessment presented within Appendix 17.2 of the ES (APP-207).	Agreed	*Agreed*
EIA – Assessment Methodology			
6	The study areas identified in Section 17.3 of ES Chapter 17 Ground Conditions and Contamination (APP-103) is appropriate for the assessment.	Agreed	*Agreed*
7	The impact assessment methodologies, as presented in Section 17.4 of ES Chapter 17 Ground Conditions and Contamination (APP-103), provide an appropriate approach to assessing the potential impacts of the project.	Agreed	*Agreed*

ID	The Applicant Position	The Environment Agency's Position	Position Summary
8	The assessment of impacts presented in Section 17.6 of ES Chapter 17 Ground Conditions and Contamination (APP-103) are consistent with the agreed assessment methodologies.	Agreed	*Agreed*
9	Section 17.6 of ES Chapter 17 Ground Conditions and Contamination (APP-103) represents a comprehensive list of potential impacts.	We agree that this is an acceptable list of realistic potential impacts	*Agreed*
10	The realistic worst-case assumptions presented in the assessment for the development scenarios, as outlined in Table 17.2 of ES Chapter 17 Ground Conditions and Contamination (APP-103) are appropriate.	Agreed	*Agreed*
11	The assessment of cumulative impacts, as detailed in Section 17.7 of ES Chapter 17 Ground Conditions and Contamination (APP-103) is consistent with the agreed methodologies.	Agreed	*Agreed*
12	The waste assessment, as detailed in Appendix 17.2 of the ES (APP-207) is consistent with the agreed methodologies.	Agreed	*Agreed*
EIA – Project-Alone Assessment Conclusions			
13	The conclusions of the impact assessment as detailed in Section 17.6 of ES Chapter 17 Ground Conditions and Contamination (APP-103) are appropriate and are considered not significant in EIA terms.	Agreed	*Agreed*
EIA – Cumulative Impact Assessment (CIA) Conclusions /			
14	The conclusions of the CIA as detailed in Section 17.7 of ES Chapter 17 Ground Conditions and Contamination (APP-103) are appropriate and are considered not significant in EIA terms.	Agreed	*Agreed*
Draft DCO / Outline Management Plans / Mitigation and Monitoring			
15	As detailed in Section 17.6 of ES Chapter 17 Ground Conditions and Contamination (APP-103), targeted ground investigations, waste water collection, pre-construction site characterization works	Agreed	*Agreed*

ID	The Applicant Position	The Environment Agency's Position	Position Summary
	at medium and high sensitivity receptors are considered to be appropriate to avoid impacts.		
16	The Outline Code of Construction Practice (REP1-023) includes all relevant mitigation measures specified in ES Chapter 17 Ground Conditions and Contamination (APP-103) and is appropriate for managing construction and post construction impacts from the Projects on Ground Conditions and Contamination receptors.	In Discussion The oCoCP sets out the principles of mitigation specified in Chapter 17 we expect to be consulted on detailed and site/process specific CoCPs as secured by Requirement	*In Discussion*
17	Schedule 2, Part 1, Requirement 19 of the draft DCO (REP2-008) is appropriate with regards to Ground Conditions and Contamination. Requirement 19 (Code of construction practice) of the draft DCO (Revision D) (REP1-023) States that: (1) No phase of the onshore works may commence until a code of construction practice (which must accord with the outline code of construction practice) for that phase has been submitted to and approved by the relevant planning authority following consultation with the Environment Agency, relevant statutory nature conservation bodies and, if applicable, the MMO.	In Discussion The oCoCP sets out the principles of mitigation specified in Chapter 20 we expect to be consulted on detailed and site/process specific CoCPs as secured by Requirement	*In Discussion*
Other Matters as Required			
18			

3 Signatures

20. The above draft Statement of Common Ground is agreed between Equinor New Energy Limited and the EA on the day specified below.

Signed: _____ Print Name: _____ Job Title: _____ Date: _____ Duly authorised for and on behalf of the **EA**
Signed: _____ Print Name: _____ Job Title: _____ Date: _____ Duly authorised for and on behalf of **Equinor New Energy Limited**

References

Department for Communities and Local Government (2015) Planning Act 2008: Guidance for the examination of applications for development consent. [Online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-__final_for_publication.pdf. Accessed 05/07/2022.