

Gareth Leigh

Our Ref: 20026727

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Your Ref: EN010012

Date: 14 April 2022

By email only

Dear Mr Leigh

Planning Act 2008 – Section 88 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Comments on questions from the Secretary of State

Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for the Sizewell C Project

Following the completion of the Examination, the Secretary of State for Business, Energy and Industrial Strategy has issued a second round of question and requested further information from the Environment Agency. We wish to make the following comments.

8.3. In relation to the comments made by the Environment Agency on the Sizewell Link Road in Deadline 7 Submission (Comments on reports contained within 9.63 Comments at Deadline 6 on Submission from Earlier Submissions and Subsequent Written Submissions to ISH1- ISH6 - Appendices - Revision 1.0 submitted at Deadline 6) [REP7-128], the Applicant is requested to provide an update to the Sizewell Link Road Landscape and Ecology Management Plan, to include mitigation measures detailed in 9.63 Comments at Deadline 6 on Submission from Earlier Submissions and Subsequent Written Submissions to ISH1-ISH6 - Appendices - Revision 1.0, Appendix C Sizewell Link Road Watercourse Crossing Mitigation Note [REP6-024].

Whilst this question is not specifically directed to the Environment Agency it may be helpful for you to know that we would be supportive of the request to include mitigation measures detailed in Appendix C Sizewell Link Road Watercourse Crossing Mitigation Note [REP6-024] within an updated version of the Landscape and Ecology Management Plan for the Sizewell Link Road [REP10-065].

8.6. The Environment Agency is invited to provide an update on the status of the Applicant's applications for a Water Discharge Activity Environmental Permit, a Radioactive Substance Regulation Environmental Permit and a Combustion Plant Environmental Permit.

As stated in our letter of 8 April 2022, we are preparing our proposed decisions on environmental permit applications for Water Discharge Activity, Combustion Activity and Radioactive Substances Activity.

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We expect to launch a public consultation during June 2022 on these proposed permit decisions. Responses will be required within 12 weeks.

8.10. Natural England and the Environment Agency are invited to provide their views as to whether they are satisfied with the Applicant's Deadline 10 Submission – 9.89/10.7 Draft Fish Impingement and Entrainment Monitoring Plan [REP10-138].

At Deadlines 8 and 10 we provided detailed comments [REP8 -160 and REP10 -190] which highlighted concerns with the Draft Fish Monitoring Plan as proposed. These concerns have not been fully addressed in the Deadline 10 Submission - 9.89 / 10.7 Draft Fish Impingement and Entrainment Monitoring Plan - Revision 3 (REP10 -138). Our remaining concerns relate to:

- duration of monitoring
- proposed methodologies used to consider impacts, and
- reaching agreement on how further mitigation and/or compensation for impacts to fish, might be decided

Detailed comments are provided in Appendix A attached to this letter

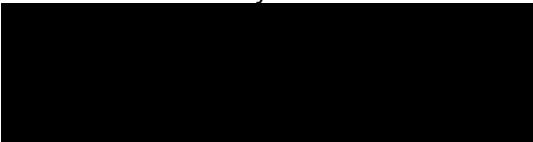
8.12. In relation to changes to coastal processes/sediment transfer impacts on the Minsmere to Walberswick Heaths and Marshes SAC and the Minsmere Walberswick SPA and Ramsar site, Natural England, the MMO, the EA, the RSPB and the Suffolk Wildlife Trust and ESC are invited to comment on the Applicant's updated submissions in relation to changes to coastal process and sediment transport made at the final examination deadline:

• Deadline 10 Submission – 9.12 Preliminary Design and Maintenance Requirements for the Sizewell C Coastal Defence Feature [REP10- 124]; and


• Deadline 10 Submission – 6.14/10.5: Environmental Statement Addendum, Volume 3, Chapter 2, Appendix 2.15.A: Coastal Processes Monitoring and Mitigation Plan [REP10-041].

