

**Application by Equinor New Energy Limited for an Order granting Development Consent for the Sheringham and Dudgeon Extension Projects**

**Response to Applicant's Response to the Examining Authority's WQ2: Rivers and River-Based Wildlife; Chalk based Streams.**

**Submitted on behalf of Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited (refs: 20033312, 20032995 and 20033311)**

**Planning Inspectorate Reference: EN010109**

### **Q2.13.3: EFFECTS ON RIVERS AND RIVER-BASED WILDLIFE**

#### **Q2.13.3.2: Signal Crayfish Clarify whether the Applicant's proposed procedures for minimising risk of transmission of both crayfish plague and transmission of signal crayfish between watercourses [REP1-036, Q1.13.4.4] is agreed.**

1. In our response to the WR2 Q2.13.3.1 (Chalk Based streams) we set out details of a Partnership between the Norfolk Rivers Trust, Environment Agency and Coca-Cola Foundation for the 'Spring Beck Water Framework Directive Local Catchment Plan'.
2. The Plan speaks to:
  - a. The ecological importance of Spring Beck as a globally rare chalk stream.
  - b. Spring Beck as the 'ark' site for the re-introduction of white clawed crayfish.
3. We also noted the absence of reference in the ES to:
  - a. The ecological significance of Spring Beck (or other Chalk Streams), most notably characterised by the Applicant's description of this Chalk Stream as a 'Wet ditch'.
  - b. The presence of European eel in Spring Beck; a critically endangered and protected species.
  - c. The planned introduction of white clawed crayfish into the watercourse.
4. We concluded that the Applicant has very seriously underestimated the ecological significance of Spring Beck, and that the baseline information and assessments in the ES in respect of Spring Beck are incomplete and cannot form a reasonable basis for examination.
5. The use of HDD crossing is not in itself sufficient to mitigate risk of significant adverse impacts; we note that if HDD is too deep, it will affect the underlying chalk strata, and if too shallow will affect the stream directly.
6. We note the Applicant's response to Q2.13.3.2, that in respect of white clawed crayfish, the Applicant is proposing to undertake further surveys and prepare its Non-Native Species Management Plan and specific mitigation measures targeted at managing the risk of transferring signal crayfish or spores of crayfish **post consent**.
7. With reference to the Outline Code of Construction Practice (Revision C) (7.1.3, Watercourse Crossings) we further note that the Applicant proposes to undertake Ground investigations and hydrogeological risk assessments **post consent**. Also at 7.1.4 ('Bentonite Breakout') the Applicant proposes to prepare a 'Bentonite Breakout Plan' **post-consent**.
8. In context of the serious and significant omissions in the ES described above, the deferment of detailed assessments and mitigation strategies represents a significant and unacceptable risk to the ecology of this important habitat.
9. As a first step to remedy the inadequacy of the ES in assessing and mitigating risks to Spring Beck, a proportionate measure would be for the Applicant to undertake the following as a matter of urgency for introduction into the Examination, in order that

relevant IP's are given the opportunity to make representations, their adequacy be properly considered by the ExA, and agreed mitigation measures can be secured in the DCO and Outline Code of Construction Management:

- a. Specific mitigation measures targeted at managing the risk of transferring signal crayfish or spores of crayfish at Spring Beck.
- b. Ground investigations, hydrogeological risk assessments and method statements for HDD the crossing under Spring Beck.
- c. Sediment Management and Bentonite Breakout Plan.

10. We further consider it would be appropriate for independent monitoring of the works, subject to review of the above.

11. We note that Natural England have made the same request in respect of the Bentonite Breakout Plan, as set out on their response to WR2 in relation to the River Wensum:

*“River Wensum SAC: provided mitigation is agreed and secured in the DCO and Outline Code of Construction Practice in the form of sediment management, pollution prevention and bentonite breakout plans. Then we are likely to reach agreement with the Applicant’s conclusion that an AEol can be ruled out in respect of all affected onshore environmental assets.”*

12. We request the ExA seek the Applicant’s cooperation in providing these reasonable and proportionate first steps to ensuring no adverse impacts on the ecology of Spring Beck, and confirm Mr Hay-Smith and Priory Holding are ready to work constructively with the Applicant to deliver these.