

Question Reference	Description	Question	Response
AL 1.1	Fawley and Dungeness Alternatives	Respond specifically to the identified environmental challenges of offshore cabling to the Fawley substation as identified in paragraphs 1.3.10 to 1.3.14, and to Dungeness substation as identified in paragraphs 1.3.19 to 1.3.29 of the Applicant's post-Hearing submission on Fawley and Dungeness appraisals [REP1-019].	<b>The Environment Agency acknowledges the submitted information in relation to the identified Environmental Challenges, we have no further comment.</b>
COD 1.1	Commitments Register Horizontal Directional Drilling (HDD)	Provide a response to the Applicant's statement in the Applicant's Responses to Relevant Representations, J3 [REP1-017] on page 416 that:  "Commitment C-5 (Commitments Register [APP-254] (provided at Deadline 1 submission) has been updated at the Deadline 1 submission to clarify that Horizontal Directional Drill (HDD) or other trenchless technology will be deployed in accordance with Appendix A: Crossing Schedule of the Outline of Construction Practice [PEPD033] secured via Required 22 within the Draft Development Consent Order [PEPD009]. The Applicant will not switch to open-cut trenching at these locations. The appropriate realistic Worst-Case Scenario has been assessed in the ES. Note, that in the unlikely event that another trenchless technology is deployed at a specific crossing, this would require demonstration that there are no materially new or materially different environmental effects. Any change will need to be approved by the relevant planning authority through	<b>The Environment Agency would want to be consulted along with the relevant planning authority in the event of any amendments to stage specific Code of Construction Practice and Crossing Schedule. Otherwise we have no further comments.</b>

		<p>amendment to the stage specific Code of Construction Practice and Crossing Schedule.”</p> <p>Explain whether there are any remaining concerns on the reliance on HDD or other trenchless technology at the locations specified by the Applicant in the Crossing Schedule in Appendix A of the Outline of Construction Practice [PEPD-033] to be secured via Required 22 within the Draft DCO [REP2-002].</p>	
COD 1.7	Decommissioning	<p>Provide an Outline Decommissioning Plan for the offshore infrastructure, as requested by Natural England [REP2-038, Page 3].</p> <p>Explain plans in place to follow the waste hierarchy at the decommissioning stage, particularly any plans on how the wind turbine materials might be reused or recycled.</p> <p>The Environment Agency / Natural England / MMO / Relevant Planning Authorities Comment on expectations for recycling or reuse of the wind turbine materials at the decommissioning stage.</p>	<p><b>The Environment Agency would expect the site operator to follow the waste hierarchy, as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here: <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf</a></b></p> <p><b>The producer has duty of care to ensure waste disposed of appropriately.</b></p>
BD 1.5	Alignment with National and Local BNG Plans, Policies and Strategies	<p>a) Confirm that the proposal for BNG aligns with and complements relevant national or local plans, policies and strategies including the Local Nature Recovery Strategy or other relevant local plans, policies or strategies.</p> <p>b) Confirm that the mitigation hierarchy has been adequately followed to avoid then mitigate then</p>	<p><b>The Environment Agency would defer to Natural England on this as the Supporting Authority.</b></p>