To further confirm our position stated in the previous response (8 April 2022). The applicant has worked with us to bring this matter to a close. They prepared an additional report (BEEMS Technical Report TR553 “Modelling of Soft Coastal Defence Feature under Design Basis Conditions” v2), which we reviewed and have confirmed that it resolved our remaining concerns. The applicant has now provided this report to BEIS, together with a position statement (confirming the latest position) and an updated coastal geomorphology statement of common ground.

Yours sincerely



Simon Barlow
Project Manager
Sizewell C Nuclear New Build
Environment Agency



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Appendix A: Environment Agency comments on Draft Fish Impingement and Entrainment Monitoring Plan [REP10-138]

Document Title	Paragraph number	Issue	Comment	Suggested solution	Post Examination Review of Deadline 10 Submission – 9.89/10.7 Draft Fish Impingement and Entrainment Monitoring Plan [REP10-138]
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	1 Introduction	Condition 50 of the draft Development Consent Order states that the plan will set out 'the monitoring arrangements for assessing the efficacy of the intake head...'	The intake head is a novel design and there is disagreement between the Applicant and consultees as to how it will work to reduce impingement, and whether the intake structures will be attractive to fish by acting as reefs.	Options for conducting direct observations of fish behaviour around the intake head need to be examined (for example sonar, acoustic telemetry, acoustic cameras)	Unresolved - Although the statement about assessing the efficacy of the intake heads is still included in Paragraph 1.1.2, options for this assessment still do not appear to have been included.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.2.2	"Monitoring experience at SZB has demonstrated that 28 samples per annum, with 7 samples per quarter provides robust data."	No reference for this statement is provided so we cannot evaluate it. A clear justification for going against the BEEMS SAR006 recommendation is needed.	Please provide a reference to the analysis that supports this statement.	Unresolved - This now seems to be paragraph 2.3.6. Reference has now been made to TR122 and SAR006. SAR006 suggests that the 40 sampling dates per year is used <u>as a minimum</u> for all future BEEMS studies before then suggesting that a statistical power analysis could be applied to UK power plant sites to assess the adequacy of the sampling intensity. SAR006 also highlights the need to avoid diurnal and tidal bias. TR122 seems to be assessing the adequacy of the RIMP data versus the CIMP data. It does not appear to be a statistical power analysis determining whether the CIMP sampling intensity is adequate. The TR122 Executive Summary concludes with " <i>However, to provide a robust assessment of the number of samples that will provide impingement estimates of species of conservation interest with suitable confidence will require more extensive analysis of the CIMP data. We undertake to carry out this work through May 2010 to provide an assessment of the level of sampling required.</i> "
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.2.2	There is no clear valid reason why the level of monitoring cannot be at the recommended minimum provided in SAR 005 and SAR 006. Logistically impractical and operationally challenging are the reasons given, with outages that last for 'weeks to months' provided as a particular case	Information the applicant has provided for SZC states: Typically, outages will last about 2 weeks and are expected to occur every 18 to 22 months...It is assumed that that both EPRs will not be offline simultaneously. No explanation is given as to why a say 4-week outage period in 1.5 years would not enable continued sampling in some form with the operational EPR as a minimum.	Reconsider the potential for data collection at a greater frequency (see also comment 1 above).	Unresolved - this has not been adequately addressed by the references provided. We are unclear how the proposed statistical assessment will look at the value of using 40 sampling days per year versus the 28 proposed in paragraph 2.3.8 as none of the SZB sampling has approached that level. We consider that the monitoring programme needs to follow the SAR006 guidance of 40 sampling days per year for 3 years in order to provide the baseline for the statistical analysis to possibly show that fewer samples are adequate.

