
Statement of Common Ground between Environment Agency and National Grid at Deadline 3

**The Yorkshire and Humber (CCS Cross Country
Pipeline) Development Consent Order**



Pilkington, Nigel B

Subject: FW: CCS SoCG

From: Kipling, Sam [<mailto:SAM.KIPLING@environment-agency.gov.uk>]

Sent: 17 February 2015 11:40

To: Pilkington, Nigel B

Cc: 'Richard.Gwilliam@nationalgrid.com'

Subject: Re: CCS SoCG

That looks fine to me.

Regards

Sam

From: Pilkington, Nigel B [<mailto:nigel.pilkington@aecom.com>]

Sent: Tuesday, February 17, 2015 11:32 AM

To: Kipling, Sam

Cc: 'Richard Gwilliam (Richard.Gwilliam@nationalgrid.com)' <Richard.Gwilliam@nationalgrid.com>

Subject: RE: CCS SoCG

Hi Sam

Not sure if you are picking up emails today. I have also sent a text - sorry for bombarding you!

We feel the following better reflects the point of disagreement between us.

Agreement of interpretation of EN-1 regarding the provision of biodiversity enhancements and consequently the enhancements proposed.

Would you be happy to accept this as a summary of the position?

Cheers

Nige

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TABLE OF CONTENTS

1	Introduction	2
1.1	Purpose of the document	2
1.2	Matters addressed within this document	2
2	Onshore Scheme	3
2.1	Summary of the Onshore Scheme	3
3	Summary of Consultation	5
3.1	Introduction	5
3.2	Schedule of Engagement with the Environment Agency	6
4	Matters of Agreement	10
4.1	Matters of Agreement	10
5	Matters Not Concluded	14
5.1	Introduction	14
5.2	Matters not agreed	14
6	Signatures	15

1 Introduction

1.1 PURPOSE OF THE DOCUMENT

- 1.1.1 This is a Statement of Common Ground (SoCG) between National Grid Carbon Limited (referred to in this document as “National Grid”) and the Environment Agency (EA) in respect of National Grid’s application (the Application) for a Development Consent Order (DCO) for the Yorkshire and Humber Carbon Capture and Storage Cross Country Pipeline (the Onshore Scheme) (given reference EN070001 by the Planning Inspectorate).
- 1.1.2 The Planning Inspectorate (PINS) encourages and expects promoters of applications for DCOs to engage with interested parties and key consultees and, where possible, provide Statements of Common Ground setting out where they agree and disagree with the information and assumptions contained in the application. This will help to focus the examination process to those matters where there are differences between the two parties.
- 1.1.3 This statement sets out the main areas of agreement and disagreement between National Grid and the EA regarding the Application documents.

