

# IMMINGHAM EASTERN RO-RO TERMINAL



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## Document Information

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## 1. Introduction

- 1.1. This document provides the Applicant's response to the written representation submitted by Natural England at Deadline 2 [REP2-019].

## 2. Summary

- 2.1. The issues raised in Natural England's Written Representation [REP2-019] have been, and continue to be, discussed in detail and as such constructive dialogue remains ongoing.
- 2.2. Natural England has previously indicated that it is likely that all of the concerns raised can be addressed during the course of the Examination [REP1-022].

## 3. Updated Habitats Regulations Assessment Report

- 3.1. A number of key issues originally identified by Natural England are now considered resolved on the understanding that an updated Habitats Regulations Assessment report (HRAR) is provided at Deadline 5 (D5).
- 3.2. The Applicant can confirm that they are intending to provide an updated (HRAR) [APP-115] to address the points raised by Natural England by Deadline 5.

## 4. Further Information Requirements

- 4.1. Further information will be provided to Natural England in the form of a technical signposting document to address comments in respect of the "key issues" as identified by Natural England [REP2-019]. This will capture:
  - a) Analysis with respect to bird usage in the immediate vicinity of existing jetty structures (Key Issue 6).
  - b) Further detail on the effectiveness of the proposed mitigation strategies for SPA bird features in the context of the construction programme, the vulnerability of wider receptors and the underpinning evidence base (Key Issue 7).
  - c) Further clarification with respect to in-combination disturbance/barrier effects to the grey seal feature of the Humber Estuary SAC (Key Issue 25).
  - d) Separate assessments of injury (PTS and TTS) and disturbance pathways to marine mammals (Key Issue 28).
  - e) Requirement for underwater noise monitoring (Key Issues 28, 30).
  - f) An indication of the amount of vibro piling that could be achieved within the construction programme (Key Issue 33).
  - g) Further consideration of indirect impacts on Black-Tailed Godwit as a non-breeding feature of the North Killingholme Haven Pits SSSI (Key Issue 39).

- h) Critical load levels for swamp/fen habitat within the Hatfield Chase Ditches SSSI (Key Issue 41).
  - i) Further clarification of the effects of maintenance dredge disposal on seabed habitats.
- 4.2. In addition to the above, dialogue remains ongoing with the Marine Management Organisation (MMO), and their technical advisors Cefas, with regards to underwater noise effects on migratory fish and marine mammals. A further technical signposting document will be produced for these organisations to address any outstanding comments. This will in turn serve to inform Natural England to address outstanding comments on such matters.
- 4.3. With reference to Natural England Key Issue 29, a marine mammal mitigation plan will be produced. This will include a commitment to cease percussive piling if marine mammals enter the mitigation zone.

## 5. Clarifications

- 5.1. With reference to Natural England Key Issue 8, it should be noted that temporary screening is proposed on the approach jetty and linkspan, and not permanent screening as suggested by Natural England. A phased removal of the screens is proposed after two years once birds have habituated to the operation of the new infrastructure. The Applicant welcomes Natural England's view that removal of screening after a period of time is a sensible approach.
- 5.2. With reference to Natural England Key Issue 9, the Applicant maintains that construction and operational effects have been fully assessed within the HRAR **[APP-115]**. The order in which they appear within the HRAR does not in any way influence the outcome of the assessments. Accordingly, the Applicant does not proposed to change the structure of the HRAR.
- 5.3. With reference to Natural England Key Issue 10, the Applicant has committed to producing an updated Maintenance Dredge Protocol Baseline Document as part of the ongoing review cycle of this document. The next iteration of this document is required in 2025.
- 5.4. With reference to Key Issues 11, 13, 14, 15, 25, 31, the Applicant maintains that Chapter 20 of the ES **[APP-056]** and the HRAR **[APP-115]** includes a comprehensive cumulative and in-combination assessment. As stated in Table 4.7 of the Applicant's responses to Relevant Representations submitted at Deadline 1 **[REP1-013]**, this assessment was based on the information available at the time of submission of the IERRT DCO application, including in respect of the IGET project.
- 5.5. At the time of writing, the IGET project DCO application is yet to be submitted. Cumulative and in-combination effects will be assessed (with mitigation proposed if necessary) in respect of the IGET project in the IGET DCO application documentation. On this basis, the assessment of cumulative

and in-combination effects in respect of the IERRT DCO application is considered robust.