

AQUIND Limited

AQUIND INTERCONNECTOR

Environmental Statement – Volume 3 – Appendix 5.1 EIA Scoping Opinion General Responses Table

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(a)

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

Document Ref: 6.3.5.4 PINS Ref.: EN020022



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PINS REF.: EN020022 DOCUMENT: 6.3.5.1

DATE: 14 NOVEMBER 2019

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DOCUMENT

Document	6.3.5.1 Environmental Statement – Volume 3 – Appendix 5.1 EIA Scoping Opinion General Responses Table
Revision	001
Document Owner	WSP UK Limited/Natural Power Consultants Ltd.
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Date	28 October 2019
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Date	13 November 2019



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2.3.1	Description of the Proposed Development	Chapter 3 (Description of the Proposed Development) of the ES Volume 1 (document reference 6.1.3)	The Environmental Statement ('ES') should include a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development. The ES should also include a description of the development and description of the physical characteristics of the whole development, including the land-use requirements during construction and operation phases.	The description of the Proposed Development, both during the construction and operational stages, and the characteristics of the development are provided in Chapter 3 (Description of the Proposed Development).
2.3.2	Description of the Proposed Development	Chapter 3 (Description of the Proposed Development)	Potential for a delay to the installation of the offshore marine cable by various factors such as weather conditions etc and the need to undertake a second phase of cable installation in the following year was identified in the scoping. PINS say the ES must take	The Rochdale Envelope approach has been employed to accommodate flexibility within the construction programme. This is explained in greater detail in Section 3.4.1 of Chapter 3

Table 1 – Scoping Opinion General Responses Table

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			into consideration the potential for a delay of this sort and the impacts that may ensue where relevant.	(Description of the Proposed Development) and Appendix 3.1 (Project Design Flexibility) of the ES Volume 3 (document reference 6.3.3.1).
2.3.3	Description of the Proposed Development	Chapter 3 (Description of the Proposed Development)	The Inspectorate notes that uncertainty currently remains with regards to construction/installation methods (onshore and offshore), details relevant to the final route of the cable and the location and parameters of infrastructure. There is also uncertainty regarding elements of construction such as the Horizontal Directional Drilling ('HDD') entry/exit locations (amongst others). The Inspectorate considers that the Applicant should make effort to refine options and reduce uncertainty, however, where they are unable to do so the Applicant should ensure that the ES appropriately assesses the likely significant effects associated.	Chapter 3 (Description of the Proposed Development) has been substantially updated and includes a number of appendices providing detail on the construction method. Options have been refined and where uncertainty remains, a Rochdale Envelope approach has been used to identify and assess significant effects.



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2.3.4	Description of the Proposed Development	Chapter 3 (Description of the Proposed Development)	The Scoping Report indicates that the total footprint of the offshore cable route is not yet known. There is also uncertainty regarding the amount of non-burial protection material (e.g. rock) that may be required in areas where the cables cannot be buried/ trenched efficiently and the amount potentially needed at cable crossings. The ES should clearly detail the methodology of the cable installation in the offshore area to inform the assessment of significant impacts, as well as proposed mitigation measures. Where certainty cannot be provided the assessment should be based on a worst-case scenario.	The description of the marine elements of the Proposed Development is set out in Section 3.5 of Chapter 3 (Description of the Proposed Development) and further detail can be found in Appendix 3.4 (Additional Supporting Information for Marine Works) of the ES Volume 3 (document reference 6.3.3.4). Appendix 3.2 (Marine Worst Case Design Parameters) of the ES Volume 3 (document reference 6.3.3.2) sets out the design parameters used to assess a worst-case scenario. The Rochdale Envelope approach has been employed to accommodate uncertainty.
2.3.5	Description of the Proposed Development	Chapter 3 (Description of	It is unclear in the Scoping Report whether material to be disposed of within the cable corridor would be at designated points or redistributed within the Proposed	An assessment has been made within Chapter 6 (Physical Processes) of the ES Volume 1 (document reference 6.1.6) on