		compensate, in that order, in respect to biodiversity.	
CC 1.2	Climate Resilience - Depth of HDD at Climping Beach	Is there agreement that Commitment C-278, which states a minimum depth of 5m is maintained when passing beneath Climping Beach SSSI, provides sufficient depth of HDD to be climate resilient to coastal erosion.	<p><b>While the 5m depth seems reasonable for now, the coastline at the landfall site Climping Beach is eroding. The position of the land will change over the life of the asset, which will mean that overtime the asset would become exposed.</b></p> <p><b>The applicant has stated the following in the commitments register:</b></p> <p><b>(C-247) RED will undertake ground investigation at the landfall site at the post DCO application stage. This would be carried out to inform the exact siting and detailed design of the Transition Joint Bay and associated apparatus. In addition, this would inform a 'coastal erosion and future beach profile estimation assessment', which in turn would inform the need for and design of any further mitigation and adaptive measures to help minimise the vulnerability of these assets from the future coastal erosion and tidal flooding.</b></p> <p><b>This is secured by Requirement 26 in the submitted draft DCO which requires consultation and approval from the Environment Agency.</b></p>
CC 1.3	Greenhouse Gas Emissions - Sulphur Hexafluoride (SF6)	Comment on the Applicant's statement in Appendix 29.1 Supporting data for the Green House Green assessment [APP-222] section 1.5.1 that SF6 gas (a greenhouse gas) has: "...not been included in the assessment as these have been assumed to compose < 1% of the material weight. Institute of	<b>It is not in the Environment Agency's remit to regulate any emissions from these activities.</b>

		Environmental Assessment and Management (IEMA) Guidance (IEMA, 2022) states that activities can be excluded where they do not significantly change the result of the quantification.	
CC 1.6	Greenhouse Gas Emissions	Comment, if necessary, on the Applicant's greenhouse gas assessment in Appendix 29.1 Supporting data for the Green House Green assessment [APP-222] or the Greenhouse Gas Emissions sections of the ES, Chapter 29 [APP-070].	<b>It is not in the Environment Agency's remit to regulate any emissions from these activities.</b>
FR 1.1	Flood Mitigation and Permitting at the Landfall at Climping	The Environment Agency stated in their Relevant Representation [RR-116] that further details of the chosen landfall connection and associated work at Climping, including details of any flood mitigation would be required and that a Flood Risk Activity Permit would need to be obtained prior to the commencement of such works. The Applicant to confirm: a) If the appropriate Flood Risk Activity Permit would be obtained from the relevant authority prior to the commencement of any works in and around Climping beach landfall site. The Applicant and the Environment Agency to confirm: b) If there is agreement with the Environment Agency on the flood mitigation proposed by the Applicant in this area. The Environment Agency to confirm: c) Whether the Applicant has adequately followed the Sequential and Exception Tests related to coastal flooding.	<p><b>The Environment Agency understand that the proposed development would be considered as Essential Infrastructure as defined by Annex 3 of the NPPF.</b></p> <p><b>The Environment Agency is satisfied with the content of the site specific Flood Risk Assessment having reviewed the information in relation to the issues within our remit. We have no further comments.</b></p> <p><b>We have no concerns in relation to the Exception Test.</b></p>
FR 1.4	Flood Risk at the Proposed Substation site at Oakendene	Further to discussion regarding flood risk at the proposed Oakendene substation site at ISH1 [EV3-001] and evidence submitted from CowfoldvRampion [REP1-087 and REP1-089], Mr Smethurst [REP1-115 to REP1-119] and Ms Davies	<b>Local authorities have the principal role for managing the risk of flooding from surface water. This includes planning for and responding to surface water flooding.</b>

