

Sussex Wildlife Trust

Registration identification number: 20045237

These comments follow on from our previous submission (RR-381). Sussex Wildlife Trust's RR still stands. We note that Natural England have provided a submission (RR-265) which covers these areas of concern in significant detail to be carried forward in the examination process.

Below is a tabulated format of further commentary we are providing on specific aspects of the submission. This further submission is not exhaustive and an absence of comments should not be considered as support for the approach.

Overarching concerns

Landfall at Climping Beach SSSI

We remain concerned at the choice of landfall location and query whether a more suitable alternative exists.

We understand that Natural England has proposed a further commitment (C-217) to avoid drilling under the SSSI during the winter period (Oct to Feb) to avoid disturbing wintering birds (a notified feature of the SSSI), and we would strongly support this. We note that during Issue Specific Hearing 1 (Session 4), the applicant suggested that because the HDD will pass underneath the ground there will be no interaction with SSSI features. However, in our view the potential for disturbance to roosting and feeding birds is high, ranging from the simple presence of staff and machinery on site to noise, vibration and artificial lighting during operation, potentially over prolonged periods. We also highlight that Natural England's submission (RR-265) states that cable installation is an operation likely to damage the notified features of the SSSI (Appendix D Coastal Processes Page 9, Point 16).

Environmental Statement Chapter 6 – Coastal Processes

Table 6-11	Dredge spoil disposal: Disposal location: 'close' to the installation works.	We seek clarity on the wording here and query whether this is sufficient at this stage. We suggest a disposal location should be specified and any impacts on the specific environment be duly considered; this would be considered standard as part of an application to dispose at sea for any other marine license.
Outline Scour Protection and Cable Protection Plan (7.12)		We note that a number of options are being considered; comment cannot be passed on potential environmental impacts where this remains unknown. We suggest that artificial materials (polyethylene half shells or sheathes have been listed as an

		option) should be avoided due to their potential to be harmful if they degrade or break down; careful consideration should be given to scour protection type in order to minimise any environmental impact. Lessons should also be drawn from Rampion 1.
6.9.50	Trenching through chalk	<p>We note that it is suggested that the excavated material will be used to back fill the trench on completion of cable installation works – we query what the developer intends to do with the inevitable surplus material (as there will be more material excavated than can be back filled).</p> <p>Additionally, we are concerned that this material seems to be expected to remain in situ during up to 4 months before back-filling, and indeed once the material is backfilled into the trench. We should like to see consideration given to the potential for this material to move and the impacts this may have.</p>
6.9.73 6.9.74 6.9.75	<p>Sensitivity of Climping Beach SSSI is considered 'medium' Significance of residual effect is 'Minor adverse (not significant)'</p> <p>Effects will be indirect and temporary and Not Significant in EIA terms</p>	<p>We are concerned that the sensitivity of Climping Beach SSSI has been downplayed and should be categorised more highly sensitive.</p> <p>Vegetated shingle is nationally uncommon and highly sensitive, and sand dunes also highly sensitive.</p> <p>Additionally, the sea defences here have been significantly damaged by recent storm events and this has caused further coastal erosion and flooding. It is important that the construction methodologies take this into account to avoid unnecessary</p>

		<p>future maintenance and further disturbance at the site.</p> <p>As the installation location is currently unknown (so cable protection requirements are unknown), sensitivity should be greater.</p>
C-283	Gravel bags laid on the seabed to protect the cable barge during construction of Rampion 2, will be removed prior to the completion of construction, where practicable.	We query whether the locations of these gravel bags are currently known – this information is vital to understand the possible impacts of their use.
Environmental Statement Chapter 8 - Fish & Shellfish Ecology		
C-265	At least one offshore piling noise mitigation technology will be utilised to deliver underwater noise attenuation in order to reduce predicted impacts to sensitive receptors at relevant Marine Conservation Zone (MCZ) sites and reduce the risk of significant residual effects on the designated features of these sites.	<p>We would like to see noise mitigation technologies being used as standard and this should be committed to within the ES. Further to this, we seek clarification on the type of technology to be used and the rationale for using it.</p> <p>We would prefer to see a range of mitigation technologies being considered with rationale and merit for different types and how they may work in combination. We seek clarity on the wording of this commitment, as it seems to have been kept intentionally vague, both with regards to the type of technology involved and the temporal scale of its use. We would like to see a commitment to it being used continuously.</p>
C-274 C-280 C-281	Piling	We have concerns that worst case scenario data may still have behavioural impacts on Black Sea Bream within Kingmere MCZ and almost certainly to any not within Kingmere MCZ (many nesting sites outside of the site (on cable