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		the Proposed Development)	Development site. The ES should ensure that impacts arising from the proposed approach to dredge disposal are assessed in the ES. The ES should provide information on the location of the proposed disposal, including specific areas of the route corridor and/or any offsite disposal sites, as required. The Applicant should make effort to agree the approach to assessing impacts from dredging activities (including disposal) with relevant consultation bodies.	the potential for significant effects from the deposit of dredged material within the Proposed Development site (i.e. within the Order Limits).
2.3.6	Description of the Proposed Development	Chapter 3 (Description of the Proposed Development) Chapter 13 (Shipping, Navigation and Other Marine Users) of the ES Volume 1 (document	Paragraphs 2.1.51 to 2.1.52 of the Scoping Report describe the likely vessel groups to be utilised during the installation of the cables and a number of matters in the aspect chapters are proposed to be scoped out on the basis of the number of vessels and/or the proposed vessel activity. However, there is no reference to the likely number of vessels in each vessel group and also how many of these are likely to be present at the same time. The ES should clearly describe the likely type and number of vessels to be utilised during construction, including whether they will be present at the same time or	Table 3.4 in Chapter 3 (Description of the Proposed Development) provides further detail on the types and numbers of vessels likely to be present and number of trips. An assessment of the likely impacts on navigation is set out in Chapter 13 (Shipping, Navigation and Other Marine Users).



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		reference 6.1.13)	sequentially, and ensure that where likely significant effects could occur, that the impact assessment is based on these parameters.	
2.3.7	Description of the Proposed Development	Chapter 3 (Description of the Proposed Development)	The Scoping Report acknowledges the importance of considering decommissioning at the DCO stage at paragraph 2.1.60 and confirms that decommissioning activities would be determined by the relevant legislation and guidance available at the time of decommissioning. In addition, a decommissioning plan will be developed and agreed with The Crown Estate. Whilst the Scoping Report states that decommissioning will be assessed, no consistent approach to the consideration of decommissioning has been provided and reference to decommissioning is limited to Chapters 8, 10, 11, 12, 16 and 18 of the Scoping Report. The Inspectorate considers that the ES should describe the anticipated approach to decommissioning. Impacts associated with decommissioning should be assessed where significant effects are likely to occur.	The approach to decommissioning has been outlined in Sections 3.5.10 and 3.6.6 of Chapter 3 (Description of the Proposed Development). Decommissioning has also been considered within each technical chapter (Chapters $6 - 28$).



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2.3.8	Alternatives	Chapter 2 (Consideration of Alternatives) of the ES Volume 3 (document reference 6.1.2)	The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.	Chapter 2 (Consideration of Alternatives) sets out reasonable alternatives including site selection for the Landfall, Onshore and Marine Cable Corridors and the Converter Station along with justification for selection of each, including environmental effects.
2.3.9	Alternatives	Chapter 2 (Consideration of Alternatives)	The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES. The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.	Chapter 2 (Consideration of Alternatives) sets out reasonable alternatives including site selection for the Landfall, Onshore and Marine Cable Corridors and the Converter Station along with justification for selection of each, including environmental effects.
2.3.10	Alternatives	Chapter 2 (Consideration of Alternatives)	The ES should describe the selection process used and decisions made which result in the determination of the preferred	Chapter 2 (Consideration of Alternatives) sets out reasonable alternatives including site selection for the Landfall,



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			locations for the landfall, the cable route, and the proposed convertor station.	Onshore and Marine Cable Corridors and the Converter Station along with justification for selection of each, including environmental effects.
2.3.11	Flexibility	Chapter 3 (Description of the Proposed Development)	Paragraph 2.1.2 of the Scoping Report identifies that the information provided in the Scoping Report is indicative to inform the scoping process and that it will be further refined in the ES to provide the final proposals. It is not entirely clear from Chapters 1 and 2 whether a Rochdale Envelope approach is to be adopted by the Applicant in the compiling of the ES.	A Rochdale Envelope approach has been employed in compiling the ES. Every effort has been made to refine options and reduce uncertainty, however, where it is not possible to do so, the ES Technical Chapters (6 – 28) have assessed the likely significant effects. This is explained in greater detail in Section 3.4.1 of Chapter 3 (Description of the Proposed Development) and Appendix 3.1 (Project Design Flexibility) of the ES Volume 3 (document reference 6.3.3.1).
2.3.12	Flexibility	Chapter 3 (Description of	It is noted that reference is made to a number of elements being determined at the 'final design stage' for the Proposed Development.	Chapter 3 (Description of the Proposed Development) presents the worst-case design



