

Outer Dowsing Offshore Wind

(Draft) Statement of Common Ground with the Environment Agency (EA)

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Abbreviations / Acronyms

Abbreviation / Acronym	Description
CoCP	Code of Construction Practice
DEFRA	Department for the Environment, Food and Rural Affairs
EA	Environment Agency
ECC	Export Cable Corridor
EIA	Environmental Impact Assessment
EN-1	Overarching National Policy Statement for Energy
ES	Environmental Statement
FRA	Flood Risk Assessment
FRA3	Flood Risk Exempt Activity 3: Service crossing below the bed of a main river not involving an open cut technique
GW	gigawatt
HDD	Horizontal Directional Drilling
IDB	Internal Drainage Board
MLWS	Mean Low Water Springs
NCERM2	National Coastal Erosion Mapping 2
NESO	National Electricity System Operator
NGET	National Grid Electricity Transmission
ODOW	Outer Dowsing Offshore Wind
OnSS	Onshore substation
SOCG	Statement of Common Ground

Terminology

Term	Definition
The Applicant	The Applicant is GTR4 Limited (a joint venture between Corio Generation (and its affiliates), TotalEnergies and Gulf Energy Development), trading as Outer Dowsing Offshore Wind.
Environmental Statement	The suite of documents that detail the processes and results of the EIA.
The Project	Outer Dowsing Offshore Wind, an offshore wind generating station together with associated onshore and offshore infrastructure.

1 Introduction

1.1 Outer Dowsing Offshore Wind (ODOW)

1. Outer Dowsing Offshore Wind (“The Project”) is a proposed offshore windfarm, with an Array Area located approximately 33miles (54km) off the coast of Lincolnshire. The Project has a total installed capacity of 1.5GW which is roughly equivalent to the annual electricity consumption of over 1.6 million UK households.
2. The Project includes the offshore and onshore infrastructure required to transmit the power generated by the wind turbines to an onshore substation (OnSS) at Surfleet Marsh and subsequently into the National Grid Transmission System at Weston Marsh, the grid connection point specified by National Electricity System Operator (NESO), in its grid connection offer for the Project.

1.2 The purpose of this Statement of Common Ground (SOCG)

3. The Environment Agency (EA) is a public body, sponsored by the Department for the Environment, Food and Rural Affairs (DEFRA), which has statutory duties and powers to protect and improve the environment, with statutory functions relating to main rivers, pollution, waste management, coastal defences and flood risk. There will be an interface between ODOW and the EA at locations where the Project intersects with main rivers, coastal defences, flood defences and in relation to the project’s management of flood risk, flood resilience and flood protection relating to the onshore substation (OnSS).
4. The EA is identified in the draft DCO as a consultee in the approval process for certain pre-construction documents in respect of certain construction activities, relating to its statutory duties.
5. An environmental permit would ordinarily be required from the EA pursuant to regulation 12(1)(a) (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 in relation to the carrying out of a flood risk activity however regulation 12(1)(a) and the provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 to the Water Resources Act 1991 that require consent or approval for the carrying out of works have been disapplied in the Draft DCO (see Article 7) (document PD1-024 and the consent of the EA to the disapplication has been sought by the Applicant. Protective provisions have been included in the Draft DCO in Part 4 of Schedule 18 for the benefit of the EA in order to protect the assets over which the EA has responsibilities, replacing the normal environmental permit process for flood risk activities.
6. This draft SOCG has been prepared by the Applicant and the EA. It identifies topics that are relevant to the EA’s statutory role and its assets and states whether relevant matters are agreed, not agreed or still in discussion.
7. This SOCG has been prepared with due regard to the Planning Act 2008: Guidance on the examination stage for Nationally Significant Infrastructure Projects (2024)

1.3 Topics addressed in this Statement of Common Ground (SOCG)

8. Table 1 sets out the topics addressed in this SOCG which relate to the EA’s statutory roles. The topics referred to are referenced against the relevant chapter of the Environmental Statement (ES), or other DCO application plans or documents.