1.2 MATTERS ADDRESSED WITHIN THIS DOCUMENT

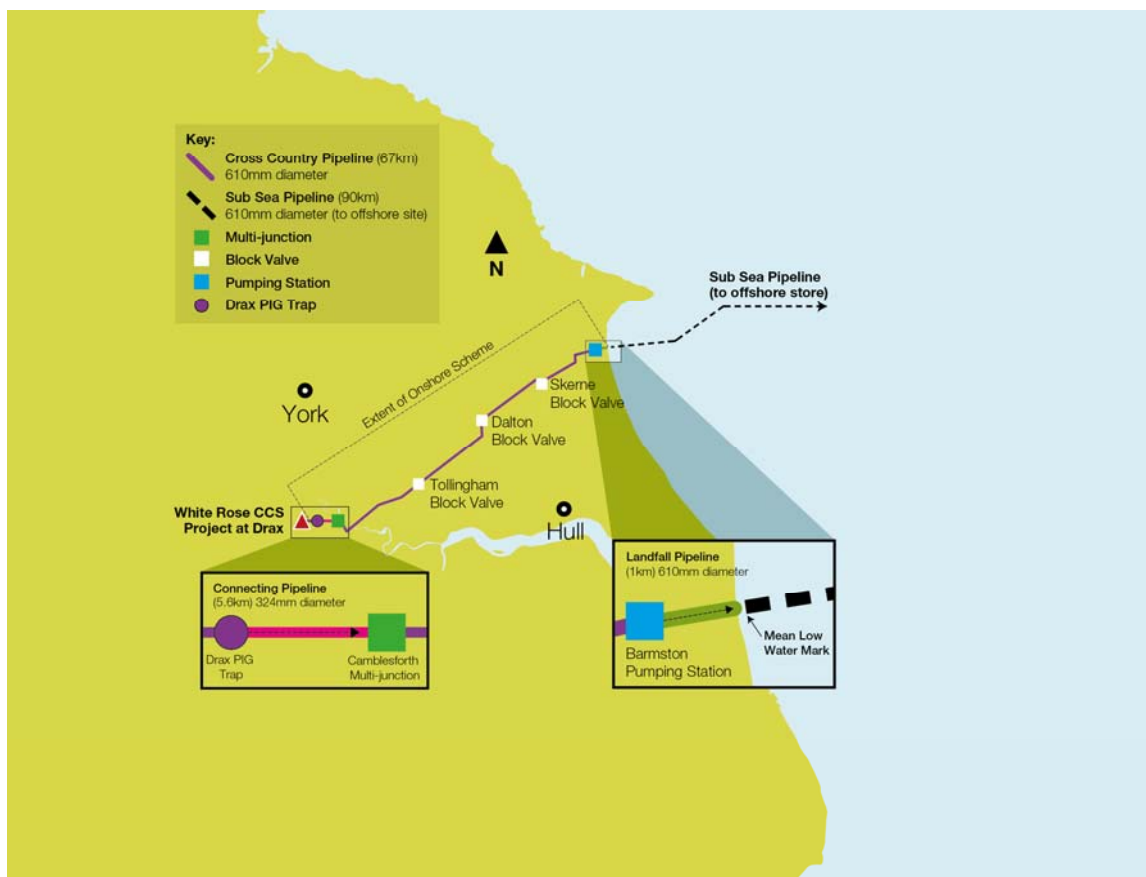
- 1.2.1 Discussions and responses to consultation / engagement to date cover the following topics, which form the basis of this Statement of Common Ground.
- Safety / Pipeline Integrity;
 - Environmental Impact Assessment (baseline, methods, mitigation and residual effects);
 - Dewatering at the crossing of the Main Drain, West Beck and Driffield Canal;
 - Securing EA consents post-DCO;
 - Flood Risk Assessment; and
 - Enhancement.
- 1.2.2 National Grid has aimed to address all the points raised by the EA. Where there has not been agreement, this statement sets out the outstanding issues and explains why there has been no resolution.
- 1.2.3 Where documents that form part of the DCO Application are referenced, the application document reference is given in brackets e.g. (Document 3.1).

2 Onshore Scheme

2.1 SUMMARY OF THE ONSHORE SCHEME

2.1.1 The Onshore Scheme will transport Carbon Dioxide captured from the proposed White Rose CCS Project at Drax, near Selby, through a Cross Country Pipeline and associated infrastructure, including a Pipeline Internal Gauge (PIG) Trap, Multi-junction, three Block Valves and a Pumping Station, to join a sub-sea pipeline (subject to separate consent) at the Mean Low Water Spring Mark on the Holderness Coast north of Barmston. The Onshore Scheme is illustrated on Figure 1 below:

Figure 1: Onshore Scheme Schematic



2.1.2 The onshore transportation element of the Onshore Scheme requires a new buried welded steel high pressure Cross Country Pipeline of approximately 67 km in length and three 'local' pipelines, one from Drax PIG Trap into the White Rose Project Gas Processing Unit, one from the Drax PIG Trap to the Multi-junction and one from the Pumping Station to the Mean Low Water Spring mark

respectively with a combined total length of approximately 74 km. The direction of flow of Carbon Dioxide would be from south west to north east in the direction of the East Yorkshire / Holderness coast.