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		the Proposed Development)	Paragraph 2.1.3 states for example that "The final design details of the marine cables will be determined as part of the final design stage, which will be undertaken by the cable manufacturer following the appointment of the Engineering, Procurement and Construction ('EPC') contractors". It is not immediately apparent whether this stage will be prior to any DCO application. However, it is noted that Paragraph 4.6.1 states that the "the ES will be based on final design of the Proposed Development and will include embedded mitigation where possible". The ES should make clear when final decisions are to be made with regards to design elements, where they are yet to be determined. The ES should consider the worst-case scenario based upon the options/parameters presented in the ES.	parameters for the Proposed Development. These design parameters have informed the assessments undertaken within each ES chapter, allowing an assessment of the likely significant effects. It is anticipated that the Deemed Marine Licence ('DML') will include conditions which require more detailed information on project design elements post DCO grant i.e. cable laying plan, detailed methodology etc. Further detail is provided in Section 3.4.1 of Chapter 3 (Description of the Proposed Development), Appendix 3.1 (Project Design Flexibility) and Appendix 3.2 (Marine Worst Case Design Parameters) of the ES Volume 3 (document reference 6.3.3.2).



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2.3.14	Flexibility	Chapter 4 (EIA Methodology) of the ES Volume 1 (document reference 6.1.4)	The Applicant's attention is drawn to the Inspectorate's Advice Note Nine 'Using the 'Rochdale Envelope'1, which provides details on the recommended approach to follow when incorporating flexibility into a draft DCO.	A Rochdale Envelope approach has been employed in compiling the ES. Every effort has been made to refine options and reduce uncertainty, however, where it is not possible to do so, the ES Technical Chapters (6 – 28) have assessed the likely significant effects. This is explained in greater detail in Section 3.4.1 of Chapter 3 (Description of the Proposed Development) and Appendix 3.1 (Project Design Flexibility) of the ES Volume 3 (document reference 6.3.3.1).
2.3.15	Flexibility	Chapter 3 (Description of the Proposed Development)	The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different	Chapter 3 (Description of the Proposed Development) has been substantially updated and includes a number of appendices providing detail on the construction method. Options have been refined and where uncertainty remains, a Rochdale



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			developments. The development parameters will need to be clearly defined in the draft DCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.	Envelope approach has been used to identify and assess significant effects.
2.3.16	Flexibility	N/A	It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.	Noted. No further requirements for the ES.
3.3.1	General	Chapter 4 (EIA Methodology) Technical Chapters 6 - 28	The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables: • to demonstrate how the assessment has taken account of this Opinion;	Each technical chapter of the ES (Chapters 6 - 28) includes a table identifying how each PINS Scoping Opinion comment has been taken into consideration.



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			 to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects; to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (e.g. a draft DCO requirement); to describe any remedial measures that are identified as being necessary following monitoring; and to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES. 	Each technical chapter of the ES (Chapters 6 - 28) includes a section on residual effects, cumulative effects, proposed mitigation, monitoring and remedial measures. Mitigation from the ES has been used to compile an Onshore Outline Construction Environmental Management Plan ('CEMP') (document reference 6.9) and Marine Outline CEMP (document reference 6.5). These include monitoring where applicable. A Mitigation Schedule has also been produced (document reference 6.6) to demonstrate how mitigation is being secured. The HRA is provided as part of the DCO submission (document reference 6.8.1 – 6.8.3).



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3.3.2	General	Chapters 6 – 28	The level of information provided in the Scoping Report for the chosen assessment study areas varies and is very limited in some chapters. The ES must clearly identify and justify the extent of the study area for each aspect assessment.	The ES technical chapters describe the respective Study Areas.
3.3.4	General	Chapters 1 - 30	The Inspectorate notes that whilst the drawings and figures provided with the Scoping Opinion are identified by name and number in the contents page and main body text (eg Figure 1.1, 1.2 etc), the figures provided at the end of the main report have not been clearly labelled as such. All references to drawings in this Opinion are therefore to the drawing/figure numbers as identified in the contents page of the Scoping Report, as the assumed intention of the Applicant. Also, a number of figures provided in the Scoping Report are not provided at a size or scale to be clearly legible. The Applicant should ensure the ES is accompanied by clear and appropriately labelled/referenced drawings and figures, provided at an appropriate size and scale.	Figures and Drawings which have been submitted within the ES are referenced clearly and consistently, and are legible and to an appropriate scale.