Table 1 Topics included in this SOCG

Topic	Application Documents and references
<p>The protection of the EA’s existing assets, resources, and flood protection responsibilities</p>	<p>ES Project Description, Appendix 3.2 Onshore Crossing Schedule (document PD1-034)</p> <p>Onshore Crossings Plan (document PD1-021AS1-021)</p> <p>Outline Code of Construction Practice (document PD1-038)</p> <p>Draft DCO (document PD1-024)</p> <p>Book of Reference (document PD1-029)</p> <p>Land Plans (document PD1-008)</p>
<p>The Project’s hydrology and hydrogeology, flood risk, ground water and water framework directive assessments and outline management plans</p>	<p>ES Chapter 3, Project Description (document APP-058)</p> <p>ES Chapter 23 Geology and Ground Conditions (document APP-078)</p> <p>ES Chapter 24, Hydrology, Hydrogeology and Flood Risk (document APP-079)</p> <p>ES Chapter 24, Appendix 1 Groundwater Risk Assessment (APP-210)</p> <p>ES Chapter 24, Appendix 2 ECC FRA (PD1-036)</p> <p>ES Chapter 24, Appendix 3 OnSS FRA (AS1-068, AS1-070, AS1-072, AS1-074, AS1-076, AS1-078, AS1-080, AS1-082, AS1-084)</p> <p>ES Chapter 8, Appendix 1, WFD (APP-153)</p> <p>Outline Code of Construction Practice (PD1-038)</p> <p>Outline Operational Drainage Management Plan (APP-286)</p> <p>Outline Surface Water Drainage Strategy (APP-273)</p> <p>Outline Soil Management Plan (PD1-040)</p> <p>Outline Pollution Prevention and Emergency Incident Response Plan (APP-272)</p> <p>Outline Project Environmental Management Plan (APP-277)</p> <p>Outline Cable Specification and Installation Plan (PD1-042)</p> <p>Outline Site Waste Management Plan (APP-271)</p> <p>Noise Bund Hydraulic Modelling Report (PD1-075-079)</p>

1.4 Identification of items agreed / not agreed / in discussion.

9. This SOCG identifies the relevant topics listed in Table 2 as agreed, not agreed or in discussion using a colour coding system. The system used throughout this document is summarised in Table 2 below.

Table 2 Colour coding system

Classification	Meaning
Agreed	Agreement has been reached between the parties
In discussion	This matter has not been 'agreed' or 'not agreed' but discussions are continuing, or information is to be provided with the intention of reaching agreement.
Not agreed (No material impact)	This matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact.
Not Agreed	This matter has not been agreed, and discussions are not currently ongoing.

1.5 Consultation undertaken to date.

10. The Applicant has engaged with the EA from the commencement of the development process of the onshore aspects of the Project, regarding the crossings of main rivers and flood defences and the relevant flood risk assessments.
11. The EA is part of the 'Expert Topic Group' relating to hydrology and hydrogeology and attended quarterly online presentations by the Applicant and its environmental consultant. In addition to the general briefings and consultations, specific meetings have been held to address topics relevant to the EA's statutory roles.
12. Table 3 sets out the specific engagement conducted to date and the key discussion points.

Table 3 Engagement with the EA regarding specific topics

Engagement Date	Topic/ Key Discussion Points
April 2023	<ul style="list-style-type: none"> ▪ Project Introductions ▪ Scoping of Issues ▪ Project Updates ▪ Geotechnical Investigations (beach borehole permit) ▪ Beach Nourishment works ▪ Project Landfall works ▪ Flood defences and coastal assets ▪ EA Steeping catchment management plans

Engagement Date	Topic/ Key Discussion Points
	<ul style="list-style-type: none"> ▪ Trenchless crossings ▪ Wainfleet relief channel bridge ▪ Construction assumptions
Jul 2023	<ul style="list-style-type: none"> ▪ Flood defences and coastal assets ▪ IDB crossing arrangements (for EA info only) ▪ EA Beach nourishment – outline SIMOPS agreements ▪ EA Steeping catchment management plan ▪ DCO and Protective Provisions ▪ OnSS flood resilience design ▪ Wainfleet relief channel bridge
Aug 2023	<ul style="list-style-type: none"> ▪ Submission of ODOW methodology for river Welland breach flood modelling for EA review
Sep 2023	<ul style="list-style-type: none"> ▪ EA (Estates): bridge ownership
Oct 2023	<ul style="list-style-type: none"> ▪ DCO and Protective Provisions ▪ Disapplication of EP Regulations ▪ Use of Environmental Permit exemptions ▪ EA Beach Nourishment – comments on SIMOPS ▪ Other EA assets ▪ OnSS flood risk modelling update ▪ OnSS flood protection proposals
Jan 2024	<ul style="list-style-type: none"> ▪ Landfall methodology ▪ Temporary flood protection during landfall installation ▪ TJB permanent site level ▪ East coast defences- commitment re cable depth ▪ Beach nourishment works ▪ Topics for SOCG
Jan 2024	<ul style="list-style-type: none"> ▪ Flood risk modelling report ▪ Flood modelling review arrangements ▪ Flood Risk Assessment (FRA) Sequential test ▪ FRA Exception test ▪ Topics for SOCG
Mar 2024	<ul style="list-style-type: none"> ▪ The EA’s beach nourishment works at landfall - review of issues and the basis for a future agreement ▪ FRA approach for the noise bund at the landfall drill site
July 2024	<ul style="list-style-type: none"> ▪ Review of SOCG comments following receipt of the EA’s ‘Relevant Representations to PINS.
Aug 2024	<ul style="list-style-type: none"> ▪ Review of Relevant Reps and proposed responses re (1) Flood Risk and (2) Contaminated Land and Groundwater

