

Date: 25 July 2023
Our ref:
Your ref: TR030007



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BY EMAIL ONLY

Dear Sir/ Madam

NSIP Reference Name / Code: TR030007

Natural England's Attendance at Item Specific Hearing 2 on 27/07/23

We note that we previously confirmed attendance to ISH-2 on 21/07/23. Upon further consideration of the agenda, our engagement with the Applicant so far and availability of the case team, Natural England will no longer be attending ISH-2 on 27/07/23.

Natural England's decision to attend Item Specific Hearings (ISH) is based on the outstanding issues, the availability and wellbeing of the case team and ensuring our input is of best value to the examination process as a whole. **Where we do not attend, this should not be construed as a lack of concern on outstanding issues, or a lack of willingness to engage in the examination process.**

To aid discussions around Agenda point '4. Any effects for the integrity of the Humber Estuary Special Area of Conservation, Special Protection Area and Ramsar site (the designated sites)', we wish to provide the following update on progress made with this topic since our Relevant Representation submission.

4. Any effects for the integrity of the Humber Estuary Special Area of Conservation, Special Protection Area and Ramsar site (the designated sites)

Natural England raised several issues regarding the Humber Estuary SAC/SPA in our Relevant Representation dated 19/04/23 [RR-015], which was further updated in our version dated 04/07/23 [AS-011].

These issues fell within the following topics:

- Impacts from traffic / site plant / marine vessel emissions to air (construction and operational phases)
- Impacts from dust to designated habitat features (construction phase)
- Impacts of the presence of infrastructure on waterbird foraging and roosting (operation phase)
- Impacts of potential noise and visual disturbance on qualifying SPA/Ramsar bird species (construction and operation phases)

- Impacts of potential elevated SSC during capital dredge disposal on qualifying habitats and species (construction and operational phases)
- Impacts of underwater noise and vibration during piling on qualifying species (construction phase)
- Impacts of direct loss of qualifying intertidal and subtidal habitat (construction phase)
- Potential changes to qualifying habitats as a result of the removal of seabed material during capital and maintenance dredging (construction and operation phases)
- Impacts of elevated suspended sediment concentration (SSC) during capital dredge disposal on qualifying habitats and species (construction and operation phases)
- Impacts of the potential introduction and spread of non-native species on qualifying habitats (construction phase)
- Impacts of underwater noise and vibration on marine mammals during piling, capital dredging and dredge disposal (construction phase)
- Potential cumulative and in-combination impacts on marine mammals (construction phase)
- Changes to seabed habitats and species as a result of sediment deposition (operation phase)

Natural England has been engaging constructively with the Applicant on the above matters since the submission of our Relevant Representation. As part of this process, we have produced a Key Issues Log to track issue resolution. Whilst there are still a number of issues unresolved, we have been able to progress several of our concerns which we now consider to have been addressed. These can be found listed in the attached Key Issues Log.

Natural England will continue to work with the Applicant in order to resolve remaining outstanding issues, where possible. We also look forward to engaging with the Applicant on a draft Statement of Common Ground, due for submission at Deadline 1 on 14/08/23.

If you have any queries relating to the advice in this letter please contact me on [REDACTED]@naturalengland.org.uk .

Yours sincerely

Lauren Forecast
Yorkshire and northern Lincolnshire Team