					We consider further review of the “detailed statistical analysis of the full available dataset from SZC” will need to be undertaken before monitoring plan can be agreed.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.2.2	A sampling intensity equivalent to 40 x 24-hour periods per annum has previously been suggested for impingement sampling, with the effort distributed in quarterly blocks of 10 dates, randomly selected within each quarter (BEEMS Scientific Advisory Report SAR006).	In addition to randomly selected sampling, consideration needs to be given to specific monitoring of migratory periods for species of conservation concern.	Include specific monitoring of migratory periods for species of conservation concern.	Unresolved - See above. This appears not to have been addressed as in Paragraph 2.3.8, as the proposal is to randomly distribute 7 sampling dates across each quarter.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.2.3	The plan is to adopt a similar approach to the SZB CIMP data. While mention is made of the problem of overflowing bulk samples. The only resolution mentioned is to undertake overnight sampling "if feasible" at both SZC and SZB power stations. The text goes on to mention overflowing samples during the summer due to high impingement of ctenophores but does not acknowledge that overflowing samples happened in winter as well when they were not caused by ctenophores.	No other solution to the overflowing samples is suggested if the power station operators decide that it is not feasible to allow overnight sampling.	Consideration needs to be provided on how the problem of overflowing bulk samples will be addressed if overnight sampling is not allowed. Overflowing bulk samples is not only a summer problem but is also a problem during the winter when sprat and herring impingement is highest.	Unresolved - This is now paragraph 2.3.11 and does not appear to have been addressed. SAR006 makes clear that impingement patterns can be strongly influenced by tides and diurnal factors. Turnpenny (1988) analysed data from SZA which showed a clear diurnal pattern.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.2.4	Each sample will be sorted into fish, invertebrates and weed to the lowest taxonomic level possible.	Identification to lowest taxonomic level possible will not necessarily distinguish populations of species being impacted	Where doubt exists over populations being impacted, and populations are distinguishable, sampling should seek to identify the proportion of impinged fish originating from each population (e.g. spring-spawning herring from discrete local stocks should be distinguished from autumn-spawning herring)	Partially Resolved - Paragraph 2.3.16 now says that samples, or sub-samples, of species of conservation interest may be taken for further analysis if required to address specific objectives.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.2.6	Section 2.2.6 Reporting and data availability mentions annual reporting of impingement estimates to the MTF. But does not actually specify the availability of the impingement data for members of the MTF.	Impingement data and estimates are complicated and to truly understand the estimates and any potential changes over time and between SZB and SZC, it would be easier if the data was available for examination.	We request that impingement data, raw data and scaled up estimates, are made available as excel spreadsheets that are publically available.	Partially Resolved - Paragraph 2.4.1 has a bullet that says that annual reports and data will be provided to the MTF.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.3	Results are to be reviewed, and discussed with the MTF with action or additional monitoring considered necessary to be agreed with the MTF. However, the governing principles of the MTF are not specified in the monitoring plan.	It is unclear the extent to which the Applicant will be obliged to act upon the advice of delegates to the MTF. For example, if EDF do not agree with a course of action recommended by the MTF, how will the difference of opinion be resolved?	Terms of reference for the MTF should be included with the monitoring plan, including how/whether decisions are made by the group and the role of the various organisations attending (which typically include statutory bodies, the applicant, and the applicant's consultants)	Resolved - Paragraph 2.4.1 also includes the following bullet which seems to address this point: <i>If monitoring shows that impingement is statistically significantly higher or lower than predicted in the ES [APP-317], when compared with the reciprocal impingement numbers at SZB, leading to an increase or decrease in total entrapment predictions, an explanation must be submitted to the MTF for discussion. Any action or additional</i>