2 Statement of Common Ground

2.1 Protection of the EA's existing assets and areas of responsibility

13. The following topics relate to EA's existing assets, and resources, it's protection and future maintenance.

Table 4 Protection of the EA's assets and areas of responsibility

ID	ODOW Position	EA Position	Status
Identification and Protection of EA's existing assets			
<i>Crossing Schedule</i>			
EA1	The crossing schedule (Volume 3, Chapter 3 Project Description, Appendix 3.2 (document PD1-034)) and crossing plans (document PD1-021) included in the application accurately identify the main rivers, coastal and flood defences for which the EA has responsibilities within the ODOW application boundary.	The EA agrees that the application accurately identifies the main rivers, coastal and flood defences. The EA is the principal flood risk management operating authority, which has the power (but not the legal obligation) to manage flood risk from designated main rivers and the sea.	
<i>Trenchless cable installation</i>			
EA2	Cable installation under the coastal defences, main rivers and associated defences will be undertaken by trenchless techniques as described in the outline Code of Construction Practice (CoCP) (document PD1-038)	The EA welcomes the Applicant's commitment to undertake crossings of coastal defences, main rivers and associated defences using trenchless techniques.	
<i>Haul road crossings</i>			
EA3	The Haul Road Crossings Location Plan (Figure 27.1, document APP-233) shows the haul road crossing route. No locations are	The EA is pleased to note that no temporary bridges will be require at main rivers and that all haul road crossings are	

ID	ODOW Position	EA Position	Status
	<p>identified where it is necessary to install a temporary bridge at a main river. All main river haul road crossings are achieved either using existing road bridges or using an EA bridge at the Wainfleet Relief Channel.</p>	<p>achieved either using existing road bridge or using the EA's bridge at the Wainfleet Relief Channel.</p>	
<i>Construction access (Fosdyke Bridge)</i>			
EA4	<p>The Project includes the improvement and use of an existing farm and IDB pumping station access track adjacent to the river Welland flood defence at Fosdyke Bridge, within 16m specified of the tidal defence and has provided the EA with information regarding the proposed activities.</p>	<p>The Applicant has provided information in a Technical Note ('Access arrangements alongside the River Welland', ref: PP1-ODOW-DEV-CS-NOT-0087_03, dated 8 October 2024) to demonstrate that the use of the access track adjacent to the River Welland will not undermine the stability of the flood defence at Fosdyke Bridge. The Technical Note has provided the EA with the assurance it requested and this matter is now agreed.</p>	
<i>Stopping up of Highways</i>			
EA5	<p>The Project draft DCO (document APP-223) includes powers to stop up highways at all construction access locations, including Roman Bank, which is used by the EA to access its beach pull over at Wolla Point. The planned work that would potentially require the implementation of the stopping up powers at this location is the construction of the access point (AC-01), which would potentially require a short-term road closure for a number of days only, as a traffic management measure.</p> <p>The Applicant has proposed that the EA will be able to continue using the road during this period and in its response to the EA's Relevant Representation, has suggested that this</p>	<p>The EA needs to maintain access along Roman Bank to enable it to carry out beach nourishments and associated works and be able to access/use its compound/depot at all times. The EA seeks an assurance that it will either be consulted in advance of any prohibition to utilise Roman Bank or given private access rights and an alternative access or means of secure storage for its equipment.</p> <p>The Applicant has suggested this matter can be secured through Protective Provisions and the EA agrees that this will be appropriate. We are currently discussing appropriate drafting of the Protective Provisions to resolve</p>	

ID	ODOW Position	EA Position	Status
	could be secured through the Protective Provisions. As noted in EA9a, negotiation of protective provisions is ongoing. The Applicant has provided its proposed wording to the EA to address this point.	this matter.	
<i>Beach access</i>			
EA6	The Project does not include landfall construction activity on the beach and therefore, the DCO does not include any access provision. As part of the pre-construction approval process, the applicant will agree with the EA an access route to be used for surveyors (for surveys required by the EA) and for emergencies / remedial work resulting from an unplanned event. Emergency access arrangements will avoid the Anderby river tunnel and will be submitted for pre-construction approval by the EA as part of the landfall construction technical details	The EA understands that the construction of the Project does not require works to be undertaken on the beach and access to this would only be required during an emergency. The EA seeks to ensure that if emergency access is required then construction traffic does not utilise the Anderby Creek Tunnel for this, or impact the stability of the flood defences whilst obtaining access to the beach.	
Protection of Bathing Water quality			
EA7	The Project landfall HDDs will be designed to exit the seabed in pre-excavated pits, a minimum distance of 500m from the inter-tidal area, to avoid potential impacts to bathing water quality. The Applicant has committed to installing the exit pits a minimum of 500m from MLWS offshore, through updates to the outline Code of Construction Practice (document PD1-038) and the outline Cable Specification and Installation Plan (document PD1-042).	The EA no longer seeks the inclusion of an additional condition in Schedule 11, Part 2 of the DCO to protect Bathing Waters as it is satisfied that the commitment that the HDD exit pits will be no closer than 500m to the MLWS mark has been appropriately secured in the outline Code of Construction Practice and the outline Cable Specification and Installation Plan.	