		<p>[REP1-159] amongst others, at Deadline 1, confirm whether there are any comments on or outstanding concerns regarding, but not limited to:</p> <ul style="list-style-type: none"> <li>a) The quality of and conclusions from the Applicant's Site-Specific Flood Risk Assessment [APP-216] at this site, including the approach to, application of and conclusions from the Sequential and Exception Tests</li> <li>b) Whether the information in the FRA relating to this site is credible, fit for purpose, proportionate to the degree of flood risk and appropriate to the scale, nature and location of development and takes the impact of climate change into account.</li> <li>c) The Applicant's statement that the Oakendene site is situated within Flood Zone 1.</li> <li>d) Whether the development has been steered towards areas with the lowest area of flood risk from all sources of flooding.</li> <li>e) Whether or not the Proposed Development would increase flood risk elsewhere.</li> <li>f) The quality and likely effectiveness of the Applicant's proposed Outline Operational Drainage Plan [APP-223] and ongoing management and maintenance of drainage proposals for this site.</li> <li>g) The evidence submitted by CowfoldvRampion [REP1-087 and REP1-089] and Mr Smethurst [REP1-115 to REP1-119] at Deadline 1 regarding local flooding and drainage at the proposed substation site at Oakendene.</li> </ul>	<p><b>The Environment Agency is satisfied with the content of the site specific Flood Risk Assessment having reviewed the information in relation to the issues within our remit. We have no further comments.</b></p>
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FR 1.7	Flood Risk Related to the Entire Proposed Development	<p>Comment on any outstanding concerns regarding flood risk related to the Proposed Development as a whole, other than the Oakendene site raised in questions FR1.2 to FR1.4, related to but not limited to:</p> <ul style="list-style-type: none"> <li>a) The quality of and conclusions from the Applicant's Site-Specific Flood Risk Assessment [APP-216], including the approach to, application of</li> </ul>	<p><b>Local authorities have the principal role for managing the risk of flooding from surface water. This includes planning for and responding to surface water flooding.</b></p> <p><b>The Environment Agency is satisfied with the content of the site specific Flood Risk Assessment having reviewed the information in relation to the issues within our remit. We have no further comments.</b></p>

		<p>and conclusions from the Sequential and Exception Tests.</p> <p>b) Whether the information in the FRA is credible, fit for purpose, proportionate to the degree of flood risk and appropriate to the scale, nature and location of development and takes the impact of climate change into account.</p> <p>c) Whether the development has been steered towards areas with the lowest area of flood risk from all sources of flooding.</p> <p>d) Whether or not the Proposed Development would increase flood risk elsewhere.</p> <p>e) Whether or not there would be a net loss of floodplain storage.</p>	
TE 1.2	<p>Ecological Surveys in the Vicinity of the Proposed Substation Location at Oakendene and Cable Route Leading to this Site</p>	<p>The ExA would appreciate a response from Horsham DC, Natural England and the Environment Agency to the Applicant's answer to WQ TE 1.1, either at or in advance of Issue Specific Hearing 2, to be held w/c 13th May 2024, commenting on whether remaining concerns exist regarding:</p> <p>a) The quantity or quality of ecological surveys undertaken by the Applicant at and in the vicinity of the Oakendene substation site and cable route near to this location.</p> <p>b) The extent to which the appropriate guidelines and methodologies have been followed including the time of year the surveys were carried out.</p> <p>c) The conclusions of the ecological assessments undertaken by the Applicant at and in the vicinity of the Oakendene substation site and cable route near to this location.</p>	<p><b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b></p>

TE 1.3	Terrestrial Ecological Surveys and Mitigation for the Whole of the Landward part of the Proposed Development	<p>Comment on whether remaining concerns exist regarding:</p> <p>a) the quality of terrestrial ecological surveys in general undertaken by the Applicant for the whole of the landward part of the Proposed Development?</p> <p>b) the conclusions the Applicant has come to for the terrestrial ecological assessments for the whole of the landward part of the Proposed Development.</p> <p>c) the extent to which the appropriate guidelines and methodologies have been followed by the Applicant when undertaking relevant terrestrial surveys for the whole of the landward part of the Proposed Development.</p> <p>d) the quality and likely effectiveness of the mitigation the Applicant is proposing for potential impacts on terrestrial ecology for the whole of the landward part of the Proposed Development.</p>	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.4	Nightingale Species in the Vicinity of the Proposed Substation location at Oakendene and Cable Route leading to this Site	<p>State whether there are any concerns regarding:</p> <p>a) the Applicant's surveys undertaken for Nightingale and determination of nightingale territories.</p> <p>b) the quality and likely effectiveness of the proposed mitigation for nightingale.</p> <p>c) the suggestion in the above referenced Written Representations that nightingales may be unlikely to return to the area post construction work.</p> <p>Comment on the adequacy of the proposed mitigation for nightingale.</p>	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.5	Ecology of Priority and Irreplaceable Habitats in the	<b>No Specific Question for EA</b>	<b>The Environment Agency have no comments.</b>