					<i>monitoring considered necessary in response to the results will be agreed with the MTF.</i>
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.3	Once monitoring has been shown to satisfactorily demonstrate impingement predictions in the ES were appropriate, impingement monitoring will cease.	It may be appropriate to stop monitoring at SZB after 3 years if no significant difference has been observed from predicted and actual entrapment losses. For SZC monitoring may be required for a longer period than 3 years in order to determine the impact to some species. The decision to extend monitoring or not at SZB and SZC should be reached in agreement with the MTF at the end of a given review period.	Monitoring at SZC should continue for longer than 3 years. A decision to extend monitoring or not at SZB and SZC should be reached in agreement with the MTF at the end of a given review period.	Unresolved - Paragraph 2.3.9 still mentions monitoring ceasing after 3 years but the bullet points in Paragraph 2.4.1 may partially address this concern: <ul style="list-style-type: none"> • <i>After 3 years, the results will be reviewed in consultation with the MTF.</i> • <i>Once the compliance monitoring has been shown to satisfactorily demonstrate impingement predictions in the ES were appropriate, impingement monitoring will cease.</i>
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.3	If monitoring demonstrates that impingement predictions are statistically significantly higher than predicted in the ES, when compared with the reciprocal impingement numbers at SZB, annual entrapment estimates (as equivalent adults) will be compared with a population comparator such as spawning stock biomass (SSB) once the relevant data for a given year are available	Agreement must be reached on what EAV method is deemed as appropriate for this assessment. Full details of methodology need to be shared as part of this process including whether the intention is to compare to SSB in the year of entrapment, to use some other reference year, or to calculate an average SSB.	Agree appropriate EAV method with MTF.	Unresolved - This statement, now in Paragraph 2.4.1 just says that “ <i>an explanation must be submitted to the MTF for discussion. Any action or additional monitoring considered necessary in response to the results will be agreed with the MTF.</i> ” We do not believe that this update adequately addresses the concern as it provides less detail rather than more.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.3	If monitoring shows that impingement is statistically significantly higher than predicted (when compared with SZB) leading to an increase in total entrapment above the precautionary 1% stock threshold, an explanation must be submitted to the MTF for discussion. Any action or additional monitoring considered necessary in response to the results will be agreed with the MTF	Agreement must be reached on what the appropriate stock comparator is for each species.	Agree appropriate stock comparator for each species with MTF	Unresolved - See above. These statements provide less detail in the latest version of this report.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	2.3	If monitoring shows that impingement is statistically significantly higher than predicted (when compared with SZB) leading to an increase in total entrapment above the precautionary 1% stock threshold, an explanation must be submitted to the MTF for discussion. Any action or additional monitoring considered necessary in response to the results will be agreed with the MTF	The reliability of entrapment predictions underpins assessments of the potential impact of entrapment on the environment. It is therefore crucial that statistically significant deviations from predictions are investigated and explained. This is the case whether predictions are underestimates, or overestimates, or whether the 1% stock threshold is reached. The 1% stock threshold itself is open to question, as assessment of environmental impacts needs to take into account	Change to 'If monitoring shows that impingement is statistically significantly higher or lower than predicted (when compared with SZB) leading to an increase or decrease in total entrapment, an explanation must be submitted to the MTF for discussion. Any action or additional monitoring considered necessary in response to the results will be agreed with the MTF'	Unresolved - See above. These statements provide less detail in the latest version of this report.