ID	ODOW Position	EA Position	Status
The Draft DCO and Requirements			
EA8	<p>The draft DCO (PD1-024) includes the requirements necessary to protect the EA's assets and operations, including the EA being a consultee in the approval process for activities relevant to the protection of its assets and its statutory roles.</p> <p>Under the draft DCO, the EA is a consultee to the approval process, in relation to the following Requirements:</p> <ul style="list-style-type: none"> ▪ 9 (Detailed onshore design parameters) in respect of finished ground levels, ▪ 15 (Operational drainage management and emergency flood response) in respect of the emergency flood response plan, ▪ 16 (Contaminated land and groundwater), ▪ 18 (Code of construction practice) and ▪ 24 (Onshore decommissioning). <p>Draft DCO requirement 16 (contaminated land and groundwater) adequately deals with the submission and approval of a written scheme which deals with the contamination of any land (including groundwater), and that this does not need to be a listed document under requirement 18 (code of construction practice). In addition, requirement 18 (code of construction practice) now requires the submission of a Water Quality Management and</p>	<p>The EA is currently in discussion with the Applicant regarding the following, articles, requirements and provisions within the DCO:</p> <ul style="list-style-type: none"> ▪ Article 7 Application and modification of legislative provisions (also see EA9a) ▪ Article 12 Temporary stopping up of streets ▪ Requirement 9 (Detailed onshore design parameters) ▪ Requirement 16 (Contaminated land and groundwater) ▪ Requirement 18 (Code of Construction Practice) ▪ Requirement 24 (Onshore Decommissioning) ▪ Schedule 18 Part 4 Protective Provisions (also see EA9a and EA9b) <p>The EA is also in negotiations regarding its request for an additional requirement in respect of Prohibited Access</p>	

ID	ODOW Position	EA Position	Status
	Mitigation plan to address the protection of groundwater during construction.		
Protective Provisions			
EA9a	ODOW has received the EA's standard protective provisions and discussions are continuing to finalise these for inclusion in the draft DCO. The current version is included in Schedule 18, Part 4 'Protection for the Environment Agency' (document PD1-024).	The EA is currently working with the Applicant regarding suitable wording for Protective Provisions.	
Disapplication of legislation			
EA9b	The draft DCO (PD1-024) disapplies certain provisions of the Environmental Permitting (England and Wales) Regulations 2016 and byelaws made under paragraphs 5, 6 or 6A of Schedule 25 to the Water Resources Act 1991. The EA agrees to the disapplication subject to the inclusion of agreed Protective Provisions for the benefit of the EA within the DCO. The applicant has requested a letter from the EA agreeing to the disapplication.	The EA will only agree to the disapplication of the legislation requested by the Applicant if the wording of Protective Provisions for the benefit of its interests can be agreed.	
Exempt flood risk activities / Cable installation			
EA10	For cable installation crossings under a main river, which meet the requirements of Flood Risk Activity Exemption 3 (FRA3), the applicant will submit exemption notifications. Subject to complying with FRA3, exemptions will be registered for cable installation at the following main rivers:	The EA is satisfied with the Applicant's proposal to utilise FRA3 where it can meet the exemption requirements and submit details to be approved under the Environmental Permitting Regulations 2016 (which may be substituted by Protective Provisions on agreement of wording for these to	

ID	ODOW Position	EA Position	Status
	<ul style="list-style-type: none"> ▪ Willoughby High Drain ▪ River Lymn ▪ Steeping River ▪ Wainfleet Relief Channel ▪ River Welland (Fosdyke) <p>Subject to specific construction parameters being met to comply with the exemption requirements.</p> <p>Activities that do not meet the relevant exemption requirements will be carried out in accordance with the requirements of the protective provisions.</p> <p>The following works are not considered to meet the requirements of FRA3 and details will be submitted for approval in accordance with the requirements of the protective provisions.</p> <ul style="list-style-type: none"> ▪ Trenchless landfall cable installation under the coastal defenses ▪ Trenchless cable installation at the Haven (River Witham) ▪ Access road construction activities (River Welland, Fosdyke Bridge) 	<p>be included in Schedule 18, Part 4 of the DCO – see EA9a above), where it cannot.</p>	
EA Saltfleet – Gibraltar Point annual beach nourishment works / Landfall installation			
EA11	<p>The EA has an annual program of beach nourishment near the project landfall. The applicant has engaged with the EA and its contractor and intends to coordinate with the contractor to</p>	<p>The EA has submitted a holding objection on the grounds of the potential increase in flood risk to third parties that could be caused if the installation of the ECC interferes</p>	