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3.3.5	Baseline Scenario	Chapters 6 – 28	The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.	The baseline environment is set out in Section 5 of each ES technical chapter. This also includes a description of Future Baseline, which sets out how the environment will change without the Proposed Development. The assessment of predicted impacts in Section 6 of each technical chapter sets out how the environment will change with the Proposed Development. Assumptions and limitations with data used is set out in section 4 of each technical chapter.
3.3.6	Baseline Scenario	Chapters 6 – 28	It is noted from paragraphs 4.5.2 and 4.5.3 of the Scoping Report that the methodologies for the baseline surveys to inform the impact assessment, both those undertaken to date and those proposed, have been or will be agreed with statutory bodies and individual/independent stakeholders. Limited information regarding survey methodologies is provided in the Scoping Report. The ES	Consultation with relevant stakeholders and statutory bodies regarding methodologies is summarised in Section 4 within each ES technical chapter.

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			should clearly describe the survey methodologies that have been used to inform the impact assessment, together with any agreements reached with regards to the scope of the surveys. This information could be presented in appendices to the ES.	
3.3.8	Forecasting Methods or Evidence	Chapter 4 (EIA Methodology)	The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.	Chapter 4 (EIA Methodology) (Section 4.2.4) sets out the temporal scope of the EIA, on which assessments are based. Information is provided in the respective ES chapters and supporting survey appendices, with respect to baseline data collection. This has been updated since the PEIR.
3.3.9	Forecasting Methods or Evidence	Chapter 4 (EIA Methodology)	The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be	The approach to assessing significance is described in Chapter 4 (EIA Methodology), including identification of significant effects. Any departure from this method is set out and



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			described in individual aspect assessment chapters.	justified within individual topic chapters.
3.3.10	Forecasting Methods or Evidence	Chapters 6 - 28	The Inspectorate notes that Table 4.2 presents the proposed definition of the magnitude of impact to be applied to the impact assessment, but notes that paragraph 4.6.8 states that this is a guide only and may be more specific for some receptors. Where aspect-specific definitions of magnitude are applied, these should be clearly described in the aspect chapters.	Where a topic specific approach to determining magnitude is deemed necessary, this is provided in the respective ES technical chapters.
3.3.11	Forecasting Methods or Evidence	Chapter 4 (EIA Methodology) Chapters 6 - 28	The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	The limitations of the assessment undertaken as part of the EIA are described within the Assessment Methodology (Section 4) for each topic chapter within the ES.
3.3.12	Residues and Emissions	Chapter 3 (Description of the Proposed Development)	The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced	The expected/estimated emissions and residues associated with the Proposed Development are quantified



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			during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.	within the respective topic chapters within the ES.
3.3.13	Residues and Emissions	Chapter 3 (Description of the Proposed Development) Chapter 7 (Marine Water and Sediment Quality) of the ES Volume 1 (document reference 6.1.7)	The Inspectorate notes that the Waste and Material Resources aspect chapter of the Scoping Report appears to discuss the onshore element of the Proposed Development only, although it is noted that there are references in the design and mitigation section to the marine cables. It is not clear where an assessment of waste and material resources for the offshore element will be presented in the ES. The ES should include an assessment of effects arising from material consumption and waste generation for the offshore elements, including information and assessment of the likely dredged arisings and potential rock placement associated with the marine cable installation. For purposes of clarity, it may be appropriate for this matter to be considered in the relevant offshore marine aspect chapters.	Waste associated with construction and decommissioning is described within Chapter 3 (Description of the Proposed Development). This describes the arrangements for handling and disposal of waste material, including from dredging during construction. Effects from materials and waste are assessed for both Onshore and Marine elements in Chapter 27 (Waste and Material Resources) of the ES Volume 1 (document reference 6.1.27).



