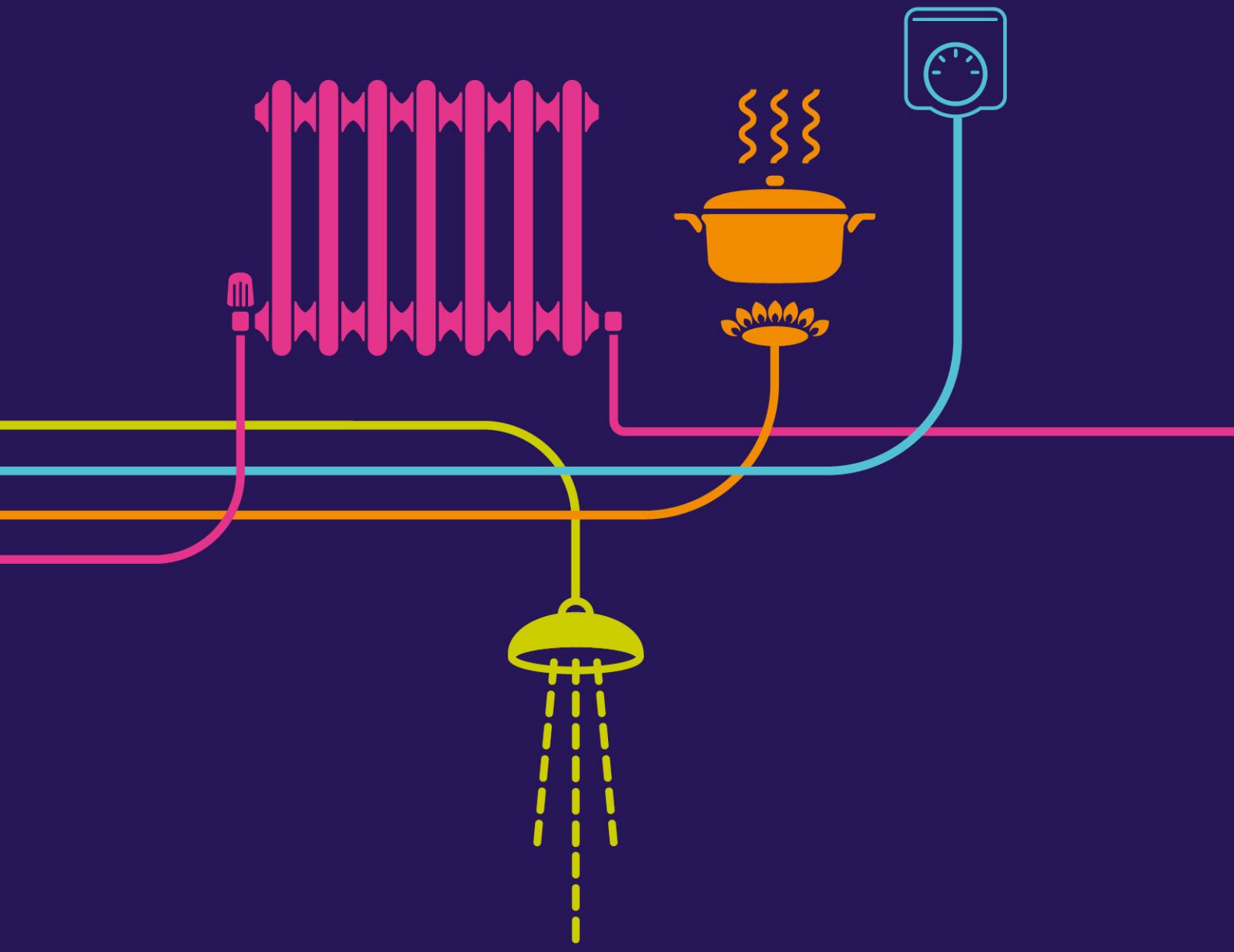
DOCUMENT

8.1.1A

nationalgrid

Draft SOCG with the Environment Agency

River Humber Gas Pipeline Replacement Project



Application Reference: EN060004

Deadline 3 Submission: 02 November 2015

National Grid Gas

River Humber Gas Pipeline Replacement Project

Statement of Common Ground - Environment Agency

CONTENTS

Revision Status

Approvals				
	Role	**Printed Name**	**Signed Name**	**Date**
Originated by	Senior Environmental Consultant (Hyder Consulting)	Kate Burrows	[redacted]	05/05/2015
Checked by	Technical Director (Hyder Consulting)	Nicky Hartley		05/05/2015
Approved by	Senior Technical Director (Hyder Consulting)	Andy Saunders		21/10/2015

Revision History				
Date	**Rev No.**	**Summary of Changes**	**Ref Section**	**Purpose of Issue**
05/05/2015	0	First Issue for Comment to the Environment Agency		First Issue
10/09/2015	1	Updated / streamlined to reflect Relevant Representation and the Rule 6 Letter received from PINS.		Second Issue to the Environment Agency
05/10/2015	2	Updated to reflect comments received from the Environment Agency on the 23/09/2015		Third Issue to the Environment Agency
21/10/2015	3	Updated to reflect the Environment Agency's comments on the structure of the Statement of Common Ground received 15/10/2015		Fourth Issue to the Environment Agency
02/11/2015	4	Updated to reflect the Environment Agency's comments received on 30/11/2015 prior to Deadline 3		Fifth Issue to the Environment Agency

Distribution	
To:	Sam Kipling
cc:	

1 Introduction

1.1 Purpose of the Document

1.1.1 This document is a Statement of Common Ground (SoCG) between National Grid Gas (the Applicant) and the Environment Agency for a Development Consent Order (DCO) for the River Humber Gas Pipeline Replacement Project (the Scheme).

1.1.2 This SoCG sets out the main areas of agreement and disagreement regarding the application documents between National Grid Gas and the Environment Agency.

1.2 Matters Addressed within this Document

1.2.1 Discussions and responses to consultation, to date cover the following topics which form the basis of this SoCG:

- Groundwater;
- Flood risk;
- Biodiversity;
- Pollution prevention;
- Waste;
- Land interest; and
- Disapplication and the draft DCO.