			the status of the population - 1% of a small, geographically-restricted, declining population of fish that only spawn once in their lifetime may have a different significance than 1% loss to a widespread, numerous, repeat spawning fish with an increasing population size.		
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	3.1.2	"If monitoring objectives requires sampling over a period of 2 or more years, it is recommended that the sampling intensity is reduced accordingly." (this is from the BEEMS SAR005 recommended 40 samples per year.	BEEMS SAR005 does not recommend the target sampling of 40 samples per annum if the monitoring is only completed for 1 year. This section is misleading and seems to suggest that the recommended reduced sampling if monitoring is undertaken over more than 1 year is due to a recommendation in SAR005. It is not and needs to be clarified.	We recommend following SAR005 more completely when designing the surveys. Section 2 provides a set of key questions that can be used to help design the entrainment monitoring requirements. Section B.3.1 recommends that sampling on 40 dates per year is retained as a minimum. It also recommends using existing UK power station entrainment data to assess the adequacy of this sampling intensity against specific project objectives. The sampling design should take into account the area, species composition, and survey objectives. Some periods will require better resolution and shorter intervals between samples. Conversely, less active periods such as winter months could be efficiently and effectively covered with fewer samples.	Unresolved - This is now Paragraph 3.2.8. Reference to SAR005 has been removed, however the recommendation has not changed. It is stated that the current CEMP data and results from ichthyoplankton studies would be applied and that statistical techniques “may be” employed to determine the required sampling intensity. We consider that the statistical analysis is applied before this plan is finalised.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	3.1.2	Entrainment sampling will either be targeted at determining entrainment rates during specific periods of seasonal abundance of ichthyoplankton or invertebrate larvae or be designed to determine seasonal and interannual variability.	Both seasonal and interannual variability need to be considered further, both have the potential to affect the predicted entrainment numbers significantly.	Include both seasonal and interannual variability.	Unresolved - This hasn't been clearly addressed although Paragraph 3.2.6 now says that entrainment sampling might last for 3 years.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	3.1.5	See comments on 2.2.6 above.	See comments on 2.2.6 above.	See comments on 2.2.6 above. As for the impingement monitoring data, we think that the entrainment monitoring data should be made publically available.	Unresolved - Paragraphs 3.2.12 and 3.3.1 both say that the entrainment estimates will be reported to the MTF annually but do not mention the data being made available.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	3.2	Comments on 2.3 above regarding the role of the MTF and responsibilities of its attendees are also relevant to Section 3.2, as is the comment on 2.3 above regarding the need for statistically significant differences from predictions to be explained, regardless of whether they represent increases,	Comments on 2.3 above regarding the role of the MTF and responsibilities of its attendees are also relevant to Section 3.2, as is the comment on 2.3 above regarding the need for statistically significant differences from predictions to be explained, regardless of whether	Comments on 2.3 above regarding the role of the MTF and responsibilities of its attendees are also relevant to Section 3.2, as is the comment on 2.3 above regarding the need for statistically significant differences from predictions to be explained,	Unresolved - There is still no clear description of the role and responsibilities of the MTF.

		decreases, or whether they represent >1% of the population comparator.	they represent increases, decreases, or whether they represent >1% of the population comparator. Differences from predicted levels of entrapment may also affect water quality via the FRR discharge - a factor not connected to the proportion of the population being impinged.	regardless of whether they represent increases, decreases, or whether they represent >1% of the population comparator.	
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	3.2	The summary is confusing. It refers to impingement but is about entrainment. Seems like an editorial error as the monitoring frequency reflects that of impingement.	We believe the sections in 3.1 prior to be correct and the summary is wrong	Correct the summary to reflect the text in the wider section 3.1	Unresolved - This is now Section 3.3 and appears to relate to entrainment.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	Section 3 and 4	Several References through document to a 3 year programme, and within the summary, a review after 3 years against predictions. There is the suggestion in the summary that the monitoring could continue, but this is not explicit, not is it reflected in the wider text. We agree a 3 year review of the data is appropriate, but that a longer period of monitoring may be required and this should be more clearly provided as an option in the plan	3 years may not be enough to account for variability due to differences in survey timings between SZC and SZB, large annual recruitment differences or other occasional biota inundations that could effect mortality predictions for SZC. Such variables could confound any comparison between data from the 2 sites.	The plan must include the option to continue the monitoring particularly if other variables may have confounded the data comparison between the 2 sites.	Partially Resolved - however the assumption is made that the monitoring will demonstrate that the predictions in the ES were appropriate. It does not explicitly address the case where they might not be other than to say that “ <i>an explanation must be submitted to the MTF for discussion. Any action or additional monitoring considered necessary in response to the results will be agreed with the MTF.</i> ”
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	Section 4	As the FRR system output of moribund biomass is being considered for potential WQ impacts within the permit, additional WQ monitoring will be needed near the FRR system outfall to verify the conclusions and ensure that the moribund biomass is not having an impact on WQ in Sizewell Bay.	The monitoring plan will need to consider WQ monitoring for potential impacts from the FRR system discharge.	Please either amend this report to consider the potential WQ impacts from the FRR system discharge of moribund biomass or highlight where this monitoring requirement will be considered.	Unresolved - This comment does not appear to have been addressed.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	4.1	A proportion of fish that were live on collection would be transferred straight to experimental tanks and maintained for a period of 24 hours.	How was the period of 24 hours decided upon as the length of time for monitoring delayed mortality? Why not 48 hours, 72 hours, or longer?	The plan needs to justify the choice of 24 hours as a time period over which to study delayed mortality, or alter this to a longer time period if found necessary.	Unresolved - This is now Paragraph 4.2.4 and does not appear to have been directly addressed.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	4.3	Adaptive measure to the FRR are mentioned. But the applicant does not include wider measures to limit biota intake during periods of coelenterate (jellyfish etc) inundation. These are mentioned as a risk with possible mitigation option in BEEMS Technical Report, Jellyfish and ctenophores in relation to Sizewell (TR325, Rev.2)	Inundations due to jellies are mentioned as a risk with possible mitigation option in TR325, Rev.2. The implications of these for overwhelming the buckets on the screens and increasing the mortality in the buckets is possible. Adaptive measure are not limited to the FRR alone.	The options for reducing jellyfish intake should be considered within the adaptive measures.	Unresolved - This is now Section 4.4 but this comment regarding jellyfish has not been addressed.
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	5.1	States: "when compared with impingement and entrainment numbers at SZB at the same time". But there is no mention in the text of section 2 that	Monitoring concurrently for entrainment is envisaged, but the same statement is not made for	Include a sentence to state this is planned within section 2.0	Resolved - Section 2.2 and Paragraph 2.2.1 mention the concurrent monitoring and comparison between SZB and SZC.