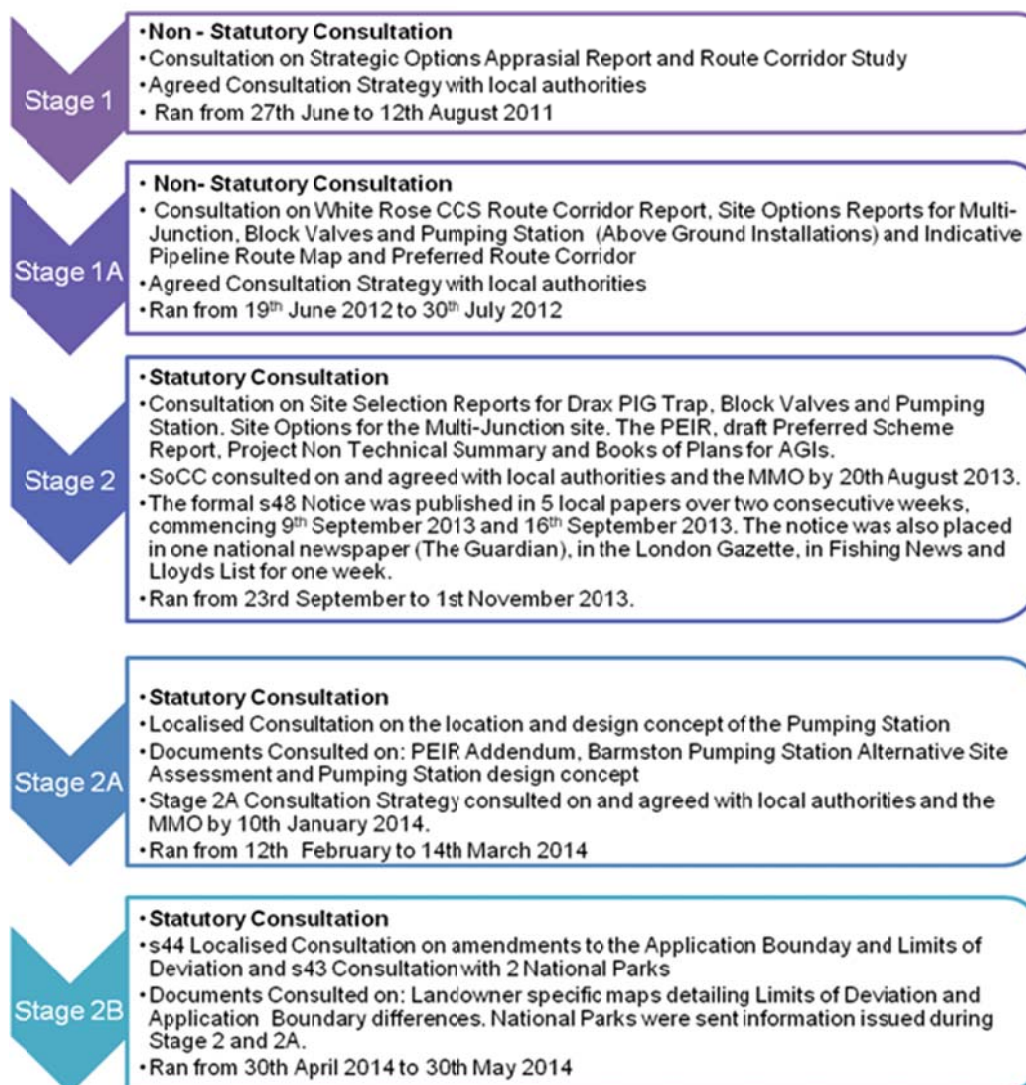
- 2.1.3 In addition to the Cross Country Pipeline the Onshore Scheme comprises six Above Ground Installations (AGIs) comprising a PIG Trap adjacent to the White Rose CCS Project, near Drax, North Yorkshire and known as Drax PIG Trap; a Multi-junction to the south of Drax Power Station near Camblesforth, North Yorkshire known as Camblesforth Multi-junction; three Block Valves known as Tollingham Block Valve, near Holme upon Spalding Moor, East Riding of Yorkshire, Dalton Block Valve, near South Dalton, East Riding of Yorkshire and Skerne Block Valve, near Skerne, East Riding of Yorkshire; and a Pumping Station to the north of Barmston, East Riding of Yorkshire known as Barmston Pumping Station.
- 2.1.4 A detailed description of the Onshore Scheme is provided in the Application in Chapter 3 of the ES (Document 6.3).