ID	ODOW Position	EA Position	Status
	<p>avoid any additional cost or delay. The applicant and the EA are in discussions regarding an agreement to:</p> <ul style="list-style-type: none"> ▪ protect the EA from any additional costs ▪ ensure that the EA contractor can complete its works within the available window 	<p>with/delays the annual beach nourishment works, which take place at the landfall location.</p> <p>The EA is in discussions with the Applicant regarding an agreement to resolve this issue and provided Heads of Terms for this to the Applicant on 18 October 2024.</p>	
EA East Coast Defences / Landfall installation			
EA12	<p>The EA’s current strategy for maintaining the coastal defences at the landfall point for the Project is through annual beach nourishment. This may change in the future, and it may be necessary to install sheet piles as a form of defence. The Applicant has demonstrated to the EA that the cables will be installed at sufficient depth to allow for pile installation and the EA will have the opportunity to review and approve the cable installation design at this location, pre-construction.</p> <p>The Applicant has requested that it is consulted in advance of any pile driving within 10m of the cables in order to confirm that the works will be carried out safely.</p>	<p>The Applicant has proposed that it should be consulted regarding any piling works within 10m of the cables to ensure that the operatives are aware of hazards and works are carried out safely – a 10m clearance between the piles and the cables is not implied. The EA is concerned that this additional consultation requirement will place an additional burden on it and subsequently an additional cost to the public purse in undertaking its flood management operations. Following a discussion with the Applicant regarding this, during a meeting held on 31 July 2024, the EA is now satisfied that it will have sufficient clearance for a safe working distance and it will carry out the relevant consultation with the Applicant, if and when works are proposed.</p>	
EA Steeping River Catchment Management Plan			
EA13	<p>The EA has a Steeping Catchment Action Plan which may, in the future, involve bank reinforcement works at the Steeping River and Wainfleet relief channel. The applicant has engaged</p>	<p>The EA is satisfied that the Applicant’s works should not interfere with the EA’s future bank reinforcement works at the River Steeping and Wainfleet Relief Channel.</p>	

ID	ODOW Position	EA Position	Status
	with the EA regarding these crossings, and it is agreed that the depth of crossing will be sufficient to avoid any interference with future works		

2.2 Hydrology and hydrogeology, flood risk, ground water and water framework directive assessments

14. The following aspects relate to the assessments that the applicant has submitted in support of its application.

Table 5 Assessments

ID	ODOW Position	EA Position	Status
Hydrology, Hydrogeology and Flood Risk (Chapter 24, document APP-079)			
EA14	<p>The Applicant has carried out and presented, in the project Environmental Statement, assessments of potential impacts of the project upon hydrology, hydrogeology and flood risk and identified mitigation measures where appropriate.</p> <p>The conclusions of the assessments are that the project will not have any significant impacts upon hydrology, hydrogeology or flood risk and all potential impacts are low.</p> <p>The Applicant has submitted the following updated documents and clarifications in response to issues raised by the EA in its Relevant Representations.</p> <ul style="list-style-type: none"> ▪ Flood Risk Assessment ECC and 400kV (AS1-068) ▪ Flood Risk Assessment ONSS (PD1- 036-037) 	<p>The EA is reviewing the additional information and responses from the Applicant on these matters and will provide further comments in due course.</p>	

ID	ODOW Position	EA Position	Status
	<ul style="list-style-type: none"> ▪ Noise Bund Hydraulic Modelling Report (PD1-075 – 079) ▪ Outline Soil Management Plan (PD1-040-041) ▪ Outline Code of Construction Practice (PD1-038-039) ▪ Outline Cable Specification and Installation Plan (PD1-042-043) 		
Groundwater Risk Assessment (document APP-210))			
EA15	<p>The Applicant has carried out an assessment of the project in relation to groundwater receptors, which concludes that the potential impact to private water supplies and other receptors is low.</p> <p>In response to the EA’s Relevant Representation, the applicant is has committed to providing Water Quality Management and Mitigation Plan to formalise the protection of groundwater during construction.</p> <p>Requirement 18 (code of construction practice) of the draft DCO (PD1-024) has been updated to require that the CoCP to be submitted for approval prior to commencement of any stage of the onshore transmission works includes a Water Quality Management and Mitigation plan. The outline CoCP (PD1-038) has been updated to include an outline of this plan in section 5.20.</p>	<p>The EA sets out its comments in respect of this Assessment in sections 12 and 13.2 of its Relevant Representation. There are various investigations and risk assessment still to be undertaken and we look forwards to receiving further information on these in relation to:</p> <ul style="list-style-type: none"> • Sea Bank Clay Pits; • Potential for saline water to enter freshwater; • Survey for Bristol Farms Private Domestic Supply; • Risk assessments prior to trenchless cable installations. <p>Additional clarification as to how the revised Groundwater Risk Assessment is secured within the DCO is requested – also see EA18 below.</p>	
Flood Risk Assessment – ECC and 400kV cable corridor (document PD1-036)			
EA16	The Applicant has carried out a flood risk assessment for the	The EA sets out its comments in respect of this Assessment	