		SZC impingement monitoring at SZC is planned to occur concurrently with that at SZB.	impingement. This would be highly desirable.		
SZC_Bk9.89_Draft_Fish_Monitoring_Plan	5.1	States: Should impacts from SZC be above the 1% of stock precautionary trigger threshold, a report will be provided to the MTF with an analysis and explanation of the results. Reporting needs to be provided irrespective of the results.	It is indicated that a report is only to be provided if there appears to be an issue. This should not be the case.	Amend to remove reference to 1% threshold and to state simply that "a report will be provided to the MTF with an analysis and explanation of the results.".	Unresolved - This has not been addressed.
SZC_Bk9_9.89_Draft_Fish_Monitoring_Plan	5.1	As explained in this draft plan, in the case that monitoring demonstrated that impingement and/or entrainment is statistically significantly greater than predicted in the ES, when compared with impingement and entrainment numbers at SZB at the same time, comparisons would be made with the baseline to determine whether the losses caused by Sizewell C were having a significant effect on fish populations. This assessment would be made by converting the impinged and entrained organism into Equivalent Adults and comparing them with the relevant baseline comparator (e.g. Spawning Stock Biomass) for the relevant year.	Agreement would be needed on the appropriate stock comparator for each species, and on the EAV method to be used.	Agree appropriate stock comparator for each species and appropriate EAV method with MTF	Unresolved - This has not been addressed.
SZC_Bk9_9.89_Draft_Fish_Monitoring_Plan	5.1	For species such as sea bass: habitat creation or a managed realignment scheme (such as Steart Marshes at the mouth of the River Parrett). Saltmarsh and other shallow sub-tidal/intertidal habitats are used as nursery grounds by a number of fish species. • For other marine species (e.g. cod), however, there are no identified means to offset any significant adverse effects demonstrated by the impingement and entrainment monitoring.	Greater emphasis should be placed on the potential for habitat creation or enhancement to benefit fish species, including marine species such as cod. For example, eelgrass Zostera marina meadows may be of significant importance to cod.	Include a wider consideration of the benefits to fish species of a variety of habitat restoration enhancement schemes, such as eelgrass meadow restoration, or the restoration of oyster beds.	Resolved – Additions have been made to paragraph 5.1.2
SZC_Bk9_9.89_Draft_Fish_Monitoring_Plan	5.1	As explained in this draft plan, in the case that monitoring demonstrated that impingement and/or entrainment is statistically significantly greater than predicted in the ES, when compared with impingement and entrainment numbers at SZB at the same time, comparisons would be made with the baseline to determine whether the losses caused by Sizewell C were having a significant effect on fish populations. This assessment would be made by converting the impinged and	In addition to this assessment, should a deterioration under The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD Regulations) Transitional Fish Classification Index (TFCI), be observed in in the Ore & Alde transitional waterbody, which can be attributed to impacts as a result of the operation of SZC, then compensation funds would be released for fish habitat	Include deterioration to the fish element under the WFD in the Ore & Alde transitional waterbody as a trigger for the release of the habitat creation fund.	Unresolved