3 Summary of Consultation

3.1 INTRODUCTION

3.1.1 Since 2011 National Grid has been consulting on the Onshore Scheme, this consultation was divided into two broad stages as illustrated on Figure 2 below:

Figure 2: Consultation



3.1.2 In addition to the stages illustrated above consultation has taken place throughout the development of the Onshore Scheme. The full details of

consultation are presented in the Consultation Report (Document 5.1) and Chapter 4 EIA Consultation, of the ES (Document 6.4).

3.2 SCHEDULE OF ENGAGEMENT WITH THE ENVIRONMENT AGENCY

3.2.1 The pre submission consultation and engagement which has taken place with the Environment Agency is summarised in Table 1 below.

Table 1: Pre submission engagement		
Date	Type	Summary
12 th January 2012	Meeting	Initial Ecology Thematic Group – to discuss scope of proposed ecological surveys and new guidance on protected species licencing for Nationally Significant Infrastructure Projects (NSIPs).
2 nd April 2012	Meeting	Water Thematic Group – introduced the Onshore Scheme and set out the scope of the assessment methodology for water resources, flood risk and groundwater.
15 th March 2012	Meeting	Ecology Thematic Group – discussed progress on ecology surveys and evolution of ecology scope since initial meeting.
25 th May 2012	Meeting & Site Visit	To discuss introduce Project, engineering surveys, environmental surveys and proposed Ground Investigation Survey (GIS) and River Hull/ Driffield Canal crossing, followed by a Site Visit to proposed crossing location for River Hull at Wansford.
19 th June – 30 th July 2012	Non-Statutory Stage 1A Consultation	EA consulted on Preferred Route Corridor and Site Options Appraisals for Above Ground Installations.
13 th July 2012	Meeting	To update the Environment Agency on Project, obtain feedback on potential sites for AGIs; discuss proposed borehole locations for GIS; and EA consents.
8 th November 2012	Meeting	Water Thematic Group meeting to set out the proposed scope of the Water Resources and Flood Risk Chapter and to provide an update on the Onshore Scheme.

Table 1: Pre submission engagement		
Date	Type	Summary
13 th November 2012	Meeting	Ecology Thematic Group - to discuss EIA Draft Scope for Ecology - Draft ecology scoping section provided to all ecology consultees for comment in advance of meeting.
4 th July 2013	Meeting	The meeting was held to provide the Environment Agency with an update on the Onshore Scheme and to clarify a number of points raised in the Environment Agency's response to the Scoping Report.
September 2013	Statutory Consultation (Stage 2)	The Environment Agency was consulted under Section 42 on the proposed Onshore Scheme and the PEIR.
18 th October 2013	E-mail exchange	National Grid requested feedback from the EA and Natural England on whether Kelk Beck would be acceptable in principle as a source for hydrostatic test water. EA advised that strict conditions would be imposed to protect the river, its ecology and associated SSSI and restrictions to times of high flow to ensure that conservation objectives for flow are maintained.
1 st November 2013	Section 42 Response	The Environment Agency response focused on six points, Flood Risk, Fisheries and Biodiversity, Pipeline Integrity, Groundwater and Land Contamination, Water Resources and Pollution Prevention.
13 th December 2013	Letter to EA	A response was provided to the Environment Agency responding to the points raised in their Section 42 response.
13 th January 2014	Meeting	The meeting was held to provide an update to the Onshore Scheme following statutory consultation and clarify a number of the points raised by the Environment Agency in their Section 42 response.