ID	ODOW Position	EA Position	Status
	<p>ECC and 400kV cable corridor, including the sequential and exception tests. The assessment has considered the relevant sources of flooding.</p> <p>In conclusion, based on the information outlined within the FRA, the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC and 400kV cable corridor is low, and the Project would be safe under the assessed flood conditions, without any material increase to flood risk elsewhere.</p> <p>The Applicant has provided clarifications through the provisions of the following reports:</p> <ul style="list-style-type: none"> ▪ A Hydraulic Modelling Report for the noise bund (document PD1-075-079), ▪ An updated Soil Management Plan (PD1-040) including mitigation measures for stockpiling in the floodplain ▪ An updated version of the ECC FRA to include flood hazard mapping (document PD1-036). <p>The Applicant has responded to queries regarding data and modelling methodologies directly to the EA as part of the modelling audit process.</p> <p>ODOW engineers are reviewing landfall HDD pit arrangement and will engage with the EA, once these are developed.</p>	<p>in section 13.3 of its Relevant Representation, making a holding objection due to insufficient information in the FRA to determine if the project satisfies the flood risk Exception Test (as required by EN-1 paragraph 5.8.11).</p> <p>Further information /assessment /clarity is requested in respect of the impact of working in the floodplain (particularly stockpiling of material); data, modelling and climate change allowances; HDD pit and noise bunding; residual risk; and impacts on third parties.</p> <p>The EA provided the applicant with feedback on its noise bund modelling scope on 12th July 2024.</p>	

ID	ODOW Position	EA Position	Status
Flood Risk Assessment – OnSS (documents AS1-068, AS1-070, AS1-072, AS1-074, AS1-076, AS1-078, AS1-080, AS1-082, AS1-084)			
EA17	<p>The Applicant has consulted with the EA to establish the correct parameters for the flood risk assessment and the scope of the modelling required to establish the maximum flood depth level that the site needs to be protected against.</p> <p>The Applicant has carried out the appropriate hydraulic modelling of a breach of defences and the indicative design arrangements provide the appropriate level of protection .</p> <p>The Applicant has correctly followed the process of the sequential and exception tests in relation to the OnSS.</p> <p>The OnSS indicative design will ensure that the site will remain operational, and equipment will be safe under the maximum modelled flood scenario.</p> <p>In conclusion, based on the information outlined within the FRA, the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore substation is low, and the Project would be safe under the assessed flood conditions, without any material increase to flood risk elsewhere.</p> <p>The Applicant has provided an updated FRA for the OnSS including additional assessment of flood risk to third parties (documents AS1-068, 070, 072, 074, 076, 078, 080, 082, 084)</p>	<p>The EA sets out its comments in respect of this Assessment in section 13.4 of its Relevant Representation, making a holding objection due to the current hydraulic modelling underpinning the FRA not yet being considered fit for purpose. The EA is therefore currently unable to confirm that the project satisfies the flood risk Exception Test (as required by EN-1 paragraph 5.8.11).</p> <p>The Applicant provided the EA with revised River Welland model data on 25th July 2024. The EA reviewed this but there are still outstanding queries to be address, which have been communicated to the Applicant on 10th September 2024.</p>	

ID	ODOW Position	EA Position	Status
Outline Code of Construction Practice (CoCP) (document PD1-038)			
EA18	<p>The Applicant has prepared an outline Code of Construction Practice (Document PD1-038) which will be updated for approval prior to construction. The EA agrees that this draft document, as updated following the Relevant Representations, is appropriate.</p> <p>The Applicant has provided an updated version of the CoCP incorporating the requirement for a Water Quality Management and Mitigation Plan (PD1-038)</p>	<p>The EA is generally satisfied with the scope of topics included in the Outline CoCP and welcomes its inclusion as a consultee to Requirement 18 in the DCO to enable it to review and advise on the final document.</p> <p>The EA may make additional comments during the course of the Examination in respect of mitigation or construction methods relevant to the outcome of additional assessments relating to topics raised in its Relevant Representation and within the scope of its environmental remit.</p> <p>The EA is also aware that an additional Water Quality Management and Mitigation Plan (PD1-038) will be incorporated into the CoCP. As per EA15 above, we request additional clarification regarding the relationship between the revised Groundwater Risk Assessment and this Plan.</p>	
Outline Construction Management Plans / Strategies			
EA19	<p>The Applicant has prepared a suite of outline management plans relating to the management of construction activity and the implementation of mitigation measures. The EA has reviewed the following plans and agrees that these are acceptable in relation to topics relevant to the EA.</p> <ul style="list-style-type: none"> ▪ Outline Soil Management Plan (PD1-040) ▪ Outline Operational Drainage Management Plan (APP-286) 	<p>The EA is satisfied with the scope of topics included in the:</p> <ul style="list-style-type: none"> • Outline Soil Management Plan (APP-271); • Outline Pollution Prevention and Emergency Incident Response Plan (APP-272); • Outline Site Waste Management Plan (APP_274); • Outline Project Environmental Management Plan (APP-277); 	