	Vicinity of the Proposed Substation site at Oakendene and Cratemans Farm		
TE 1.8	Proposed Open Trench for Tree Group G887	<p>In response to a concern raised by West Sussex CC in its LIR [REP1-054], the Applicant has confirmed that open cut trenching method is proposed through tree group G887 which West Sussex CC state would temporarily sever connections from the adjacent ancient woodland site, Olivers Copse, from the nearby woodland, Kitpease Copse. West Sussex CC further state that using a trenchless crossing in this area would significantly reduce impacts on the tree group, and consequently reducing negative impacts on landscape character and the visual amenity of users of the PRoW. The Applicant responded in [REP2-020] to say an open cut trenching method in this location has been specified as it lies within a Source Protection Zone (SPZ) for potable groundwater.</p> <p>a) Confirm which category of SPZ this location falls within, SPZ1 or another?</p> <p>b) Comment on the risk, if any, HDD could have to the public water supply at this location.</p>	<p><b>The location is within SPZ2 in area of known karst. HDD at this location would pose a risk to the public water supply for instance it could interrupt the karstic flow, introduce contaminants into the aquifer or result in increased turbidity of the groundwater. We have agreed the proposed open cut trenching method with the applicant and Southern Water based on discussion we have had about the risks at this location.</b></p>
TE 1.10	Protected Species - Hazel Dormouse	<p>Natural England, the Environment Agency, Relevant Planning Authorities and SDNPA</p> <p>e) Confirm if the surveys undertaken by the Applicant and proposed mitigation measures for hazel dormouse described in the Outline Landscape and Ecological Management Plan [APP-</p>	<p><b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b></p>

		232] are adequate. If not, are there any other approaches that you consider would be effective in terms of mitigation measures for hazel dormouse?	
TE 1.11	Protected Species - Bat Surveys	c) Confirm if the proposed mitigation measures for bats described in the Outline Landscape and Ecological Management Plan [APP-232] are adequate. If not, are there any other approaches that you consider would be effective in terms of mitigation measures for bats.	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.13	Potential Impacts of Haul Roads on Ecology	Provide a response to the concern raised by CowfoldvRampion [REP1-089], Ms Smethurst [REP1-132] and Ms Creaye [REP1-106] regarding the potential impact of the noise from the proposed temporary haul roads to access the proposed cable route, on ecology and wildlife.	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.17	Species in the Vicinity of the Proposed Substation Location at Oakendene and Cable Route Leading to this Site	Horsham DC, Natural England, The Environment Agency b) State whether there are any concerns regarding: i. the outcome of the environmental assessments for these species and ii. the proposed mitigation for potential impacts on these species	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.24	Toads	In light of the evidence submitted at Deadline 1 citing toad migrations across Kent Street and surrounding land in the vicinity of the proposed substation at Oakendene and the land in the vicinity of Crateman's Farm from CowfoldvRampion [REP1-089], Ms Creaye [REP1-106] and Ms Smethurst [REP1-132]:	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>

		a) Explain whether there are any specific mitigation measures for toads the organisation would expect the Applicant to commit to.	
TE 1.26	Amberley Mount to Sullington Hill SSSI and Sullington Hill Local Wildlife Site	<p>The Applicant has stated that surface works through the Sullington Hill Local Wildlife Site (LWS) are being avoided through use of a trenchless crossing.</p> <p>Respond, if required, to the decision of the Applicant to scope out the Amberley Mount to Sullington Hill SSSI, particularly in light of the proximity of the Proposed Development redline boundary to the SSSI and/or the evidence submitted into the Examination at Deadline 1 by Grahame Rhone Kittle [REP1-100] including the discovery of a nationality scarce spider.</p>	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.28	Potential Terrestrial Ecological Impact	<p>The Environment Agency, Natural England, Relevant Planning Authorities, SDNPA</p> <p>c) In addition to the Commitment made to seasonal restriction of construction work at Climping Beach (C-217), comment on whether there are any other sensitive areas within the onshore section of the Proposed Development where a seasonal restriction on construction work is required from an ecological perspective.</p>	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>
TE 1.30	Impacts to Ecologically Important and Sensitive Sites: Climping Beach SSSI, Littlehampton Golf Course and	Requirements 22 and 23 of the draft DCO [REP2-002] secure a CoCP and onshore Construction Method Statement. The onshore Construction Method Statement (at 2b) restricts access within these sensitive sites. Provide a response to these proposed Requirements, stating any outstanding concerns	<b>The Environment Agency defer this question to Natural England as the governments lead advisor on this issue.</b>