		<p>route) as evidenced by data set from aggregates industry).</p> <p>We recommend that a full seasonal restriction on piling work should be implemented; geographical zones of mitigation are not sufficient.</p> <p>We note that the Commitments Register contradicts itself with regards to the dates of the Black Sea Bream breeding period, stating both March-June and March-July. This should be consistent throughout the documentation and should include the month of July which is still an important month for Black Sea Bream nesting.</p> <p>We query whether it is appropriate for the Final Sensitive Features Mitigation Plan to be published post-consent?</p>
8.9.261	European Bass as a proxy for Black Sea Bream behaviour	<p>We have concerns over the citation of Radford <i>et al.</i> (2016) and Kastelein <i>et al.</i> (2017) as derivatives for behavioural thresholds for Black Sea Bream as these studies are focussed on European Bass. The results of these studies cannot be reasonably used as a proxy for Black Sea Bream behaviour in the wild; the rationale being that the species are in the same order. It is important to note that the two species may be physically closely related with regards to hearing, the reproductive behaviours of Black Sea Bream are very different and are what is in question in this instance.</p> <p>We also highlight that using European Bass as a proxy for Black Sea Bream behaviour has been advised against by members of the Expert Topic Group for Fish</p>

		& Shellfish Ecology throughout the process.
Environmental Statement Chapter 9 - Benthic, Subtidal and Intertidal Ecology		
9.6.28	Worthing Lumps Local Wildlife Site	We highlight that the documentation reads that Worthing Lumps LWS contains intertidal ecology features. Worthing Lumps is offshore, located within the Kingmere MCZ, and as such does not contain intertidal features.
Table 9-14 & 9.6.22	<i>Sabellaria spinulosa</i> not found in reef form / low 'reefiness'	<p><i>Sabellaria spinulosa</i> of all quality is protected under Section 40 and 41 of the Natural Environmental and Rural Communities (NERC) Act, 2006. Further, the presence of individuals suggest the habitat is suitable for reef so should be treated as such.</p> <p>The survey data for <i>S. spinulosa</i> is considered outdated – Natural England suggest data should be no more than two years old to confirm presence or absence of this species.</p>
Table 9-20	MarESA assessment for benthic subtidal habitats for abrasion/disturbance	We suggest a more precautionary approach should be adopted here. Where confidence is low the sensitivity should be assessed higher.
Table 9-24	Marine Invasive and Non-Native Species	It is unclear as to why some biotopes have been assessed through lack of historical evidence of Marine INNS – this suggests that this is only assessing Marine INNS which have already been introduced. Whilst we appreciate it is not possible to account for all Marine INNS that could potentially be introduced, we suggest that monitoring should be in place.

Appendix 9.1	Rampion 2 predictive seabed mapping methods report, □ Volume 4 of the ES (Document Reference: 6.4.9.1)	The ‘Ground Truth’ data fed into modelling relies heavily on data from external sources, some of which are quite dated. We question the level of confidence that can be put on the output of this type of modelling. We would like to see further ground truthing undertaken specifically to feed into this - this would allow for much more informed micro-siting.
Table 9-6 C-41	Statutory consultation feedback In response to Natural England’s concern re electromagnetic fields, the ES states, <i>A 1m target depth is considered appropriate for interconnector and array cables and up to 1.5m is considered for the offshore export cable corridor.</i>	The target depth of 1m for inter-array cables is stated within the Commitments Register yet no such commitment has been included for the offshore export cable corridor. There also seems to be no reference as to rationale for the burial depths specified. We query both the above.
9.9.26	... with the only anticipated overlap to a discrete area on the northern boundary of the Offshore Overfalls MCZ and the western boundary of the Kingmere MCZ	We feel the significance of this overlap is downplayed and should not be considered minor magnitude. An overlap is still affecting the MCZs even if only a discrete area within worst case scenario and should not be downplayed within the context of the wider network of MCZs.
9.9.29	...it is noted that material excavated from HDD exit pits might □ also be temporarily stored within the offshore array area or export cable corridor, if □ and where designated as a spoil disposal area	We query whether the potential sites for storage have been considered for habitat sensitivities, as no specific locations have been noted. Additionally, if they are indeed temporary, we query how it will be possible to ensure all material is successfully retrieved?