Table 1: Pre submission engagement		
Date	Type	Summary
17 th January 2014	Meeting	A joint meeting was held with the Environment Agency, Ouse and Humber IDB and East Riding of Yorkshire Council. The purpose of the meeting was to provide an update on the Onshore Scheme and discuss specifically matters relating to flood risk which were not discussed at the meeting on 13 th January 2014.
12 th February 2014	Statutory Consultation Stage 2A	The Environment Agency was consulted on the alternative location for the Barmston Pumping Station and associated design concept, which included revised pipeline routeing to and from the alternative Pumping Station site. A PEIR Addendum was provided as part of this consultation.
7 th & 14 th February 2014	E-mail to EA	The Environment Agency was provided with copies of the draft DCO requirements and draft Environmental Management Plan for comment.
15 th April 2014	Letter from EA	The Environment Agency provided comments on the following draft Environmental Statement Chapters: Water Resources and Flood Risk; Geology, Hydrogeology and Ground Conditions; Ecology and Nature Conservation; and the Flood Risk Assessment
6 th May 2014	Email to EA	A draft version of the Safety Statement was provided to the Environment Agency for comment.
17 th April 2014	Letter to EA	A letter was issued in which outlined the proposals for dewatering to allow crossing of the Main Drain, West Beck and Driffield Canal, the potential for effects due to dewatering, and proposed monitoring and mitigation.
14 th May 2014	Letter from EA	The EA responded to the letter of 17 th April. Commented on the references to the highly artesian chalk aquifer and requested clarification
28 th May 2014	Letter from EA	The Environment Agency provided comments on the draft Safety Statement.

Table 1: Pre submission engagement		
Date	Type	Summary
9 th July 2014	E-mail from EA	Reply to E-mail from National Grid 28 th March 2014, Environment Agency support dis-application of bye-laws 5,6,10, 15 in this case and do not need protective provisions.

3.2.2 The post submission engagement which has taken place with the Environment Agency is summarised in Table 2 below.

Table 2: Post submission engagement		
Date	Type	Summary
30 th June 2014	Letter	A revised letter was issued regarding the crossing of Main Drain, West Beck and Driffield Canal, to confirm that microtunnelling would be limited to the Glacial Till and would not affect the highly artesian chalk.
23 rd July	Meeting	Meeting to discuss the application and statements of common ground
7 th August 2014	Letter	A response was received to the revised letter regarding the crossing of Main Drain, West Beck and the Driffield Canal.
25 th September	Meeting	A meeting was held to discuss the Relevant Representation made by the EA and also the draft SoCG.
21 st October 2014	Meeting	A meeting was held with the EA and YWT to discuss enhancement opportunities.
November to December 2014	Various	A series of issues were discussed via exchange of letters and a teleconference call.

4 Matters of Agreement

4.1 MATTERS OF AGREEMENT

4.1.1 Table 3 below lists those matters where there is agreement between the Environment Agency and National Grid.

Table 3: Matters of Agreement			
Statement or topic area	DCO document references	National Grid	Environment Agency
Environmental Statement			
Agreement that the baseline information gathered for ground conditions, water resources and ecology is sufficient for the purposes of EIA.	Document 6.6, 6.7 and 6.9.	Agreed	Agreed
Agreement with the approach to assessment of water resources and ecology in the ES and supplementary information submitted to the Environment Agency in a letter dated 14 th November 2014.	Documents 6.6, 6.7, 6.9 and 10.3	Agreed	Agreed
Agreement with the appropriateness of mitigation identified for water resources and ecology in the ES	Documents, 6.6, 6.7 6.9, 11.1 and 7.5 Rev B	Agreed	Agreed
Agreement with the identified residual effects for water resources and ecology in the ES and supplementary water vole information provided to the EA in a letter dated 14 November (other than those relating to sediment mobilisation and subject to the amendment to the CoCP regarding the 'no loss' return of water to the West Beck in Q95 conditions).	Documents, 6.6, 6.7, 6.9 and 10.3	Agreed	Agreed