	Atherington Beach LWS, Sullington Hill LWS, and Ancient Woodland at Michelgrove Park and Calcot Wood.		
TE 1.33	Stage Specific Landscape and Ecological Management Plans (LEMPs)	The Environment Agency and Relevant Planning Authorities b) Comment, if required, on the approach put forward by the Applicant regarding the stage specific LEMPs. Explain if concerns remain and what approach is recommended. c) Comment, if required, on the durations between surveys and construction.	<b>We have no further comments but would expect to see LEMPs submitted with Flood Risk Activity Permit applications.</b>
TE 1.34	Contaminated Land	<p>The Environment Agency has noted in its RR [RR-116] that the desk study identified there may be some hotspots of contamination and that these should be appropriately managed and investigated to ensure no risk to any controlled water receptors.</p> <p>The Applicant's response to this point [REP1-017] states that the Outline Code of Construction Practice (CoCP) [PEPD-033] provides the Applicant's commitment (C-71) that the locations identified in the Appendix 24.1: Phase 1 geo-environmental desk study, Volume 4 of the ES [APP-198] would be subject to further contamination assessment, post-DCO Rampion 2 Offshore Wind Farm - Examining Authority's Written Questions 72 consent, in line with the Environment Agency's guidance on land contamination and risk</p>	<b>We are satisfied with the Applicant's suggested approach to securing management of this risk in the draft DCO.</b>

		<p>management (LCRM). This would be secured through Requirement 25(1) of the draft DCO [PEPD-009].</p> <p>Is the Environment Agency satisfied with this response and specifically the Applicant's approach to securing management of this risk in the draft DCO?</p>	
WE 1.2	Risk of Pollution to the River Adur	Confirm whether there are any outstanding concerns regarding the risk of pollution to the River Adur from construction or operation of the Proposed Development.	<b>The applicant proposes Pollution Prevention Plan to be included in the stage specific Code of Construction Practice we would want to be consulted on these along with the relevant planning authority. We have no further comment.</b>
WE 1.3	Watercourse Crossings	<p>a) Provide a response to the Applicant's suggested approach to watercourse crossings summarised in its response to the Environment Agency's Relevant Representation on this point [REP1-017, points 2.32.7 and 2.32.8, page 199]</p> <p>b) Confirm whether there any further comments on the proposed crossing type for each crossing location and that the locations would be secured by Requirement 22 in the Draft DCO [REP2-002] as currently worded.</p>	<b>We are satisfied with the Applicant's suggested approach and the details secured by Requirement 22.</b>
WE 1.4	Private Water Supplies	<p>e) Explain what distance would be considered appropriate for the definition of "in proximity of the Order Limits" in Commitment C-253 of the Commitments Register</p> <p>f) ) Explain whether all private and public water supplies meeting this definition, should be included in the water quality monitoring</p>	<p><b>e)We are satisfied with the definition for "in proximity of the Order Limits" in Commitment C-253 of the Commitments Register – 250m we would consider to be a reasonable assumption.</b></p> <p><b>f) yes we would expect all site to be monitored, unless agreed in writing otherwise (i.e. following risks</b></p>

		programme as default, unless agreed exempt by the Appropriate Authority.	<b>assessment which demonstrate negligible risk to a supply).</b>