ID	ODOW Position	EA Position	Status
	<ul style="list-style-type: none"> ▪ Outline Surface Water Drainage Strategy (APP-273)) ▪ Pollution Prevention and Emergency Incident Response Plan (APP-272) ▪ Project Environmental Management Plan (APP-277) ▪ Outline Site Waste Management Plan (APP-274) ▪ Cable Specification and Installation Plan (PD1-042) <p>The Applicant has committed to an additional Water Quality Management and Mitigation Plan, in response to the EA’s Relevant Representations and has submitted an updated outline Code of Construction Practice (PD1-038) and has added this to DCO requirement 18 in the updated DCO (PD1-024).</p>	<ul style="list-style-type: none"> • Outline Cable Specification and Installation Plan (APP-278); • Outline Operational Drainage Management Plan (APP-286). <p>The EA is aware that there may be additional plans proposed during the course of the Examination and updates to the plans listed above and it will provide comments on these as appropriate.</p>	
Land Contamination			
EA20	<p>The Applicant has assessed potential impacts from contaminated land in ES Chapter 23 (APP-078) and Appendix 1 (Preliminary Land Quality Risk Assessment) (AS1-059). The assessment provided is satisfactory and demonstrates that an appropriate assessment has been undertaken to identify potential sources of contamination.</p> <p>Requirement 16 in the draft DCO (PD1-024) secures further investigation and assessment at the appropriate time and will enable the EA to provide advice as a consultee to its discharge.</p>	<p>The EA sets out its comments in respect of this Assessment in section 12 of its Relevant Representation. The EA is satisfied that Chapter 23 and Appendix 1 (Preliminary Land Quality Risk Assessment) are satisfactory and demonstrate that an appropriate assessment has been undertaken to identify potential sources of contamination. Requirement 16 in the draft DCO secures further investigation and assessment at the appropriate time and will enable the EA to provide advice as a consultee to its discharge.</p>	

ID	ODOW Position	EA Position	Status
Book of Reference			
EA21	The Applicant has identified the EA's interests in land in the Book of Reference (PD1-029) and the Land Plan(PD1-008) and the proposed protective provisions provide the necessary protection required.	The EA is listed as a Category 1 (as assumed owner, or reputed owner) for various plots in the Book of Reference. The EA is currently considering the potential impact the project may have its ability to carry out its statutory undertakings.	

2.3 Offshore

15. The following aspects relate to the assessments that the applicant has submitted in support of its application.

Table 6 Offshore elements

ID	ODOW Position	EA Position	Status
Marine Physical Processes			
EA22	Methodologies within the Marine Physical Processes Chapter (APP-062) have been agreed through the evidence plan process and engagement with consultees. The National Coastal Erosion Mapping 2 (NCERM2) was included as an additional data source to support the conclusions only; use of these data does not change the conclusions of the assessment. When the NCERM2 data becomes available, the assessment can be updated if required.	The EA consider that the NCERM2 data should not be used as it is still in beta form.	

ID	ODOW Position	EA Position	Status
EA23	Beach nourishment has been undertaken along the coast for more than 30 years. Although there is no certainty that this will continue, it is understood that there is an ongoing requirement. In the event that the replenishment scheme is not continued, coastal erosion has been considered in the design of the HDD, cable burial depth and position of the onshore transition pit.	The EA does not agree with the conclusion that the coast will not be affected by erosion. Noting that in order to predict possible worst-case scenarios one would have to use data from before the replenishment scheme started, possibly calculating coastal change rates from historic maps and old air-photo coverage as well as shoreline profile data collected prior to the LincsShore/beach nourishment scheme.	
EA24	The Chapel Point to Wolla Bank SSSI is designated for glacial sedimentary geological features; the exit pit will avoid interaction with the SSSI and therefore the Applicant's position is that there is no pathway of effect on this receptor.	Although the exit pit will be microsited to avoid interaction with the Chapel Point to Wolla Bank SSSI (Site of Special Scientific Interest), the conclusion that there are no "pathways of effect" to influence this receptor is uncertain. It is suggested that a geophysical and geological investigation be conducted to determine the full extent of these features, which would aid in the micrositing of the exit pit and cable protection (if used).	
EA25	The Applicant has undertaken a robust impact assessment and concluded that the dune system will not be impacted. The dunes were assessed as a sensitive receptor within Impact 3 and 4 of the Marine Physical Processes chapter (paragraph 7.12.1.3).	The EA would like further detail and signposting to where this has been addressed in the ES.	
Marine Water and Sediment Quality			
EA26	The assessment undertaken for Marine Sediment and Water Quality is robust and appropriate.	The EA has reviewed Chapter 8 with respect to its remit on this topic and this is satisfactory.	