		We would like to see a commitment to monitoring should this go ahead.
9.10.2	<i>Table 9-15 identifies the maximum design scenario for foundation, scour and cable protection footprint. The total habitat loss arising from these components will be 1.39km², which equates to approximately 0.6% of the proposed DCO Order Limits. Therefore, the magnitude of the impact is considered to be Negligible.</i>	This is a misrepresentation of the data. Given that the subsea environment and many of the habitats are three-dimensional, a figure in % is misleading and does not represent the true loss. Given the definition of magnitudes, permanent loss of habitat should be defined as 'moderate' or 'major'.
9.10.6	<i>Given that the majority of habitats and characterising biotopes are not geographically restricted to the proposed DCO Order Limits and are generally widespread throughout the eastern English Channel region, impacts from individual operation and maintenance activities will represent a very small footprint compared to their overall extent</i>	We feel significance of this is being downplayed – overall extent outside of the DCO Order Limits should not be relevant here and should not be used to contextualise loss or damage to habitats within the DCO Order Limits. We suggest that a strong commitment to micro-siting, extending to jack-up barges used during operational maintenance, particularly for sensitive features (e.g. chalk and biogenic reef), should be included.
9.10.10 – 9.10.12	Significance of residual effect	We disagree that the residual effect significance will be Minor (not significant) and query how this can be determined when installation techniques are not yet known. Additionally, reference to areas of impact being 'a relatively small portion' is meaningless – more precise figures should be used.
9.10.22	<i>The introduction of new hard substrate will represent a potential shift in the</i>	We suggest the use of language should be reconsidered here; this does not represent a <i>potential</i> shift.

	<i>baseline condition within a small proportion of proposed DCO Order Limits.</i>	
9.10.27	<i>Overall, it is predicted that the sensitivity of the receptor is Medium, and the magnitude is Minor.</i>	We disagree that this should be considered minor magnitude due to the permanence of the change. We do not feel it is appropriate to suggest that changes in natural biodiversity are a benefit. Whilst there may be opportunities for biodiversity it is coincidental through introducing unnatural substrata.
C-269	<i>Cable routeing design will be developed to ensure micrositing where possible to identify the shortest feasible path avoiding subtidal chalk and reef features and areas considered to potentially support black seabream nesting</i>	<p>We suggest that the commitment to micro-siting should extend to all priority habitats.</p> <p>We suggest that the commitment to micro-siting should also cover the use of machinery etc used during construction (eg. jack-up barges) – this should also extend to any operations / maintenance works.</p> <p>We suggest that the commitment to micro-siting should extend to offshore array and inter-array cabling.</p> <p>It is unclear what will happen where micro-siting is not possible (as this is specified in the commitment); we suggest a further commitment to habitat recovery as well as monitoring should be included.</p>
C-270	<i>As part of the routeing design, a working separation distance (buffer) will be maintained wherever possible from sensitive features, notably black seabream nesting areas, as informed by the outputs of the physical processes assessment, to limit the</i>	We suggest that the distance(s) should be specified here.

	<i>potential for impacts to arise (direct or indirect)</i>	
C-279	<i>As part of the construction method statement, RED will produce a foundation installation methodology, including a dredging protocol, drilling methods and disposal of drill arisings and material extracted</i>	We suggest the Beneficial Use of Dredged Material should be considered here to avoid unnecessary impact through disposal.