1.2.2 The following documents and section of documents have all been subjected to consultation with the Environment Agency: -, the Flood Risk Assessment (FRA) (including a draft Flood Incident Response Plan) (DCO Document Reference 5.2), Appendix 13.2: Initial Site Water Management Plan (DCO Document Reference 6.13.2) and Appendix 13.3: Hydrogeological Impact Assessment (DOC Document Reference 6.13.3).

1.2.3 National Grid Gas has aimed to address all the points raised by the Environment Agency. Where there has not been agreement this SoCG sets out the outstanding issues and explains why there has been no current resolution.

2 Consultation

2.1.1 The Environment Agency has been consulted regularly by National Grid Gas throughout the development of the Scheme, comprising:

- May / November 2012 – Consultation was undertaken with the Environment Agency at the options stage.
- 11 November 2013 – Initial meeting held with the Environment Agency to discuss the Scheme, FRA etc.
- April 2014 – Consultation regarding the FRA and the Flood Resilience Plan.
- 10 September 2014 - Telephone discussion with Environment Agency Groundwater Technical Specialist to discuss study area, baseline information and assessment method.
- 27 August 2014 - Email confirming agreement with baseline information, assessment methods and increase to study area in order to account for flood extents of East Halton Beck.
- 31 October 2014 - Meeting with the Environment Agency to discuss the Scheme impacts including the results of the Flood Risk Assessment.
- 11 November 2014 – Method statement for Hydrogeological Impact Assessment sent to Environment Agency. Response provided by Environment Agency on 5 December 2014 (Ref RA/2014/130328/01-L01).
- December 2014 – Consultation regarding the Flood Risk Assessment and the Flood Resilience Plan.
- January 2015 – Consultation regarding the Flood Risk Assessment and the Flood Resilience Plan and follow ups to the meeting held in October 2014.
- March 2015 – Consultation undertaken regarding the Ground Investigation.
- July 2015 – Conference call to agree the scope of the required additional information to support the FRA in light of the new flood level predictions (Appendix A). In addition, consultation was also undertaken regarding the Hydrogeological Impact Assessment Addendum (DCO Document Reference 6.13.3.2).