ID	ODOW Position	EA Position	Status
Water Framework Directive			
EA27	<p>The Water Framework Directive assessment considers the potential for a reduction in water quality within the Lincolnshire coastal water body and relevant bathing waters at Moggs Eye and Anderby. Any changes are expected to be short lived and within the natural variation of the marine environment.</p> <p>The Project's landfall HDDs will be designed to exit the seabed in pre-excavated pits, a minimum distance of 500m from MLWS, to avoid potential impacts to bathing water quality.</p> <p>The consistent 'Excellent' performance of nearby Bathing Waters indicates that levels of bacteria within the sediments, in close proximity to the designated Bathing Waters, do not result in a reduction in water quality during elevated suspension events such as storms. Following sediment plume dispersion and subsequent increased exposure to UV light, bacterial counts will return to baseline conditions in the order of days. An impact of negligible significance on bathing water has been determined.</p>	<p>The EA notes that paragraph 152 of the WFD acknowledges that disturbance of the seabed, which can be associated with cable installation and associated landfall works, may release sediment bound contaminants into the water column and therefore reduce water quality. Paragraph 154 also acknowledges that an increase of suspended sediment (including bentonite) from cable installation and trenchless technique activities at the landfall has the potential to result in an increase in bacterial counts within the water column. It is stated that 'any bacterial increase within the water column would be in the order of days'.</p> <p>The EA notes that the ES concludes that the works will not cause an issue to bathing water quality but this is not supported with any evidence.</p> <p>The EA challenges the assumption that 'The consistent 'Excellent' performance of nearby Bathing Waters indicates that the levels of bacteria within the sediments, in close proximity to these Bathing Waters, do not result in a reduction in water quality during natural elevated suspension events' and that 'This suggests that elevated bacterial concentrations are unlikely to result from disturbance of seabed sediments in the vicinity of these Bathing Waters'.</p> <p>However, the EA is satisfied that the Applicant has now committed to the HDD exit pits being no closer than 500m from the MLWS mark and this mitigation has been</p>	

ID	ODOW Position	EA Position	Status
		<p>appropriately secured in the outline Code of Construction Practice and the outline Cable Specification and Installation Plan.</p> <p>Accordingly, the Environment Agency confirms that it is now satisfied with the conclusions of the WFD in relation to Bathing Waters.</p>	
EA28	<p>The Water Framework Directive assessment undertaken in relation to the impacts of the project on the Lincolnshire Coastal water body is robust and appropriate</p>	<p>The EA is generally satisfied with the Applicant's approach and conclusions that these sections of the export cable corridor activity are unlikely to result in a deterioration at water body scale or jeopardise the attainment of water body objectives. Significant impacts to protected areas within these WFD waterbodies are also unlikely.</p> <p>However, we defer to Natural England and the Marine Management Organisation in respect offshore habitats in protected areas, fish and shellfish etc, which are outside of the EA's jurisdiction.</p>	
Benthic and Intertidal Ecology			
EA29	<p>The assessment undertaken for Benthic and Intertidal Ecology is robust and appropriate-</p>	<p>The EA have reviewed Chapter 9 with respect to the EA's remit on this topic and this is satisfactory.</p>	
Fish and Shellfish Ecology			
EA30	<p>The assessment undertaken for Fish and Shellfish Ecology is robust and appropriate.</p>	<p>The EA have reviewed Chapter 10 with respect to the EA's remit on this topic and this is satisfactory.</p>	

3 Signatures

The above statement of common ground has been prepared by Outer Dowsing Offshore Wind and the EA and is agreed on the date below.

Signed for the EA	
Name	Annette Hewitson
Position	Principal Planning Adviser
Date	
Duly authorised for and on behalf of the Environment Agency	

Signed for Outer Dowsing Offshore Wind	
Name	Chris Jenner
Position	Development Manager
Date	
Duly authorised for and on behalf of Outer Dowsing Offshore Wind	

References

Department for Levelling Up, Housing and Communities (2024) Planning Act 2008: Guidance for the examination of applications for development consent.