		entrained organism into Equivalent Adults and comparing them with the relevant baseline comparator (e.g. Spawning Stock Biomass) for the relevant year. Should impacts from SZC be above the 1% of stock precautionary trigger threshold, a report will be provided to the MTF with an analysis and explanation of the results. Any further monitoring and action in response to the report will be discussed with the MTF. The appropriate response to the report will depend on the results and explanation of the monitoring but may include:	improvement or fish habitat creation schemes.		
SZC_Bk9_9.89_Draft_Fish_Monitoring_Plan	5.2	Similar sampling methods have been used at the River Blyth. That sampling indicated that the lack of suitable spawning habitat, a barrier to upstream migration and the lack of evidence of spawning fish or eggs indicates the River Blyth does not support a spawning population (BEEMS Technical Report TR382). In agreement with the Environment Agency, smelt monitoring in the River Alde will act as a surrogate for the River Blyth also.	We request monitoring for smelt is also undertaken in the Blyth. Too limited an amount of sampling has been conducted to draw conclusions on whether a breeding population is present in this waterbody. The Environment Agency caught smelt in the Blyth in 2016 and has provided this information to the applicant, but this has not been acknowledged. Please note our comment on TR406 (SZC-SZ0200-XX-000-REP-1000XX, Revision 01), dated 19 July 2019: 'The River Blyth has had a very small amount of fish sampling undertaken on it to come to the conclusion that a smelt population does not exist. The Environment Agency undertook 2 x 1.5m beam trawls, 200m in length on the Blyth estuary in May 2016 and recorded smelt. The details of this were provided to CEFAS along with photographic evidence. It would appear this has been incorrectly recorded in BEEMS Technical Report TR382 and this should be amended'. Smelt monitoring in the Blyth is required for 2 reasons (1.) To provide further information on the presence of a breeding population in this waterbody prior to the removal of the barrier to fish movement at Blythford Bridge. (2.) To provide information on the establishment of a smelt population from a wider stock, once fish passage has been improved (If it is established from sampling prior to the removal, that a	Include smelt monitoring on the River Blyth.	Partially Resolved - Paragraph 5.2.4 now mentions monitoring on the River Blyth: <i>"The SMMP will be additional to ongoing WFD monitoring and is intended to provide further information on the presence of spawning in the River Alde and River Blyth prior to the implementation of the fish passes aimed to enhance upstream migration."</i>

			breeding population is not already present).		
SZC_Bk9_9.89_Draft_Fish_Monitoring_Plan	5.2	Sampling will occur prior to implementation of the proposed fish passage enhancement schemes so that beneficial gains from the installation of fish passes can be determined.	How long will monitoring continue after the fish passage schemes have been delivered?	Provide information on how long monitoring will be conducted for.	<p>Unresolved - Paragraph 5.2.4 does not say how long post-fish passage scheme monitoring will last, but it does include provision for monitoring post improvements to fish passage:</p> <p><i>“If it is determined that spawning is not occurring prior to the installation of fish passes, subsequent monitoring would be undertaken to determine the establishment of a spawning in these waterbodies after improvements to fish passages have been implemented so that beneficial gains from the installation of fish passes can be determined.”</i></p>