3 Matters of Agreement

3.1.1 Table 3-1 outlines resolved and unresolved matters between National Grid Gas and the Environment Agency.

Table 3-1 Resolved and Unresolved Matters

Matter	Status	Progress Update	Relevant Supporting Documents
Adequacy of environmental baseline on hydrogeology	Resolved - Subject to further site investigation being secured by requirement - The environmental baseline is considered sufficient. The HIA and HIA Addendum Rev 2 incorporate desk based and site investigation sources of information to provide a baseline understanding of the site conditions. The recent mini pump test has reinforced the findings of the HIA and represents the best available baseline at this time.	The Environment Agency have reviewed the revised HIA Addendum (DCO Document Reference 6.13.3.2) and Mini-Pumping Tests Report (DCO Document Reference 6.13.3.1) which aims to resolve the outstanding concerns of the Environment Agency regarding groundwater. The documents outlined above were submitted at Deadline 2 to the ExA. The Environment Agency will provide formal comments on these documents to the ExA at Deadline 3.	HIA Addendum (DCO Document Reference 6.13.3.2). Mini-Pumping Tests Report (DCO Document Reference 6.13.3.1).
Adequacy of the assessment of the project's impacts on groundwater including the predictions made on the quantity and duration of any extraction	Resolved - Subject to further work being secured by requirement - The predictions made so far on quantity and duration of dewatering are based on the findings of the modelling as presented in the HIA. Firm quantities and durations have not been	As above.	HIA Addendum (DCO Document Reference 6.13.3.2). Mini-Pumping Tests Report (DCO Document Reference 6.13.3.1).

Matter	Status	Progress Update	Relevant Supporting Documents
	presented but a range of drawdowns and abstraction rates are. Additional pump testing by the MWC will provide greater certainty.		
Adequacy of the mitigation measures proposed to protect groundwater, including groundwater control	Resolved - Subject to mitigation being secured via requirement - the proposed mitigation measures of secant pile, concrete slab and recharge of dewatered water should mitigate against groundwater impacts. The recharge aspect of this is key as this method can be adapted to the actual groundwater conditions encountered.	As above.	HIA Addendum (DCO Document Reference 6.13.3.2). Mini-Pumping Tests Report (DCO Document Reference 6.13.3.1).
Adequacy of information needed to establish whether there are any showstoppers which would prevent the obtaining of any necessary licences for groundwater management	Resolved – Based on the information provided there do not appear to be any showstoppers with regard to granting a groundwater abstraction licence. However, there are uncertainties which will need to be addressed by the MWC	As above.	HIA Addendum (DCO Document Reference 6.13.3.2). Mini-Pumping Tests Report (DCO Document Reference 6.13.3.1).

Matter	Status	Progress Update	Relevant Supporting Documents
	through additional investigation, and which will need to be addressed in full as part of any subsequent licence application and/or requirement discharge.		
Adequacy of the assessment of flood risk in the FRA	Unresolved – the FRA Addendum is much improved but still contains an inadequate assessment of the Scheme's impact on fluvial flooding elsewhere.	An FRA Addendum (DCO Document Reference 5.2.1) was submitted at Deadline 2 to the ExA to provide further information to address Environment Agency queries raised in their Relevant Representation (and Written Representation). National Grid Gas will discuss with the Environment Agency what further information / clarifications are required in order to satisfy any outstanding concerns prior to the hearings.	FRA Addendum (DCO Document Reference 5.2.1).
Adequacy of the mitigation proposed in the FRA	Resolved -Subject to the inclusion of an appropriate requirement securing a continuous flood bund to a minimum height of 3.4mAOD. The ExA will also need to satisfy themselves in	As above.	FRA Addendum (DCO Document Reference 5.2.1).

Matter	Status	Progress Update	Relevant Supporting Documents
	relation to the acceptability of the risk associated with tunnel collapse. Please note that the Environment Agency has not considered the acceptability or otherwise of the proposed emergency flood response. It may also be deemed necessary by the ExA to secure additional mitigation to deal with any increase in fluvial flood risk, once further clarification is provided.		
Adequacy of minimum cover over the tunnel on the south bank	Resolved – Subject to this being reflected in a revised draft of the DCO ensuring a minimum cover of 1.7m in the relevant area.	An FRA Addendum (DCO Document Reference 5.2.1) was submitted at Deadline 2 to the ExA to provide further information regarding this. Revised wording will be included within the revised draft DCO (DCO Document Reference 3.1A) to be submitted at Deadline 4 to the ExA.	FRA Addendum (DCO Document Reference 5.2.1). Draft DCO (DCO Document Reference 3.1A).
Approach to disapplication	Unresolved – Subject to clarification from	Draft protective provisions have been provided to the applicant by	

Matter	Status	Progress Update	Relevant Supporting Documents
of byelaws	National Grid of what they wish to disapply and subsequent agreement of protective provisions.	the Environment Agency. National Grid have provided their comments on the draft. These are currently being considered by the Environment Agency.	
Adequacy of assessment of the project's impacts on water voles	Resolved – the Scheme's potential impacts on water voles are linked to the proposed dewatering and the effect this may have on water vole habitat. On the basis that an acceptable mitigation strategy dealing with the Scheme's groundwater impacts has now been proposed, and which will be secured in the DCO, water voles and their habitat will be adequately protected from any indirect effects of dewatering.	National Grids position regarding water voles is outlined in their response to the Environment Agency's Relevant Representation submitted at Deadline 2 to the ExA (DCO Document Reference 8.8).	Comments on Relevant Representations (DCO Document Reference 8.8).
Adequacy of the environmental enhancement measures proposed	Resolved – We note that additional information has been provided on this matter and that the opportunities identified are terrestrial in nature.	National Grids position regarding enhancement is outlined in their response to the Environment Agency's Relevant Representation submitted at Deadline 2 to the ExA (DCO	Comments on Relevant Representations (DCO Document Reference 8.8).

Matter	Status	Progress Update	Relevant Supporting Documents
	As such the Environment Agency is content to defer to other organisations who are better placed to advise on terrestrial enhancement opportunities.	Document Reference 8.8).	
Adequacy of the pollution prevention mitigation measures	Resolved subject to satisfactory amendments being included in a revised Initial Construction Environmental Management Plan (CEMP) (DCO Document 7.3A) at Deadline 3.	National Grid has included the updates requested by the Environment Agency in the Initial CEMP (DCO Document Reference 7.3A) in relation to pollution control.	Comments on Relevant Representations (DCO Document Reference 8.8) Initial CEMP (DCO Document Reference 7.3A) submitted at Deadline 3.
Adequacy of the information provided regarding waste, consents and permitting	Unresolved – there is currently insufficient information for the Environment Agency to be able to advise definitively on the Environmental Permitting aspects.	National Grids position is outlined in their response to the Environment Agency's Relevant Representation submitted at Deadline 2 to the ExA (DCO Document Reference 8.8). National Grid Gas will discuss with the Environment Agency outstanding concerns prior to the hearings.	Comments on Relevant Representations (DCO Document Reference 8.8).

Matter	Status	Progress Update	Relevant Supporting Documents
Adequacy of information provided regarding land interests and disapplication.	Unresolved	A lands meeting to discuss outstanding issues has been arranged for Wednesday 4 November 2015. Regarding disapplication the Environment Agency has a copy of the updated Protective Provisions for review.	Draft DCO (DCO Document Reference 3.1A).
Adequacy of the draft DCO	Unresolved	A revised draft DCO is being submitted to the ExA as part of Deadline 3 submissions.	Draft DCO (DCO Document Reference 3.1A).

4 Signed Statement of Common Ground

4.1.1 This Statement of Common Ground has been prepared by Hyder Consulting on behalf of National Grid Gas and agreed by the Environment Agency.

Table 4-1 Signatures

Organisation - Environment Agency

Name & Title - Sam Kipling, Planning Specialist, Sustainable Places, Yorkshire

Signature 

Date 02/11/2015

Organisation – National Grid

Name & Title -

Signature

Date 02/11/2015

Appendix A

Meeting Minutes

MINUTES

Issue date	04 August 2015
Issued by	Kate Burrows
Subject	Feeder 9 discussion about outstanding FRA issues
Reference	
Client	National Grid
Meeting date	27.07.15
Time	10am
Location	N/A
Present	Sam Kipling - EA
	Debbie Morris – EA
	Dan Normandale - EA
	Lisa Driscoll – Hyder
	Russell Green – Hyder
	Kate Burrows - Hyder
Copies	Sam Kipling - EA
	Debbie Morris – EA
	Dan Normandale - EA
	Lisa Driscoll – Hyder
	Russell Green – Hyder
	Kate Burrows – Hyder
	Nicky Hartley – Hyder
	Paul Lee – National Grid
	Philip Knipe – National Grid
	Carl Simms – National Grid
	Bryony Brown – National Grid
	Yohanna Webber – Eversheds

Item	Comments	Action by
1	**Flood Risk Vulnerability of the Scheme following construction**	
	RG confirmed that following construction, apart from the cathodic protection system kiosks there would be no permeant infrastructure located above ground. These kiosks (1m by 2m external dimensions) can be designed to be flood resistant/resilient (tolerant of submergence) and are easily replaceable in the event of being flooded. SK requested some further information about the role/function of the kiosks – are they essential for the scheme to operate, or are they just for long term monitoring / control of corrosion? And the proposals for how they would be made resistant/ resilient. Further details of the flood protection measures proposed, in light of the revised Humber tide levels, will be provided in the revised Flood Risk Assessment (FRA), which will also quantify the impact of climate change on flood conditions over a 40 year development lifetime. DM also confirmed that she required information on flood conditions local to the kiosks incorporating climate change allowance for a 40 year design life and that the FRA should also report on the extreme (0.1%) flood event water levels – for information only. This would	RG/LD

