

The principle issue in question	The brief concern held by Natural England which will be reported on in full in WR / LIR	What needs to; <ul style="list-style-type: none"> • change, or • be included, or • amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination
Air Quality – the use of LA105.	Natural England do not support the use of LA105 as it is not Habitat Regulations Assessment compliant.	Natural England do not require any further changes on the A66 as an individual project, however further discussions are ongoing between NH and NE to agree a suitably robust air quality assessment methodology.	<p>Natural England and National Highways are in discussion and working together to produce a new assessment method/ guidance method for assessing road traffic air pollution emissions.</p> <p>Natural England have discussed the chosen methodologies with the air quality specialists from National Highways, we are awaiting the promised technical notes to be produced. It is likely that Natural England's concerns will be addressed in these technical notes and therefore during examination.</p>
The production of mitigation measures and the draft CEMP are welcomed but provide no assurance that they will be secured and therefore mitigate the impacts to the various designated sites	<p>Any measures used to inform the decision about the effects on the integrity need to be sufficiently secured and likely to work in practice. In the case of the DCO, measures used to inform the decision about the effects on the integrity will be secured through DCO itself, via (for example) the DCO Order Limits, Project Design Principles or Environmental Management Plan (EMP).</p> <p>At present the EMP is in draft form, and specific and detailed mitigation measures are not finalised. Reassurance is also needed that if the project design principles</p>	The proposed mitigation and design principles need to be secured and included in a finalised CEMP to ensure we can agree with the outcomes of the HRA	The mitigation measures and design principles should be able to be finalised and secured during the examination. Natural England will continue to work with National Highways to ensure these are appropriate.

are not adhered to (e.g., the design for an open span bridge with piers across the Troutbeck Floodplain) then the outcomes of the HRA may change.

Whilst we agree the outcome of the HRA – that there will be no adverse effect on the integrity of the River Eden SAC, this is dependent on the design principles and mitigation measures in the draft CEMP not changing.