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3.3.14	Mitigation	Chapter 4 (EIA Methodology) Chapters 6 - 28	Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.	The approach to securing mitigation is explained in Section 4.7 of Chapter 4 (EIA Methodology) and section 8 of each technical chapter. Embedded mitigation measures have been incorporated into the design of the Proposed Development and additional mitigation measures are set out in the Mitigation Schedule (document reference 6.6).
3.3.15	Mitigation	Chapter 4 (EIA Methodology) Chapters 6 - 28	The Inspectorate notes that a Construction Environmental Management Plan ('CEMP'), Site Waste Management Plan ('SWMP'), and Materials Management Plan ('MMP') are to be produced. Where the ES relies upon mitigation measures which would be secured through management plans, it should be demonstrated (with clear cross referencing) where each measure is set out in the management plan. The Applicant should provide draft copies of these documents	The approach to securing mitigation is explained in Section 4.7 of Chapter 4 (EIA Methodology). Embedded mitigation is set out at the start of the assessment of impacts in each technical chapter (Section 5) and additional mitigation is set out in Section 8 of each ES technical chapter. Both embedded and additional mitigation which apply to the



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			appended to the ES and/or demonstrate how they will be secured.	construction stage is set out in the Marine Outline CEMP (document reference 6.5) and Onshore Outline CEMP (document reference 6.9).
3.3.16	Risks of Major Accidents and/or Disaster	Chapter 4 (EIA Methodology)	The Scoping Report contains no reference to whether an assessment of risk of major accidents and/or disasters associated with the Proposed Development will be provided in the ES.	The Screening for Major Accidents and Disasters is provided in Appendix 4.1 (Screening for Major Accidents and Disasters) of the ES Volume 3 (document reference 6.3.4.1).
3.3.17	Risks of Major Accidents and/or Disaster	Chapter 4 (EIA Methodology)	The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives ('HSE') Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the	The Screening for Major Accidents and Disasters is provided in Appendix 4.1 (Screening for Major Accidents and Disasters).



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			Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.	
3.3.18	Risks of Major Accidents and/or Disaster	Chapter 4 (EIA Methodology)	Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details	The Screening for Major Accidents and Disasters is provided in Appendix 4.1 (Screening for Major Accidents and Disasters). Where applicable, these are assessed within individual technical chapters, including mitigation measures.



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			of the preparedness for and proposed response to such emergencies.	
3.3.20	Transboundary Effects	Chapter 4 (EIA Methodology)	Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES.	The assessment of transboundary effects is described in Chapter 4 (EIA Methodology) Section 4.5 and Chapter 29 (Cumulative Effects) of the ES Volume 1 (document reference 6.1.29), and is considered in the relevant marine chapters, on a topic by topic basis within the ES.
3.3.21	Transboundary Effects	Chapter 4 (EIA Methodology) Chapters 6 - 14	The Scoping Report states that the potential for transboundary effects will be considered more fully on a topic by topic basis in the ES, but currently concludes that the Proposed Development is not likely to have significant effects on another European Economic Area (EEA) State. The Scoping Report confirms that it intends to confirm this conclusion through the EIA process.	The assessment of transboundary effects is described in Chapter 4 (EIA Methodology) Section 4.5 and Chapter 29 (Cumulative Effects) of the ES Volume 1 (document reference 6.1.29), and is considered in the relevant marine chapters, on a topic by topic basis within the ES.



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3.3.22	Transboundary Effects	Chapter 4 (EIA Methodology) Chapters 6 - 14	The Inspectorate acknowledges that this is a Trans-European Networks for Energy (TEN- E) project and has inherent transboundary interest due to part of the project being located within another EEA State, in this case France. Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.	The assessment of transboundary effects is described in Chapter 4 (EIA Methodology) Section 4.5 and Chapter 29 (Cumulative Effects) of the ES Volume 1 (document reference 6.1.29), and is considered in the relevant marine chapters, on a topic by topic basis within the ES.
3.3.23	Transboundary Effects	Chapter 4 (EIA Methodology) Chapters 6 - 14	The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.	The assessment of transboundary effects is described in Chapter 4 (EIA Methodology) Section 4.5 and Chapter 29 (Cumulative Effects) of the ES Volume 1 (document reference 6.1.29), and is considered in the relevant marine chapters, on a topic by topic basis within the ES.



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3.3.24	A Reference List	Chapters 1 - 30	A reference list detailing the sources used for the descriptions and assessments must be included in the ES.	A reference list, where required, has been provided at the end of each of the ES chapters.
4.26.1	N/A	Chapter 3 (Description of the Proposed Development)	No matters are proposed to be scoped out of the ES.	N/A
4.26.2	N/A	Chapter 3 (Description of the Proposed Development)	No comments	N/A