	help the EA to justify why it isn't possible to raise the kiosks so that they were flood free in these scenarios.	
2	**Drive and Reception Pit Flood Bunds**	
	RG confirmed that during the construction phase 1.4m high flood bunds will be provided around the drive and reception pits and there was the potential to raise these 200-300mm more, which DM would like to see taken. During the tunnel drive phase these bunds would be continuous, however, the defence line would have to be broken when the pipes are pulled through at the end of the drive phase. DM outlined that her concern is not for the less vulnerable elements of the development to be flood free but that the development does not increase flood risk to third parties and the bunds main function is to keep water on site in the event of a tunnel collapse. Text and drawings will be updated in the revised FRA to clarify the maximum height of bunds that can be achieved and the positioning/alignment of these bunds during the various phases of the construction.	RG/LD
3	**Fluvial Impacts of the Scheme**	RG/LD
	RG outlined the FRA presents a conservative assessment of the potential temporary impact on fluvial levels across the wider floodplain. SK and DM requested further information be included in the updated FRA including confirmation of whether any vulnerable flood risk receptors (e.g. residential properties, commercial or agricultural buildings) are located within the area that is predicted to be affected by the minor and temporary potential water level increases described in the FRA. RG/LD will undertake analysis using aerial photographs/OS mapping and topography data and the updated FRA will also include flood maps to illustrate the impact on fluvial flood extents. DM stated that this information would be used by the EA to understand the consequences and to allow the EA to paint of picture of the risk to the ExA. Provided the assessment demonstrates that no sensitive receptors (i.e. people and development) are affected, the EA is unlikely to request any mitigation.	
4	**Best Available Information – use of interim Humber flood levels**	RG
	SK outlined that revised flood levels for the Humber have been calculated following analysis of the winter floods and that there has been no new breach modelling undertaken on the basis of the revised water levels. DM outlined that flood conditions on site would be largely representative of the conditions in the Humber channel. It was agreed that the FRA would be updated to confirm the 0.5% AEP (2016 & 2056) and 0.1% (2016 (base year) & 2056 (incorporating climate change for the 40 year design life of the kiosks)) flood levels in the River Humber and use these levels (as a worst case scenario) to determine the potential flood levels and depths of flood water across the proposed development site. RG to check whether the new data has been received from the EA and request if not received.	
5	**Tunnel Collapse**	
	RG reiterated that tunnel design accounts for local site specific ground and groundwater conditions, best practice tunnelling methods would be employed and the proposed tunnel composition (concrete lined segmental construction) all limit the risk of a collapse, such that it is considered to be very low. Regardless DM outlined that there is a lot of highly vulnerable critical infrastructure on the floodplain and asked that the updated FRA confirms the maximum height the bunds surrounding the drive/reception pits can be feasibly raised to and what other mitigation measures have been considered (e.g. portal door at the entrance to tunnel) and why they	RG

	have been discounted. An indicative flood map has also been requested to show the potential extent of flooding should a collapse of the tunnel occur, filling the drive/reception pits and overtopping the bunds. This information will be used by the EA to understand the consequences and therefore paint a picture of the risk to the ExA. SK highlighted a Yorkshire Water tunnelling incident 15 years ago where a tunnel collapse resulted in the loss of a TBM. SK highlighted that we had raised concerns about a lack of hydrogeological information for other parts of the project and flagged that this information may also be relevant to tunnel collapse risk. SK confirmed that the EA are not in a position to scrutinise the assessment that a collapse is unlikely, but understanding the potential consequences should form part of the assessment of risk.	
6	**Minimum cover at Goxhill**	
	SK requested if it is possible to increase the minimum cover over works 1A as noted in the DCO, Part 2, 6. from 1.2m to 1.7m? They are concerned about the section of the pipeline under the flood defences and say a minimum of 1.2m cover may interfere with any realignment works they plan to undertake in the future. KB to provide indicative tunnel section plan to SK and to look at amending the Limits of Deviations in the DCO to reflect a greater minimum cover.	KB
7.	**Breach Analysis of Tidal Defences**	RG/LD
	SK confirmed that there was no requirement to update the tidal defence breach scenarios in light of the new Humber water levels. RG confirmed that the updated FRA will be supplemented to include information on floodwater flow velocities and flood hazard under breach conditions (from EA models) to present a more complete picture of breach flood risk.	
8.	**Works at Paull & impact on defences & Thorngumbald pumping station**	
	The design team has confirmed that the water discharge area illustrated in Figure 2.3 ‘Indicative Paull Site Layout’ comprises of hoses over the flood defence to facilitate discharge of brackish and freshwater. Unhindered access to the defences will be maintained and no intrusive interference with the defences in this area is required.	Design team
9.	**Disapplication and Estate Issues**	
	KB confirmed these issues to be discussed outside of the call.	
10.	**AOB**	
	Flood Emergency Evacuation Plan – SK confirmed that this needs to be deferred to the Local Planning Authority for comment. DM asked for clarification to the whether a refuge area is to be provided on the construction site. RG confirmed that no refuge area is proposed and that residual flood risk is to be managed using the Evacuation Plan and the reliance on this method of safe development will need to be identified in the FRA.	