Table 3: Matters of Agreement			
Statement or topic area	DCO document references	National Grid	Environment Agency
Agreement with the assessment of WFD classification objectives.	Document 6.6	Agreed	Agreed
Code of Construction Practice			
The Code of Construction Practice (CoCP) (Document 7.5) has been developed as a minimum requirement to which National Grid's contractors must adhere. Agreement that the content of the Code of Construction Practice (Document 7.5) provides an appropriate mechanism for managing construction practices and is adequately secured through Requirement 14.	Documents 11.1 and 7.5 Rev B	Agreed	Agreed,
Agreement that the water management and pollution control measures secured through Requirement 14 and Requirement 9, are appropriate and adequate mitigation for the Onshore Scheme.	Document 7.5 Rev B and 11.1	Agreed	Agreed
Agreement with the approach to dealing with invasive species.	Documents 6.9 and 7.5 Rev B	Agreed	Agreed
Land Drainage Byelaws			
The Environment Agency agrees with the approach of dis-applying certain Yorkshire Land Drainage Byelaws, as they apply to Main Rivers, which impose prohibitions that conflict with activities required for the carrying out of the Onshore Scheme (authorised development).		Agreed	Agreed

Table 3: Matters of Agreement			
Statement or topic area	DCO document references	National Grid	Environment Agency
EA Consents			
<p>National Grid and the EA agree that where applicable National Grid will apply to the EA for consents / permits required for activities under:</p> <ul style="list-style-type: none"> • section 109 of the Water Resources Act 1991; • Yorkshire Land Drainage Byelaws 1980; • Environmental Permitting Regulations 2010; and • Water Act 2003; • Greenhouse Gas Emissions Trading Scheme Regulations 2005 separately from the DCO. 		Agreed	Agreed
Flood Risk Assessment			
Agreement to the approach to and conclusion of the Flood Risk Assessment, including the measures incorporated into the design.	Documents 3.1 Rev B, 5.2 5.2.1	Agreed	Agreed
Draft Development Consent Order			
The EA notes that under Article 19 Discharge of Water National Grid may use any watercourse or public sewer or drain for the drainage of water in connection with the carrying out or maintenance of the Onshore Scheme and is satisfied with the terms of that article, which reflect the wording of the Model Provisions.	Document 3.1	Agreed	Agreed

Table 3: Matters of Agreement			
Statement or topic area	DCO document references	National Grid	Environment Agency
<u>Requirement 16 – Land Drainage</u> Requirement 16 states: the development must take place in accordance with the “drainage strategy” certified by the Secretary of State for the purposes of the Order. This requirement is appropriate for the management of land drainage.	Document 3.1 Schedule 3 Document 7.7	Agreed	Agreed

5 Matters Not Concluded

5.1 INTRODUCTION

5.1.1 This chapter covers matters raised that remain unresolved/un-concluded in respect of each identified DCO submission document/ topic discussed.

5.2 MATTERS NOT AGREED

Table 4: Matters not Agreed			
Statement or topic area	DCO document references	National Grid	Environment Agency
Agreement of interpretation of EN-1 regarding the provision of biodiversity enhancements and consequently the enhancements proposed.	Document 7.1	Matter not resolved.	Matter not resolved.

6 Signatures

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**ON BEHALF OF THE
ENVIRONMENT AGENCY**

NAME:

TITLE:

DATE:

.....

**ON BEHALF OF NATIONAL
GRID CARBON LTD**

NAME:

TITLE:

DATE: