



**SCOTTISHPOWER
RENEWABLES**

East Anglia ONE North and East Anglia TWO Offshore Windfarms

Applicants' Responses to Examining Authority's Written Questions

Volume 4 – 1.2 Biodiversity Ecology and Natural Environment

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited
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Applicable to East Anglia ONE North and East Anglia TWO



Revision Summary				
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Glossary of Acronyms

AA	Appropriate Assessment
AADT	Annual Average Daily Traffic
ADD	Acoustic Deterrent Devices
AEOI	Adverse Effect on Integrity
AIL	Abnormal Indivisible Load
AIS	Air Insulated Switchgear
ALC	Agricultural Land Classification
ALO	Agricultural Liaison Officer
ANO	Air and Navigation Order
AONB	Area of Outstanding Natural Beauty
APP	Application Document
AST	Assured Shorthold Tenancies
ATC	Automatic Traffic Counts
BCT	Bat Conservation Trust
BEIS	Department of Business Energy and Industrial Strategy
BMV	Best and Most Versatile
BoR	Book of Reference
BT	British Telecom
CA	Compulsory Acquisition
CCS	Construction Consolidation Sites
Cd	Candela
CfD	Contract for Difference
CIA	Cumulative Impact Assessment
CIEEM	Chartered Institute of Ecology and Environmental Management
CION	Connection and Infrastructure Options Note
COCP	Code of Construction Practice
dB	Decibels
DCO	Development Consent Order
DML	Deemed Marine Licence
DMO	Destination Management Organisation
DMRB	Design Manual for Roads and Bridges
EA	Environment Agency
EIA	Environmental Impact Assessment
EM	Explanatory Memorandum
EMP	Ecological Management Plan
ES	Environmental Statement
ESC	East Suffolk Council
ESCA	European Subsea Cables Association
ESDAL	Electronic Service Delivery for Abnormal Loads
ETG	Expert Topic Group
ExA	Examining Authority
ExQs	Examining Authorities First Written Questions
FID	Final Investment Decision
FRA	Flood Risk Assessment
GEART	Guidelines for the Environmental Assessment of Road Traffic
GIS	Gas Insulated Switchgear
GLVIA	Guidelines for Landscape and Visual Impact Assessment
Ha	Hectares
HDD	Horizontal Directional Drilling
HE	Historic England
HGV	Heavy Goods Vehicle



HRA	Habitats Regulations Assessment
ICPC	International Cable Protection Committee
IPSIP	In Principle Site Integrity Plan
Km	Kilometres
kV	Kilovolt
LAT	Lowest Astronomical Tide
LCA	Landscape Character Assessment
LCT	Landscape Character Type
LiDAR	Light Detection and Ranging
LIQ	Land Interest Questionnaire
LLFA	Lead Local Flood Authority
LMP	Landscape Management Plan
LPA	Local Planning Authority
LSE	Likely Significant Effects
LVIA	Landscape and Visual Impact Assessment
M	Metres
MCA	Marine Coastguard Agency
MCTC	Manual Classified Turning Counts
MHWS	Mean High Water Springs
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
MoD	Ministry of Defence
MoU	Memorandum of Understanding
MW	Megawatt
MWh	Megawatt Hours
NALEP	The New Anglia Local Enterprise Partnership
NATS	National Air Traffic Service
NCTA	National Coastal Tourism Academy
NE	Natural England
NGET	National Grid Electricity Transmission
Nm	Nautical Miles
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OAMP	Outline Access Management Plan
OCTMP	Outline Construction Traffic Management Plan
OFTO	Offshore Transmission Owner
OLEMS	Outline Landscape and Ecological Management Strategy
OMLP	Outline Management and Landscape Plan
ORJIP	Offshore Renewables Joint Industry Programme
OTP	Outline Travel Plan
PD	Procedural Decision
PEIR	Preliminary Environmental Impact Report
PEMP	Project Environmental Management Plan
PIL	Persons with an interest in Land
PPG	Planning Practice Guidance
PRoW	Public Right of Way
PS	Policy Statements
PTP	Port Travel plan
PVA	Population Viability Analysis
RAG	Red Amber Green
RLoS	Radar Line of Sight
RR	Relevant Representation



RSPB	Royal Society for the Protection of Birds
RTD	Red Throated Diver
RWS	Rijkswaterstaat
SAC	Special Area of Conservation
SCC	Suffolk County Council
SCCAS	Suffolk County Council Archaeology Service
SCHAONB	Suffolk Coats and Heaths Area of Outstanding Natural Beauty
SLVIA	Seascape, Landscape and Visual Impact Assessment
SMP	Shoreline Management Plan
SNS	Southern North Sea
SoCG	Statement of Common Ground
SoS	Secretary of State
SPA	Special protected Area
SPR	ScottishPower Renewables
SSSI	Site of Special Scientific Interest
STEM	Science, Technology and Engineering and Mathematics
SuDS	Sustainable Urban Drainage System
SZC	Sizewell C
TCE	The Crown Estate
TH	Trinity House
TMZ	Transponder Mandatory Zone
TP	Temporary Purchase
TPO	Tree Purchase Order
TWT	The Wildlife Trust
UK	United Kingdom
UKCP	United Kingdom Climate Projections
UXO	Unexploded Ordinance
VP	Viewpoint
WQ	Written Question
WR	Written Representation
WSI	Written Scheme of Investigation
ZTV	Zone of Theoretical Visibility



Glossary of Terminology

Applicants	East Anglia TWO Limited / East Anglia ONE North Limited
Cable sealing end compound	A compound which allows the safe transition of cables between the overhead lines and underground cables which connect to the National Grid substation.
Cable sealing end (with circuit breaker) compound	A compound (which includes a circuit breaker) which allows the safe transition of cables between the overhead lines and underground cables which connect to the National Grid substation.
Construction consolidation sites	Compounds associated with the onshore works which may include elements such as hard standings, lay down and storage areas for construction materials and equipment, areas for vehicular parking, welfare facilities, wheel washing facilities, workshop facilities and temporary fencing or other means of enclosure.
Construction operation and maintenance platform	A fixed offshore structure required for construction, operation, and maintenance personnel and activities.
The Councils	East Suffolk Council and Suffolk County Council
Development area	The area comprising the onshore development area and the offshore development area (described as the 'order limits' within the Development Consent Order).
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive, as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017 and regulation 18 of the Conservation of Offshore Marine Habitats and Species Regulations 2017. These include candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Horizontal directional drilling (HDD)	A method of cable installation where the cable is drilled beneath a feature without the need for trenching.
HDD temporary working area	Temporary compounds which will contain laydown, storage and work areas for HDD drilling works.



Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.
Jointing bay	Underground structures constructed at intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land, and connect to the onshore cables.
Link boxes	Underground chambers within the onshore cable route housing electrical earthing links.
Meteorological mast	An offshore structure which contains metrological instruments used for wind data acquisition.
Mitigation areas	Areas captured within the onshore development area specifically for mitigating expected or anticipated impacts.
Marking buoys	Buoys to delineate spatial features / restrictions within the offshore development area.
Monitoring buoys	Buoys to monitor <i>in situ</i> condition within the windfarm, for example wave and metocean conditions.
National electricity grid	The high voltage electricity transmission network in England and Wales owned and maintained by National Grid Electricity Transmission
National Grid infrastructure	A National Grid substation, cable sealing end compounds, cable sealing end (with circuit breaker) compound, underground cabling and National Grid overhead line realignment works to facilitate connection to the national electricity grid, all of which will be consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order but will be National Grid owned assets.
National Grid overhead line realignment works	Works required to upgrade the existing electricity pylons and overhead lines (including cable sealing end compounds and cable sealing end (with circuit breaker) compound) to transport electricity from the National Grid substation to the national electricity grid.
National Grid overhead line realignment works area	The proposed area for National Grid overhead line realignment works.
National Grid substation	The substation (including all of the electrical equipment within it) necessary to connect the electricity generated by the proposed East Anglia TWO / East Anglia ONE North project to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order.
National Grid substation location	The proposed location of the National Grid substation.
Natura 2000 site	A site forming part of the network of sites made up of Special Areas of Conservation and Special Protection Areas designated respectively under the Habitats Directive and Birds Directive.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and landfall.
Offshore development area	The East Anglia TWO / East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).



Offshore electrical infrastructure	The transmission assets required to export generated electricity to shore. This includes inter-array cables from the wind turbines to the offshore electrical platforms, offshore electrical platforms, platform link cables and export cables from the offshore electrical platforms to the landfall.
Offshore electrical platform	A fixed structure located within the windfarm area, containing electrical equipment to aggregate the power from the wind turbines and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore infrastructure	All of the offshore infrastructure including wind turbines, platforms, and cables.
Offshore platform	A collective term for the construction, operation and maintenance platform and the offshore electrical platforms.
Onshore cable corridor	The corridor within which the onshore cable route will be located.
Onshore cable route	This is the construction swathe within the onshore cable corridor which would contain onshore cables as well as temporary ground required for construction which includes cable trenches, haul road and spoil storage areas.
Onshore cables	The cables which would bring electricity from landfall to the onshore substation. The onshore cable is comprised of up to six power cables (which may be laid directly within a trench, or laid in cable ducts or protective covers), up to two fibre optic cables and up to two distributed temperature sensing cables.
Onshore development area	The area in which the landfall, onshore cable corridor, onshore substation, landscaping and ecological mitigation areas, temporary construction facilities (such as access roads and construction consolidation sites), and the National Grid Infrastructure will be located.
Onshore infrastructure	The combined name for all of the onshore infrastructure associated with the proposed East Anglia TWO / East Anglia ONE North project from landfall to the connection to the national electricity grid.
Onshore preparation works	Activities to be undertaken prior to formal commencement of onshore construction such as pre-planting of landscaping works, archaeological investigations, environmental and engineering surveys, diversion and laying of services, and highway alterations.
Onshore substation	The East Anglia TWO / East Anglia ONE North substation and all of the electrical equipment within the onshore substation and connecting to the National Grid infrastructure.
Onshore substation location	The proposed location of the onshore substation for the proposed East Anglia TWO / East Anglia ONE North project.
Platform link cable	Electrical cable which links one or more offshore platforms. These cables will include fibre optic cables.
Safety zones	A marine area declared for the purposes of safety around a renewable energy installation or works / construction area under the Energy Act 2004.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transition bay	Underground structures at the landfall that house the joints between the offshore export cables and the onshore cables.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.



1 Overarching HRA

ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))			
Over-arching HRA			
1.2.1	The Applicant, Natural England	<p>2</p> <p>Habitats Regulations Assessment (HRA) Project Description: EA2</p> <p>There appear to be some differences between the project description reported in Chapter 6 of the submitted Environmental Statement (ES) [APP- 054] and that in the HRA Screening Report [APP-044]. Specifically, the former states that the offshore array area would be approximately 218.4km² whereas the latter states that it would be approximately 255km². There are also differences in the overall area of the offshore export cable.</p> <p>The ES explains that a reduction in the wind farm area was made in May 2019. The HRA Screening Report [APP-044] states that the screening conclusions drawn from the project description at the time of screening (before that time) remain the same.</p> <p>a) Could the Applicant please explain how the updated project description has affected the zone of influence of potential impacts on European Sites? How would the updated Project Description change the screening exercise reported?</p> <p>b) Does Natural England have any comments on the</p>	<p>The decrease in the area of the East Anglia TWO windfarm site has not materially affected the zone of influence. Since the windfarm site was reduced in extent, any zone of influence would actually have reduced and therefore the assessment is more precautionary (although this is not material). The Applicant therefore considers that the conclusions of the original screening exercise remain valid.</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		Zone of Influence applied to the screening assessment, in addition to its request for additional screening of the sites listed on page 2 and 3 of [APP-043]?	
1.2.2	The Applicant	<p>HRA Screening Matrices: EA1N There are a number of sites listed in the HRA Screening Report [APP-044] which are not present in the Screening Matrices [APP-045].</p> <p>a) Please can the Applicant provide its rationale for excluding the following sites from the Screening Matrices:</p> <ul style="list-style-type: none"> - Minsmere to Walberswick Heaths and Marshes SAC - Plymouth Sound and Estuaries SAC - Severn Estuary SAC - River Avon SAC - Havet Omkring Nordre Ronner (SAC or SPA - not stated) - Knudergrund SAC - Lønstrup Rødgrund SAC - Sandbanker ud for Thorsminde SAC - Sandbanker ud for Thyboron SAC - Thyboron Stenvolde SCI - Littoral Cauchois SAC - Panache De La Gironde Et Plateau Rocheux De Cordouan (Système Pertuis Gironde) SAC - Pertuis Charentais SAC - Mühlenberger Loch / Neßsandsci - SchleswigHolsteinisches Elbastuar und angrenzende Flächen SAC 	(a) & (b) These sites were excluded from the screening matrices in error and are now provided in an updated East Anglia ONE North Habitat Regulations Assessment - Appendix 2 - Information to Support AA Report - Screening Matrices (document reference 5.3.2 EA1N) submitted at Deadline 1 with revised number references.



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		<ul style="list-style-type: none"> - Unterelbe SCI b) If additional matrices are required, please revise the numbering references of the matrices accordingly. 	
1.2.3	The Applicant	<p>2 HRA Screening Matrices: EA2 There are a number of sites listed in the HRA Screening Report [APP-044] which are not present in the Screening Matrices [APP-045].</p> <p>a) Please can the Applicant provide its rationale for excluding the following sites from the Screening Matrices:</p> <ul style="list-style-type: none"> - Havet Omking Norde Ronner SAC - Knundegrund SAC - Littoral Cauchois SAC - Lonstrup Rodgrund SAC - Muhlenberger Loch/Nessand SCI - Panache De La Gironde Et Plateau Rocheux De Cordouan (Systeme Pertuis Gironde) SAC - Pertuis Charentais SAC - Plymouth Sound and Estuaries SAC - River Avon SAC - Saxa Water SPA - Saxa Water Ramsar - Sandbanker ud for Thyboron SAC - Sandbanker ud for Thorsminde SAC - Schleswig-Holsteinisches Elbastuar und angrenzende Flachen SAC - Severn Estuary SAC - Thyboron Stenvolde SCI 	<p>(a) & (b) These sites were excluded from the screening matrices in error and are now provided in an updated East Anglia TWO Habitat Regulations Assessment - Appendix 2 - Information to Support AA Report - Screening Matrices (document reference 5.3.2 EA2) submitted at Deadline 1 with revised number references.</p> <p>"Saxa Water SPA and Ramsar" was a typographic error within the HRA Screening Report (APP-044) and should be 'Hamford Water SPA and Ramsar site'. A screening matrix for this site was excluded in error and has now been included in an updated East Anglia TWO Habitat Regulations Assessment - Appendix 2 - Information to Support AA Report - Screening Matrices (document reference 5.3.2 EA2) submitted at Deadline 1. Minsmere to Walberswick SAC was also excluded in error and so a screening matrix for this site has also been included in an updated East Anglia TWO Habitat Regulations Assessment - Appendix 2 - Information to Support AA</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				<ul style="list-style-type: none">- Unterelbe SCIb) If additional matrices are required, please revise the numbering references of the matrices accordingly.	Report - Screening Matrices (document reference 5.3.2 EA2) submitted at Deadline 1.
1.2.4	The Applicant	1	2	HRA Screening Matrices: Footnotes The footnotes in the HRA Screening Matrices [APP-045] do not refer to the specific paragraph numbers of the application documents in which the evidence can be found. a) In line with advice on page 11 of the Planning Inspectorate Advice Note Ten (HRA), could the Applicant please provide a revised version of the matrices with document and paragraph number references included as part of the updated reports that it intends to submit at Deadline 1.	The screening matrices' footnotes have been updated to include references to the application materials as appropriate (see an updated Habitat Regulations Assessment - Appendix 2 - Information to Support AA Report - Screening Matrices (document reference 5.3.2) submitted at Deadline 1).
1.2.5	The Applicant	1	2	HRA Screening: Approach to Ramsar Sites The Applicant appears to have combined Special Protection Areas (SPAs) and Ramsar sites in the Screening Matrices and in the Screening Report introduction section, but not always elsewhere in the Screening Report. In some cases, only the SPA is discussed in the Screening Report. a) Please can the Applicant explain its approach to the assessment of Ramsar sites and explain why these have been combined with the relevant SPA in the Screening Matrices? b) Has this approach been agreed with Natural England for all of the listed Ramsar sites? c) If additional matrices are required, please revise the numbering references of the matrices accordingly.	<ul style="list-style-type: none">a) The Applicants provided combined screening matrices for designated sites which are both SPAs and Ramsar sites since these share features and therefore this approach reduces repetition of the same information.b) This approach was not discussed with Natural England as it was not considered to be contentious. Natural England agreed the conclusions of the screening (i.e. which sites to take forward to full assessment) through the Evidence Plan Process as highlighted in the



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				relevant Statement of Common Ground (SoCG) (document reference ExA.SoCG-15.D1.V1). c) The screening matrices have been updated in response to ExQs 1.2.2 and 1.2.3 and the numbering references of the matrices have been amended accordingly.	
1.2.6	Natural England	1	2	HRA: Screening Conclusions Could Natural England please comment on its satisfaction with the scope and conclusions of the Applicant's HRA screening exercise as reported in [APP-044] and [APP-045]? If this is dealt with through the SoCGs due at Deadline 1 there is no need for repetition here.	No response
1.2.7	The Applicant	1	2	HRA: Conservation Objectives a) Can the Applicant please provide the conservation objectives for the following European sites, which do not appear to have been included with the assessment [APP-043]: - Breydon Water SPA; - Broadland SPA; and, - North Norfolk Coast SPA. b) Please could the Applicant explain how those conservation objectives have been considered in its	a) The conservation objectives for these SPAs ¹ are the standard ones used for most SPAs, namely to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Birds Directive, by maintaining or restoring:

¹ Breydon Water SPA: <http://publications.naturalengland.org.uk/publication/6376690053808128?category=6581547796791296>

Broadland SPA: <http://publications.naturalengland.org.uk/publication/5310905998901248?category=6581547796791296>

North Norfolk Coast SPA: <http://publications.naturalengland.org.uk/publication/4732349359063040?category=6581547796791296>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		assessment [APP-043]?	<ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features; and • The distribution of the qualifying features within the site. <p>b) The only conservation objective listed above of relevance to the potential collision of migrants is the maintenance of the populations of the qualifying features. This has been assessed for each of the SPAs through the migrant collision risk assessment (see Annex 8 of Appendix 12.2 Ornithology Technical Appendix (APP-470)). This concluded that none of the designated species were at risk of adverse effects due to collisions since the increases in background mortality which could occur would all be less than 1% and therefore</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				undetectable against natural variations.
1.2.8	The Applicant	1	2	<p>Consultation with Other EEA States on HRA Matters</p> <p>The submitted HRA material ([APP-043] – [APP-047]) contains limited evidence of consultation with other European Economic Area (EEA) states in relation to Likely Significant Effects on European sites.</p> <ul style="list-style-type: none"> Can the Applicant please clarify what, if any, consultation with other EEA states in relation to the LSE identified for European sites has been undertaken? <p>As noted in PINS Advice Note 12², the Secretary of State (SoS) has a statutory duty to notify and consult other EEA States where a development is considered to have potential significant environmental effects in those EEA States.</p> <p>Section 2.6 of the Consultation Report (APP-029) notes that transboundary consultation was conducted by the Applicants during Phase 1, Phase 2, Phase 3 and Phase 4 consultation, although this primarily related to commercial fisheries. In addition, the Planning Inspectorate on behalf of BEIS conducted transboundary consultation during Phase 1 inviting stakeholders from Belgium, Denmark, France, Germany, The Netherlands and Sweden to notify the Planning Inspectorate if they wished to be consulted.</p> <p>At Phase 4 consultation, transboundary consultees were notified of the start of statutory pre-application consultation which</p>

² <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-12v2.pdf>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>considered the potential for transboundary impacts through potential linkages to non-UK receptors or sites (e.g. non-UK protected sites for migratory bird species or non-UK commercial fishing vessels).</p> <p>The only transboundary stakeholders to engage with the Applicants were Rijkswaterstaat (RWS) who have not raised the screening of European Sites or likely significant effects (LSE) either at Section 42 (see Appendix 12.1 (APP-469)) or in their Relevant Representation (RR-066). However, the potential transboundary impacts on offshore ornithology receptors have been discussed with RWS and the conclusions of assessments agreed (see the RWS SoCG submitted at Deadline 1 (document reference ExA.SoCG-11.D1.V2). See also the Applicants response to ExA. Question Ref. 1.2.25.</p>
1.2.9	The Applicant and Natural England	1	2	<p>HRA: Draft Review of Consents for Major Infrastructure Projects and Special Protection Areas</p> <p>In August 2020, the Department for Business, Energy and Industrial Strategy (BEIS) published a Draft Review of Consents for Major Infrastructure Projects</p> <p>The Draft Review of Consents for Major Infrastructure Projects and Special Protection Areas report³ documents the screening stage of the HRA (being</p>

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912429/spa-roc-for-energy-developments-in-england-and-wales-draft-for-consultation.pdf



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		<p>and Special Protection Areas.</p> <ul style="list-style-type: none"> • Could the Applicant and Natural England please comment on the relevance of that draft review to the HRA for the EA1N and EA2 projects? 	<p>undertaken by the SoS) and therefore identifies and assesses the potential for LSEs on SPAs which became European sites or European Offshore Marine sites following the issue of a relevant consent, but prior to the completion of a project for those projects in territorial waters and onshore. The assessment considers the potential for both project alone and in-combination effects with other plans or projects. Those relevant SPA sites and related consents for which an LSE has been identified will be subject to an appropriate assessment (AA) as part of second stage of the HRA. The SoS is currently considering the feedback from consultation on the report. No timeline is presented for conclusion of this process.</p> <p>From the Applicants' understanding of the conclusions of this report, the most relevant part of this review is in relation to the Outer Thames Estuary SPA. In this review the only projects considered in relation to the SPA are East Anglia ONE and East Anglia THREE (section 4.15). The Outer Thames Estuary SPA is not taken forward for further assessment (i.e. LSE alone or in-combination has been screened out). No wind farm projects which are relevant to the</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			Outer Thames Estuary SPA or its features are included for further consideration in the Review of Consents. The Applicants therefore consider that these conclusions support the view that existing projects within the Outer Thames Estuary SPA should be considered part of the baseline and that the approach set out in Habitat Regulations Assessment – Information to Support Appropriate Assessment Report (APP-043) was correct in not undertaking a quantitative assessment including London Array, Kentish Flats etc.



2 Offshore Ornithology

ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))			
Offshore ornithology			
1.2.10	Natural England	<p>1 2 Outer Thames Estuary SPA: Operation and Maintenance Vessel Traffic</p> <p>The Applicant has responded (Point 2, Table 35 of [AS-036]) to Natural England's advice in relation to red-throated diver impacts arising from offshore site maintenance vessel traffic during the operation phase.</p> <ul style="list-style-type: none"> a) Please could Natural England comment on its satisfaction with the Applicant's response? b) Specifically, to what extent does Natural England consider that the '<i>best-practice protocol for minimising disturbance to red-throated divers</i>' referred to by the Applicant would assist and is it adequately secured by the DML conditions pertaining to a project environmental management plan? c) Is Natural England satisfied that adequate safeguards against red-throated diver disturbance are secured in that event that helicopters are used for maintenance activities? 	No response
1.2.11	The Applicant	<p>1 2 Red-Throated Diver: Project Environmental Management Plan (PEMP)</p> <p>Responding to Natural England's [RR-059], the Applicant</p>	a) Regarding the reference within the <i>Offshore Schedule of Mitigation</i> (APP-



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		<p>states (Table 35 of [AS-036]) that the PEMP should be produced post-consent, once details of the project are confirmed. Accordingly, no draft of the document, which is secured by DML conditions, has been submitted.</p> <p>a) Can the Applicant explain why the DML conditions relating to the PEMP refer only to the purpose of minimising disturbance to red-throated divers, whereas the Schedule of Mitigation [APP-574] in relation to operation effects (Mitigation Reference 6.4) states a wider purpose of reducing risk of physical injury or disturbance to offshore ornithology?</p> <p>b) Given the strong rationale for as much certainty as possible in respect of measures to minimise disturbance to red-throated divers, does the Applicant consider that it would be possible for a document akin to a 'Draft PEMP' to be produced at this stage, to be a certified document within the DCO and with which the eventual PEMP must accord in respect of red-throated diver mitigation?</p>	<p>574) to risk of physical injury from vessels, this was an error. Birds would be disturbed by vessel noise and vessel presence. It is highly unlikely that a vessel would collide with individual birds which is reflected in the fact that this issue has not been raised by stakeholders.</p> <p>For clarity, the mitigation measures described within the best practice protocol for red-throated diver will mitigate potential impacts on any seabird species in the vicinity of Project vessels or Project vessel transit routes however, because the PEMP will specifically address management of potential impacts on red-throated diver which is known to be particularly sensitive to disturbance from vessels, the focus within the PEMP is on that species.</p> <p>b) The Applicants do not consider it necessary to produce a draft PEMP prior to consent. The Applicants consider that the requirement for approval of the final PEMP by the MMO in consultation with Natural England provides the necessary assurance that potential impacts on red-throated diver will be managed accordingly and that management will be based on the most up</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				to date scientific information at the time together with the relevant Project information such as the Operations and Management port and vessel transit routes.
1.2.12	The Applicant	1	2	<p>Assessment of Displacement of Red-Throated Divers by Offshore Cable Laying</p> <p>With reference to section 4.3.1.2.2 of [APP-043], the Applicant explains why the 10% displacement mortality for red-throated diver is considered to be highly precautionary and improbable, and a 1% rate is stated as applied to the assessment of integrity of the population which is a feature of Outer Thames Estuary SPA.</p> <ul style="list-style-type: none"> • Could the Applicant please explain, with reference to supporting information, why a 1% rate was chosen.
1.2.13	Natural England	1	2	<p>Outer Thames Estuary SPA: Seasonal Restriction on Cable Laying</p> <p>a) Please could Natural England respond to the Applicant's comments [AS-036] with regard to Point 5 of the Natural England relevant representation (RR) [RR-059], on the question of whether a seasonal restriction on cable-laying activity is necessary to minimise effects on red-throated diver?</p>

⁴ Norfolk Vanguard (2019). Deadline 1 submission Appendix 3.1 Red-Throated Diver Displacement. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010079/EN010079-002249-Womble%20Bond%20Dickinson%20on%20Behalf%20of%20Norfolk%20Vanguard%20-%20Appendices%20to%20written%20Questions-%20Email%204.pdf>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				b) Could Natural England please clarify whether its comment at Point 5 that ' <i>we are already unable to rule out AEOL in-combination from displacement as a result of disturbance within the SPA</i> ' is referring to in-combination displacement due to already consented and operational projects, notwithstanding the East Anglia ONE North and TWO projects?
1.2.14	Natural England	1	2	<p>Collision Risk Modelling (CRM) Parameters The Applicant has responded to Natural England's advice about CRM parameters at Section 2 of Table 35 of [AS-036].</p> <p>a) Please could Natural England comment on any aspects of the Applicant's response that it still considers to be a cause for concern.</p> <p>b) In particular, how does Natural England respond to the Applicant's position that option 1 collision estimates are unreliable to an unknown extent due to limitations in the method for estimating seabird flight height estimates in this case?</p>
1.2.15	The Applicant	1	2	<p>Flamborough and Filey Coast SPA: Project Alone Effects on Gannet In response to a request from the RSPB, the Applicant has agreed (Table 61 of [AS-036] and [AS-054]) to provide an updated project-alone assessment on gannet presented as a Population Viability Analysis output in the form the Counterfactual of Population Size.</p> <p>a) Could the Applicant please indicate at which deadline this updated assessment will be</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				submitted into the Examination, noting that this should be made available as early in the Examination as possible. b) When submitting this material, please could the Applicant set out the extent to which it has been seen and/or agreed by RSPB and Natural England.	PVA tool and will include a summary of the input settings, both organisations will be able to review and confirm the approach taken and there is therefore a reduced requirement for agreement prior to submission at Deadline 2.
1.2.16	Natural England	1	2	Avoidance Rates for Kittiwake and Gannet Natural England acknowledges that higher avoidance rates for gannet and kittiwake have been recommended by Bowgen & Cook (2018) and notes in[RR-059] that it is currently considering its response to those recommendations. <ul style="list-style-type: none">Can Natural England provide an update on its response to these recommendations; is it likely to be forthcoming within the timescale of this Examination?	No response
1.2.17	The Applicant	1	2	Flamborough and Filey Coast SPA: Effects on Breeding Seabird Assemblage Alone and In-Combination a) Please could the Applicant indicate when its assessment of effects on the seabird assemblage feature of the Flamborough and Filey Coast SPA (as referred to in Table 61 of [AS-036]) will be submitted to the Examination, noting that this should be made available as soon as possible? b) In doing so, please could the Applicant set out the extent to which the material has been seen	The assessment of potential effects on the seabird assemblage of the Flamborough and Filey Coast SPA will be submitted at Deadline 2. If time permits, these will be provided to Natural England and the RSPB for review prior to submission.



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
			and/or agreed by RSPB and Natural England.	
1.2.18	Natural England and The Applicant	1	2	<p>Cumulative and In-Combination Assessments for Offshore Ornithology The Applicant has responded to Natural England's advice about cumulative and in-combination assessments at Sections 3 and 4 of Table 35 of [AS-036], albeit that its responses on many aspects of this topic were deferred until after the decision deadline for the Norfolk Vanguard and Hornsea Three projects.</p> <p>a) In providing its updated information to inform appropriate assessment at Deadlines 1 and 3 (as confirmed in [AS-061]), please could the Applicant respond in full to those aspects of Natural England's advice [RR-059] and RSPB's representation [RR-067] to which it has not yet responded.</p> <p>b) Where the Applicant has provided a substantive response to Natural England's points in [AS-036], please could Natural England comment on its satisfaction with those responses.</p>
1.2.19	Natural England	1	2	<p>Cumulative and In-Combination Assessment for Offshore Ornithology: Applicant's Precaution Note The Applicant submitted an Offshore Ornithology Precaution Note as Appendix 4 to its Rule 9 submissions [AS-041].</p> <ul style="list-style-type: none"> Please could Natural England provide its comments on the content of this note as it relates to the proposed



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				development?
				Offshore Ornithology Precaution Note (AS-041). The Applicants and Natural England have agreed to adopt the cumulative and in-combination numbers from the recent Norfolk Boreas examination as a 'common currency' going forward.
1.2.20	Natural England and The Applicant	1	2	<p>Ornithological Population Effects of Predicted Mortality Rates: Monitoring Studies</p> <ul style="list-style-type: none"> Are the Applicant or Natural England aware of any monitoring studies having been undertaken on the observed ornithological population effects of predicted mortality rates from offshore wind farm impacts (displacement and/or collision), and the outcomes of these studies? If so, please provide details. <p>There have been numerous studies of mortality effects on seabird populations, many of which have been cited throughout the Applicants' assessment. The effects of additional sources of mortality on populations are not limited to windfarm studies, since it is the consequence of the mortality which is of interest rather than the cause. Population modelling, as presented by the Applicants in the assessment (e.g. APP-043) provides predictions of the population consequence of a given range of mortalities. What is considered of greater relevance to the current assessment is the actual magnitude of mortality due to either collisions or displacement. The most relevant recent study of collision mortality rates was conducted under the Offshore Renewables Joint Industry Programme (ORJIP) scheme by Skov et al. (2018). This used a combination of radar, cameras and observers to record flight activity and collisions at an operational windfarm (Thanet). This study, although limited to one windfarm, presented evidence that current</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			<p>collision predictions are almost certainly precautionary (i.e. over-estimated) due to the use of a combination of precautionary input parameter values for the collision risk model. This was subsequently confirmed by a separate analysis of the same data by Bowgen and Cook (2018) who reached similar conclusions. Both of these studies have already been referred to in Chapter 12 Offshore Ornithology (APP-060) and the Habitat Regulations Assessment - Information to Support Appropriate Assessment Report (APP-043).</p> <p>Similarly, studies of displacement have been referred to in the submitted assessments and were summarised in the literature reviews of displacement of auks (razorbill and guillemot) and red-throated diver submitted for the Norfolk Vanguard assessment⁵. These reviews were undertaken in 2019 and are considered to remain comprehensive and up to date. These reviews indicate that precautionary rates of displacement and consequent mortality for auks are 50% and 1% respectively, and for red-throated divers 90% and 1% respectively.</p>

⁵ Norfolk Vanguard, (2019). Deadline 1 submission Appendix 3.3 Operational Auk and Gannet Displacement: update and clarification. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010079/EN010079-002249-Womble%20Bond%20Dickinson%20on%20Behalf%20of%20Norfolk%20Vanguard%20-%20Appendices%20to%20written%20Questions-%20Email%204.pdf>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2.21	Natural England	1	2	<p>Cumulative and In-Combination Assessment for Offshore Ornithology: Update Following Recent Decisions of the Secretary of State (SoS)</p> <p>The ExAs note Natural England's intention [AS-063] to submit further advice at Deadline 1 about the Applicants' information to support appropriate assessment in light of the recent SoS decisions and in response to the questions raised in Procedural Decision 18(a).</p> <ul style="list-style-type: none"> The ExAs welcome additional clarity on Natural England's position in these respects and requests that its Deadline 1 submissions are as full and reasoned as possible.
1.2.22	Natural England	1	2	<p>Cumulative and In-Combination Assessment: Natural England Submissions to the Norfolk Boreas Examination</p> <p>Natural England's [AS-063] suggests that its submissions to Deadline 14 of the Norfolk Boreas examination are of relevance to the ExA's consideration of the EA1N and EA2 applications.</p> <ul style="list-style-type: none"> Please could Natural England submit a copy of the relevant parts of that response (and any other submissions to the Norfolk Boreas examination that it considers to be of relevance to these projects) into the examinations for EA1N and EA2?
1.2.23	Natural England and The Applicant	1	2	<p>Post-Construction Monitoring for Offshore Ornithology</p> <p>The ExA notes both the concerns of Natural England at section 5 of [RR- 059] with respect to post-construction monitoring provisions and comments</p> <p>The Applicants will update the Offshore In-Principle Monitoring Plan (IPMP) (APP-590) to include a requirement for RTD monitoring. The</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>from the RSPB about the need for a more detailed post- construction monitoring plan at this stage.</p> <p>a) Please could the Applicant respond to the comments of Natural England on this matter. What scope is there to include the areas suggested by Natural England for post-construction monitoring within the existing provisions of the dDCO/DMLs and/or Offshore In- Principle Monitoring Plan?</p> <p>b) Could Natural England please respond to the Applicant's clarification that the strategic monitoring to which it refers in section 1.6.7.2 of [APP-590] would not be secured within this DCO?</p> <p>c) On the basis of this clarification, is Natural England satisfied that sufficient post-construction monitoring provisions for offshore ornithology are secured within the dDCO, DMLs and Offshore In- Principle Monitoring Plan? If not, what changes would it advise?</p>
1.2.24	Royal Society for the Protection of Birds and the Applicant	1	2	<p>Royal Society for the Protection of Birds (RSPB) Representations</p> <p>The ExA notes the content of the RSPB's [RR-067] which sets out a number of outstanding concerns in relation to onshore and offshore ornithology. The ExA also acknowledges the RSPB's intention to engage with the Examination primarily through the Statement of Common Ground process due to resource limitations. The ExA has therefore refrained from directing written questions to the RSPB at this stage but makes the following requests:</p>
				<p>revised IPMP will be re-submitted to the Examination at Deadline 3. If time allows, consultation with Natural England will be undertaken in the lead-up to Deadline 3 (15 December 2020) to understand Natural England's desired approach to monitoring of RTD.</p> <p>The Applicants intend to update Conditions 20 and 22 of the generation DML and Conditions 16 and 18 of the transmission DMLs to make provision for pre-construction and post-construction ornithological monitoring which will be included in the updated Draft DCO (APP-023) submitted into the Examination at Deadline 3.</p>
				<p>The Applicants submitted an updated SoCG with the RSPB to the ExA on the 11th June 2020 (AS-054), which captures and charts progress regarding matters under discussion with the RSPB. The Applicants look forward to reviewing the RSPB's written representation and continuing to progress matters through the SoCG process.</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<ul style="list-style-type: none"> a) Please could the Applicant and RSPB ensure that the SOCG captures and charts progress with all of the main points contained in [RR-067]. b) Should the RSPB wish to respond to any of the questions directed to other parties within ExQ1, it is welcome to do so.
1.2.25	Rijkswaterstaat and the Applicant	1	2	<p>Transboundary Effects: The Netherlands</p> <p>The ExA notes the content of the RR [RR-066] from Rijkswaterstaat (the Directorate-General for Public Works and Water Management/ Ministry of Infrastructure and Water Management of the Netherlands) regarding the Applicant's assessment of transboundary offshore ornithology effects. The draft SoCG [AS-048] notes that there is not yet agreement on this matter and that the next step is for the Applicant to respond to the RR. That response is set out in the Applicant's submission [AS-036].</p> <ul style="list-style-type: none"> a) Does Rijkswaterstaat accept the Applicant's explanation of its approach? If not, please respond to the points raised in the Applicant's justification set out at Table 59 of [AS-036]. b) In particular, does Rijkswaterstaat agree with the Applicant's statement that its HRA screening report [APP-044] and offshore ornithology cumulative impact assessment [APP-060] adequately take account of the effects on 'non-UK' birds? c) Could the Applicant please provide an updated position in the SoCG requested for Deadline 1. <p>An updated SoCG with RWS has been submitted at Deadline 1 and Agreement has been reached (document reference ExA.SocG-11.D1.V2).</p>



3 Marine Mammals

ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))			
Marine Mammals			
1.2.26	Marine Management Organisation (MMO) and the Applicant	<div>1</div> <div>2</div> <p>Inclusion of UXO Clearance Activities within DMLs The ExA notes the MMO's [RR-052] position that UXO (Unexploded Ordnance) clearance activities should not be included within the DMLs and rather should be determined via separate marine licence applications after the DCO consenting process and prior to construction. In Table 29 of [AS- 036] the Applicant has set out the reasons why it has taken the approach it has taken and seeks to demonstrate how the DMLs adequately control UXO clearance activities. The submitted early draft SoCG [AS-051] states that discussion between the Applicant and the MMO on this matter is ongoing.</p> <p>a) Could the MMO please respond with reasons to the position set out by the Applicant, specifically that:</p> <ul style="list-style-type: none"> - UXO clearance activities are adequately assessed in the submitted ES; - the draft DML conditions provide adequately for post-consent approval by the MMO of mitigation for UXO clearance activities via the method statement for UXO clearance, the Marine Mammal Mitigation Protocol and the Site Integrity Plan; - to request that a separate marine licence application (or applications) is made would be contrary to one of the intended purposes of the 	<p>c) As far as the Applicants are aware, no DMLs to date include UXO clearance. With respect to the Projects, UXO clearance has however been assessed in the ES (using a worst case scenario formulated by considering experience from East Anglia ONE) in order to justify the inclusion of such activities within the DMLs. The UXO clearance activities are also appropriately controlled by the conditions of the DMLs (which are based on the conditions found within other UXO marine licences).</p> <p>d) An updated SoCG with the MMO has been submitted at Deadline 1 (document reference ExA.SoCG-6.D1.V2). As noted in paragraphs 14 to 18 of the SoCG, engagement on UXO clearance has been</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				<p>DCO regime, to streamline multiple consenting processes;</p> <ul style="list-style-type: none">- a European Protected Species licence for any UXO campaign is capable of being applied for separately from the marine licensing of such activity, in an analogous way to the approach for piling activity authorised by DMLs; and,- in the event that UXO clearance activities are required beyond the scope of what has been assessed in the ES and applied for via the DMLs, then a separate marine licence can be applied for, rather than needing to vary the DMLs? <p>b) Please could the MMO provide a copy of the marine licence conditions for UXO clearance in its cited example of the Hornsea 2 project?</p> <p>c) Can the Applicant please provide any examples of other consented offshore wind projects which include UXO clearance works within the licensed marine activities covered by their DMLs? Where examples exist, please provide the text of deemed marine licence conditions dealing with UXO clearance activities.</p> <p>d) Please could the Applicant and MMO ensure that the SoCG requested for Deadline 1 provides an update on this matter.</p>	<p>undertaken and issues have not yet been fully resolved. The Applicants understand that the MMO written representation submission into the examination at Deadline 1 will reflect the progress made on this matter.</p>
1.2.27	Marine Management Organisation	1	2	<p>UXO Clearance and Habitats Regulations Assessment</p> <p>In [RR-052], the MMO states in relation to UXO clearance and potential noise impacts on the Southern North Sea Special Area of Conservation (SAC) that '<i>a more detailed Habitats Regulations Assessment of this activity should follow post-consent together with the submission of a detailed marine licence application for the required UXO campaign</i>'.</p>	No response



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<ul style="list-style-type: none"> Given that the Applicant seeks to include UXO clearance within the DMLs, does the MMO consider that the submitted Information to Support Appropriate Assessment and supporting material ([APP-043] – [APP-047]) provides sufficient information about, and assessment of, the potential effects on the integrity of the Southern North Sea SAC?
1.2.28	The Applicant, Natural England, Marine Management Organisation, The Wildlife Trusts	1	2	<p>Disturbance of Harbour Porpoise from UXO Detonation and Piling: 20% Threshold</p> <p>Following Natural England's [RR-059], the Applicant notes in [AS-036] that its Information to Support Appropriate Assessment Report [APP-043] does not reflect the updated Conservation Objectives for the Southern North Sea SAC insofar as they state that disturbance of harbour porpoise will not exceed '20% of the relevant area of the site in any given day'. The Applicant accepts that two events of either UXO clearance or piling (or a combination of both) in a single day would exceed the 20% limit for the winter area only, with no exceedance for the summer area.</p> <ul style="list-style-type: none"> a) Please could the Applicant update the relevant sections of its Information to Support Appropriate Assessment Report [APP-043] (for example, by submission of an Addendum to that Report) to reflect the current Conservation Objectives for the Southern North Sea SAC. This should include the revised findings in respect of the effects on site integrity of more than one UXO clearance event, piling event or combination of both in any 24 hour period. b) Could the Applicant clarify whether, in light of the above updates, it still considers there is a sound basis for the

- a) The assessments have been revised in the **HRA Addendum** which has been submitted at Deadline 1 (document reference ExA.AS-19.D1.V1).
- b) The In-Principle Site Integrity Plan (IPSIP) will be updated and re-submitted at Deadline 3 to take account of the amended conservation objectives and the outcomes of the updated assessment within the **HRA Addendum** submitted at Deadline 1 (document reference ExA.AS-19.D1.V1). The Projects' commitments have been updated as shown in the **HRA Addendum** which has been submitted at Deadline 1 (ExA.AS-19.D1.V1).
- d) This will be included in the SoCG with Natural England (document



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>In-Principle Site Integrity Plan provisions at section 6.1, including that potentially more than one UXO detonation, piling event or combination of both could occur in any 24 hour period?</p> <p>c) Do Natural England, the MMO, The Wildlife Trusts or any other relevant party wish to comment on the Applicant's reasoning in Table 36 of [APP-036] for not limiting UXO detonations and piling events to a total of one in any 24 hour period?</p> <p>d) Could all relevant parties please also ensure that the status of discussions on this issue is covered within the SoCGs requested for Deadline 1.</p>
1.2.29	The Applicant	1	2	<p>Restrictions on Concurrent UXO Detonation and Piling: Points of Clarification</p> <p>Could the Applicant please clarify the following points of detail:</p> <p>a) Please could the Applicant review paragraph 1035 of [APP-043], which states that it has been assumed that UXO clearance could be undertaken in the offshore cable corridor concurrently with piling in the array area. This appears to be inconsistent with the commitments at section 6.1 of the In-Principle Site Integrity Plan, which refers to the 'offshore development area', defined as the offshore order limits including both array area and export cable area, and the provisions of the draft Marine Mammal Mitigation Protocol (MMMP) [APP-591]. Could the Applicant please confirm what it is committing to in terms of restrictions (spatial and temporal) on concurrent underwater piling and UXO events within the offshore order limits?</p> <p>b) Paragraph 634 of [APP-044] states '<i>the Applicant, if required, would ensure UXO detonation and piling would</i></p> <p>reference ExA.SoCG-13.D1.V1), the MMO (document reference ExA.SoCG-6.D1.V2) and The Wildlife Trust (TWT) (document reference ExA.SoCG-28.D1.V1).</p> <p>a) As outlined above, the Projects' commitments will be clarified in the updated IPSIP and the draft Marine Mammal Mitigation Protocol (MMMP) which are to be submitted at Deadline 3. The revised commitments are set out in the HRA Addendum which has been submitted at Deadline 1 (document reference ExA.AS-19.D1.V1). The relevant commitment in the context of this question is:</p> <ul style="list-style-type: none"> During the winter period there would be no UXO detonation without mitigation in the offshore development area in the same 24 hour period as any piling without



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		<p><i>not occur at the same time...</i>. Could the Applicant clarify whether 'if required' refers to piling/UXO clearance or mitigation in this statement?</p>	<p>mitigation in the offshore development area.</p> <p>There is no requirement for a similar commitment in the summer period.</p> <ul style="list-style-type: none"> • There would be no concurrent piling or UXO clearance in either season within the offshore development area for each Project. There would be no concurrent piling or UXO clearance between the Projects in either season. <p>b) This commitment which applies to the winter period in the offshore development area only has been updated to reflect the revised interpretation of the guidance, as presented above. In this case, there could either be one detonation or one piling event in one 24 hour period, unless it can be demonstrated that effective mitigation can be provided for either activity (or both). This will be reflected in the updated Site Integrity Plan (SIP) which will cover management of Project-alone as well as in-combination effects.</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2.30	Natural England, Marine Management Organisation, The Wildlife Trusts	1	2	<p>Restrictions on Concurrent UXO Detonation and Piling: Security</p> <p>The ExA notes the Applicant's points at Table 36 of [AS-036] in response to Natural England's requests for security in the DMLs to limit UXO detonations and piling events to a total of one in any 24 hour period.</p> <ul style="list-style-type: none"> Do Natural England, the MMO, The Wildlife Trusts or any other relevant party wish to comment on the Applicant's reasoning in Table 36 of [APP-036] that Site Integrity Plans, agreed post-consent in accordance with the In-Principle SIP, are an appropriate mechanism to manage this matter? If not, why not?
1.2.31	The Applicant, Natural England, Marine Management Organisation, The Wildlife Trusts	1	2	<p>Concurrent Piling at East Anglia ONE North and East Anglia TWO</p> <p>The In-Principle Site Integrity Plan [APP-594] states at bullet four of section 6.1 that '<i>(t)here would be no concurrent piling or UXO detonation between the proposed East Anglia ONE North and East Anglia TWO projects if both projects are constructed at the same time</i>'. However, it does not appear to limit the overall number of piling or UXO detonation events that could potentially occur within any 24 hour period across the two projects.</p> <ul style="list-style-type: none"> a) Do Natural England, the MMO, The Wildlife Trusts and the Applicant consider that it should? Please given reasons for your position. b) Could Natural England please explain why it considers in [RR-059] that a DML condition would be a more appropriate way to secure the particular mitigation



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		<p>commitments relating to concurrent piling between the East Anglia ONE North and East Anglia TWO projects?</p> <p>c) Whilst noting the Applicant's response at Table 45 of [AS-036], could it please respond specifically to Natural England's suggestion that a 'Co-operation Plan / Agreement' is required to be secured via DML condition for both projects to manage and mitigate underwater noise from piling and UXO activities in the event that construction periods for the two projects overlap?</p>	<p>Additionally, the Applicants have committed to consulting with Natural England (and The Wildlife Trust) through the IPSIP and have proposed a consultation programme within the IPSIP (Table 2.1) that commences more than 12 months in advance of the first noisy activity (UXO clearance).</p> <p>Therefore, there is no need to set out limits on UXO detonations in the IPSIP. Any such limits, if required, would be presented in the final SIP using up to date Project design information, science and guidance.</p> <p>b) It is the Applicants' view that the commitments secured in the conditions in the DMLs prevent breaches of the conservative objective noise thresholds both for Project alone and cumulative cases through the approval process of the SIP and the MMMP. The SIP provides a flexible management mechanism as described above.</p> <p>It is the Applicants' view that the commitments already made allow for</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			<p>robust control of this issue by the MMO and that no further conditions are necessary. The Applicants would therefore re-emphasise that the approval process of the SIP and MMMP together with the associated DML conditions are the appropriate mechanisms in which to secure the commitments that have been made.</p> <p>c) The Applicants do not consider it appropriate to include a condition within the DMLs to require a co-operation plan or agreement for the Projects to manage and mitigate underwater noise from piling and UXO activities as this will be managed through existing DML conditions. The timing of piling and UXO clearance activities will be notified to the MMO through the construction programme (Condition 17(1)(b) of the Generation DML and Condition 13(1)(b) of the Transmission DML) and through the programme of works contained within the method statement for UXO clearance (Condition 16(1)(a)(iii) of the Generation DML and Condition</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				12(1)(a)(iii) of the Transmission DML), respectively and will be managed through the approval process for the SIP (Conditions 16 and 17(2) of the Generation DML and Conditions 12 and 13(2) of the Transmission DML). In approving the plans for the second Project, the MMO will already have the necessary information about the first Project and will be able to approve the SIP for the second Project in light of this information.	
1.2.32	Natural England	1	2	<p>Harbour Porpoise of the Southern North Sea SAC: Assessment of Effects - SNCB Advice</p> <p>In their RR [RR-091], The Wildlife Trusts express disagreement with the SNCB's advice in relation to underwater noise management in the Southern North Sea SAC and the approach to assessment of impacts on harbour porpoise populations.</p> <ul style="list-style-type: none">• Please could Natural England respond to the concerns raised by The Wildlife Trusts in this regard, specifically statements that:<ul style="list-style-type: none">- The science underpinning the advice on underwater noise management is weak and the proposed approach will be difficult to deliver; and,- A site-based assessment based on an estimate population number for the Southern North Sea SAC is required, rather than an assessment on	No response



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
			the North Sea Management Unit?	
1.2.33	Natural England	1	2 Commercial Fishing in Cumulative and In-Combination Marine Mammal Assessments The Wildlife Trusts [RR-091] make the case that commercial fishing activities should be included in cumulative and in-combination assessments as opposed to the Applicant's approach of including them as a part of the environmental baseline for the marine mammals assessment. The Wildlife Trusts refer to the Waddenzee judgement and judicial review proceedings in relation to the Dogger Bank SAC. The Applicant's response refers to the approach taken in the draft HRA for the BEIS Review of Consents and by other consented or planned offshore wind farms. <ul style="list-style-type: none"> Does Natural England consider that the Applicant's approach of including commercial fishing in the environmental baseline is sound in this case? Please explain the reasoning behind your position. 	No response
1.2.34	The Applicant	1	2 Southern North Sea SAC: Thresholds for the Significance of Disturbance Effects Thresholds for the significance of disturbance effects in relation to Southern North Sea SAC conservation objectives for harbour porpoise are set out in Section 5.3 of [APP-043]. <ul style="list-style-type: none"> Can the Applicant explain how the significance of disturbance effects for grey seal and harbour seal has been determined? 	There are currently no guidance or thresholds to determine the potential significance of disturbance of grey or harbour seal. Significance was therefore based on the percentage of the relevant reference population or management unit for the area and SAC that could be temporarily disturbed. Following the approach in Chapter 11 Marine Mammals (APP-059), for example, an effect on less than 1% of the



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				reference population is considered to have a negligible effect on the population. Note that the methodology for the assessment of seals was discussed and agreed through the Evidence Plan Process with Natural England, and follows the methodology used on many consented projects including Norfolk Vanguard.
1.2.35	The Applicant	1	2	<p>Marine Mammals: Acoustic Deterrent Devices The Applicant's marine mammal assessment [APP-043] makes reference to the use of acoustic deterrent devices (ADDs) as part of the mitigation to be secured within the final MMMP, and the assessment considers the adverse effects of this mitigation. The characteristics of the ADDs on which the assessment has been based appear not to be described in [APP-043] or in the draft MMMP. It is not clear, for example, what types of deterrents have been considered, which species / life history stage of a species these deterrents would target, where and how such deterrents would be implemented / fixed, any commitments to their ongoing upkeep, and the anticipated effectiveness of such deterrents (such as avoidance).</p> <ul style="list-style-type: none"> Please could the Applicant confirm where this information is provided? If it is not included within the application documents, please provide it.
1.2.36	The Applicant, Marine Management	1	2	<p>Marine Mammals: In-Principle Site Integrity Plan - Certainty Under the provisions of the dDCO, the future SIP(s) must accord with the principles set out in the In-Principle SIP (IPSIP), which is to be a certified</p> <p>a) The IPSIP will not be updated post consent. The final SIP produced post consent will be based upon the</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
	Organisation, Natural England and The Wildlife Trusts			<p>document under Art 36. The submitted IPSIP [APP-594] appears to indicate (for example at Table 2.1) that the document itself would continue to be revised and updated following the grant of DCO consent.</p> <p>a) If the IPSIP is necessary to ensure the avoidance of Adverse Effects on Integrity of the designated features of the Southern North Sea SAC, does the scope for review and change to the IPSIP post-DCO consent provide sufficient certainty that it can be relied upon for its intended purpose in the DCO consenting process?</p> <p>b) In [APP-036] the Applicant refers to a statement in Table 2.1 of [APP- 594] that '<i>(a)longside the in-principle SIP for UXO clearance an implementation plan and any monitoring requirements will also be drafted for any required measures</i>'. Could the Applicant please expand on this statement?</p> <ul style="list-style-type: none"> - What would be the function of the implementation plan relative to the IPSIP/SIP? - Is it envisaged that this would be within the scope of the material to be submitted to and approved in writing by the MMO under the relevant DML conditions?
1.2.37	Natural England, Marine Management Organisation, The Wildlife Trusts and the Applicant	1	2	<p>In-Principle Site Integrity Plan – Potential Mitigation Measures</p> <p>The Applicant notes that the In-Principle SIP needs to retain a level of flexibility until the extent and nature of mitigation becomes clear, and that finalised SIPs must, under the conditions of the DMLs be approved by the MMO prior to construction</p> <p>a) In this context, do the MMO, Natural England and The</p> <p>c) The Applicants do not consider it appropriate to undertake noise modelling at this stage. Modelling undertaken now would not be based upon the final design and would therefore not reflect the potential</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				<p>Wildlife Trusts consider that the draft In-Principle Site Integrity Plan provides sufficient detail on potential mitigation measures?</p> <p>b) If not, what additional information should be included to provide sufficient detail?</p> <p>c) How does the Applicant respond to The Wildlife Trusts' request for underwater noise modelling at this stage to demonstrate the degree of noise reduction which could be achieved through mitigation?</p>	<p>impacts of the final design. Mitigation measures (if required) proposed within the SIP will consider:</p> <ul style="list-style-type: none">• The SNS SAC management measures available at the time;• The final Project design and mitigation available; and• The design and programme of other projects to understand the actual in-combination scenario. <p>The final mitigation measures would be agreed and secured in the period between consent and the commencement of UXO clearance or piling, following an updated assessment of the potential impacts taking into account the above points.</p>
1.2.38	Marine Management Organisation	1	2	<p>In-Principle Site Integrity Plans – MMO/BEIS Advice</p> <p>The ExA notes the MMO's statement that the Department of Business, Energy and Industrial Strategy (BEIS) and MMO intend to provide further advice about the content of In-Principle SIPs for harbour porpoise SACs.</p> <ul style="list-style-type: none">• Can the MMO provide an estimate as to when this advice is expected to be available? Will it be within the timescales of this Examination?	No response



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2.39	Marine Management Organisation	1	2	<p>Site Integrity Plans – Mechanisms for Coordination Natural England and The Wildlife Trusts state that they do not consider it possible to conclude that there would be no Adverse Effect on Integrity of the Southern North Sea SAC due to the absence of a regulatory mechanism to manage, monitor and review multiple Site Integrity Plans across a range of offshore wind farm projects. This concern relates to the potential for in-combination underwater noise impacts affecting harbour porpoise populations.</p> <p>a) Can the MMO provide any reassurance in respect of how multiple SIPs will be managed, monitored and reviewed to avoid adverse effects on the integrity of the Southern North Sea SAC?</p> <p>b) The Applicant refers in [AS-036] to SIPs already in place for other consented projects. Is the MMO able to offer any emerging evidence from practice in those cases which may assist in providing reassurance that SIP coordination is capable of being managed successfully?</p>
1.2.40	The Applicant	1	2	<p>Site Integrity Plans: Point of Clarification The dDCO [APP-023] appears to provide for the production of separate Site Integrity Plans for UXO Clearance and piling activities.</p> <ul style="list-style-type: none"> Can the Applicant clarify what is the maximum number of Site Integrity Plans in relation to the Southern North Sea SAC that may be produced for a single project?
1.2.41	The Applicant and The Wildlife Trusts	1	2	<p>SIP and MMMP - Post-Consent Approvals The Applicant states in [AS-036] that it has agreed through the SoCG process that it will consult The Wildlife Trusts in respect</p> <p>b) The Applicants can confirm that TWT will be consulted in respect of</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>of the Site Integrity Plans and Marine Mammal Mitigation Protocols for Unexploded Ordnance (UXO) clearance and piling. A SoCG between the Applicant and The Wildlife Trusts has not yet been submitted to this Examination.</p> <p>a) Do The Wildlife Trusts consider that this addresses their comments in [RR-091] on post-consent engagement?</p> <p>b) Could the Applicant please ensure that this is included in the SoCG requested for Deadline 1 and confirm whether and how this will require a change to relevant DCO / DML wording?</p>
1.2.42	Marine Management Organisation	1	2	<p>Marine Mammal Mitigation Protocol – Permanent Threshold Shift Range</p> <ul style="list-style-type: none"> Please could the MMO respond to the Applicant's explanation (in Table 29 of [AS-036]) as to why it considers single strike sound exposure level (SELss) to be appropriate for the assessment of noise from UXO detonations and therefore used as the basis of proposed mitigation?
1.2.43	The Applicant, Marine Management Organisation	1	2	<p>Marine Mammal Mitigation Protocol: Point of Clarification</p> <p>The draft DMLs [APP-023] require that a final Marine Mammal Mitigation Protocol (MMMP) is approved prior to construction in respect of UXO clearance and piling activities associated with both the generation and transmission assets for each project. The submitted draft MMMP [APP-591] appears to indicate that separate MMMPs may be produced, at least in relation to piling and UXO clearance.</p> <p>a) Can the Applicant clarify what is the maximum number of Marine Mammal Mitigation Protocols that may be</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				<p>produced for a single project under the provisions of the draft DMLs?</p> <p>b) in the event that there would be more than one final MMMP, is there a need for coordination of their provisions?</p>	<p>b) The MMMPs for each activity will follow the same structure and only deviate from each other where the detail of the activity requires this. The rationale for separation of MMMPs is a practical one, UXO clearance will take place in advance of piling, therefore the MMMP for that activity is developed separately to allow discharge of the relevant condition at the appropriate time.</p>
1.2.44	The Applicant, Marine Management Organisation	1	2	<p>Construction Monitoring: Cessation of Piling Condition</p> <p>The Applicant states in Table 29 of [AS-036] that it does not consider it necessary to add provisions recommended by the MMO to the DML construction monitoring conditions which would require piling to cease if noise levels are significantly higher than those assessed in the ES, with recommencement dependent upon an updated MMMP and MMO agreement to further monitoring requirements.</p> <p>a) Does the Applicant maintain this position in light of the inclusion of similar conditions for recently consented projects such as at condition 19(3) and 14(3) of the Norfolk Vanguard DMLs?</p> <p>b) If so, please can the Applicant explain why the circumstances of the projects before us justify a different approach to that taken in the Norfolk Vanguard case?</p> <p>c) Please could the MMO respond to the Applicant's statement that the necessary enforcement powers</p>	<p>a) The Applicants do not consider the proposed text to be necessary within the DMLs as the MMO has the necessary enforcement powers under the Marine and Coastal Access Act 2009. The Applicants therefore do not consider that such a condition would meet the legal test of necessity as it duplicates statutory powers.</p> <p>b) The circumstances under which the Applicants and Norfolk Vanguard operate are the same, however the Applicants do not consider a DML</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
				already exist under the Marine and Coastal Access Act 2009?	condition to be justified for the reasons given above.
1.2.45	The Applicant, Marine Management Organisation	1	2	Post-Construction Monitoring Commitments for Marine Mammals In Table 29 of [AS-029] the Applicant suggests amended wording to DML conditions relating to post-construction monitoring to remove reference to a three-year timescale. The Applicant also states that it will set out details of timescales for post-construction monitoring in the In-Principle Monitoring Plan [APP-590]. a) Does the MMO consider that these changes adequately address its concerns? b) Does the Applicant intend to submit an updated version of the In- Principle Monitoring Plan to this Examination?	b) Yes, the Applicants intend to submit an updated In-Principle Monitoring Plan at Deadline 3.
1.2.46	The Wildlife Trusts, Natural England, Marine Management Organisation	1	2	Southern North Sea SAC: Adequacy of Monitoring Commitments Concerns have been expressed by The Wildlife Trusts about the monitoring secured in the dDCO in respect of harbour porpoise and the Southern North Sea SAC. The Offshore In Principle Monitoring Plan [APP-590] signposts to provision for monitoring (if required) in the Draft Marine Mammal Mitigation Protocol [APP-591] and In-Principle Site Integrity Plan [APP-594]. All three are to be certified documents under Art 36 of the DCO. a) Do the MMO and Natural England consider that the monitoring provisions included in the draft DMLs and subsidiary plans and protocols are fit	No response



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>for purpose in respect of marine mammals?</p> <p>b) Do The Wildlife Trusts wish to comment on the Applicant's response to its concern at line 011 of Table 66 in [AS-036]?</p> <p>c) What function do The Wildlife Trusts consider that any additional monitoring commitments would have and what form might they take?</p>
1.2.47	Whale and Dolphin Conservation and the Applicant	1	2	<p>Whale and Dolphin Conservation: Participation in the Examinations</p> <p>The Applicant states in [AS-036] that Whale and Dolphin Conservation (WDC) have advised that it will be making no further representations to these Examinations, however the ExA appears not to have received confirmation of this.</p> <p>a) Please could WDC confirm whether this is the case?</p> <p>b) In any event, please could WDC indicate whether the concerns set out in their RRs [RR-090] continue to stand or whether the response provided by the Applicant in Table 67 of [AS-036] has altered its position?</p> <p>c) Please could the Applicant provide a copy of the correspondence dated 15 April 2020 to which [AS-036] refers?</p> <p>c) See Appendix 3 of this document for a copy of the email correspondence with WDC dated 15th April 2020 (document reference ExA.WQ-1.A3.D1.V1).</p>



4 Benthic Ecology

ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))					
Benthic Ecology					
1.2.48	Natural England	1	2	HRA screening (EA2) Document 5.3.4 [APP-047] at page 44 states Natural England is content with the screening of sites with respect to marine mammals, but there is no equivalent statement with respect to other features of the marine environment, or the overall screening exercise. The screening exercise is not raised in Natural England's RR [RR-059]. Is Natural England satisfied with the scope and conclusions of the Applicant's HRA screening as reported in [APP-044] and [APP-045] and does it agree that there are no issues arising in relation to benthic ecology?	During Phase 3 consultation, Natural England stated in a letter dated 8 th October 2018 responding to a consultation request from the Applicants regarding the HRA Screening Reports that they were ' <i>content there is no potential for direct or indirect effects which could result in an LSE to offshore SACs with benthic habitat interest features</i> '.
1.2.49	The Applicant, MMO	1	2	HRA Screening (EA2) Can the Applicant please respond to comments made by the MMO in its RR [RR-052] regarding benthic ecology and comment on how these may affect the conclusions drawn in the screening exercise? (The MMO is asked to comment on responses at Deadline 2.)	Following review of the MMO Relevant Representation (RR-052), none of the comments made by the MMO in their Relevant Representation would alter either the way in which HRA screening was conducted or the conclusions that were reached regarding benthic ecology.
1.2.50	MMO	1	2	Micro-siting: benthic habitats Is the MMO [RR-052] content that the dDCO and DML are adequately drafted to ensure micro-siting to reduce or avoid	A <i>Sabellaria</i> reef management plan in accordance with an outline plan to be submitted at Deadline 1 (document reference



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>impacts on valuable benthic habitats? Does anything else need to be provided for?</p> <p>ExA.AS-4.D1.V1) will detail how <i>Sabellaria</i> reef will be managed during Project activities.</p> <p>The Applicants will include a condition within the DMLs requiring submission of a plan detailing <i>Sabellaria</i> reef management which would be in accordance with an outline <i>Sabellaria</i> Reef Management plan. This will be reflected in the updated draft DCO (APP-023) to be submitted at Deadline 3.</p>
1.2.51	The Applicant	1	2	<p>Sediment deposition: in-combination effects</p> <p>Please explain why it has been considered that no pathway exists for significant indirect in-combination effects to benthic ecology interest features from sediment deposition, given that East Anglia TWO and East Anglia ONE North may be constructed at the same time (or overlap) and that they partly share an offshore export cable route?</p> <p>Modelling undertaken for previous projects in the former East Anglia Zone (see Section 5.2.1, Habitats Regulations Assessment - Appendix 1 – Information to Support AA Report – HRA Screening Report (APP-044)) demonstrated that coarse sediment would settle out rapidly where disturbed (or dredged) and that indirect far-field effects would be limited to within 1km of the works and for the duration of one tidal cycle. For finer materials it was predicted that deposition could occur at up to 50km from the source, however, the deposited sediment layer across the wider seabed was found to be generally less than 0.2mm thick and did not exceed 2mm. There are no sites within 1km of the offshore development areas (where most of sediment deposition would be expected to occur) and</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			<p>any deposition beyond this point is expected to be minimal.</p> <p>Cumulatively, suspended sediment would still behave in the same way, even if more sediment was suspended in the same area it would still fall out of suspension at the same distance and not affect a designated site.</p> <p>During Phase 3 consultation, Natural England stated in a letter dated 8th October 2018 responding to a consultation request from the Applicants regarding the HRA Screening Reports that they <i>were</i> 'content there is no potential for direct or indirect effects which could result in an LSE to offshore SACs with benthic habitat interest features'.</p>



5 Fish and Shellfish Ecology

ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))			
Fish and shellfish ecology			
1.2.52		<div>1</div> <div>2</div> <p>HRA screening (EA2) Document 5.3.4 [APP-047] at page 44 states Natural England is content with the screening of sites with respect to marine mammals, but there is no equivalent statement with respect to other features of the marine environment, or the overall screening exercise. The screening exercise is not raised in Natural England's RR [RR-059]. Is Natural England satisfied with the scope and conclusions of the Applicant's HRA screening as reported in [APP-044] and [APP-045] and does it agree that there are no issues arising in relation to fish and shellfish ecology?</p>	<p>During Phase 3 consultation, Natural England stated in a letter dated 8th October 2018 responding to a consultation request from the Applicants regarding the HRA Screening Reports that:</p> <p><i>"As a result of the lack of direct or indirect effect posed by both projects, Natural England agrees with the conclusions that all the SACs with Annex II fish species can be successfully screened out from further assessment."</i></p>
1.2.53	The Wildlife Trusts	<div>1</div> <div>2</div> <p>In-combination Assessments: Inclusion of Fishing In [RR-091] The Wildlife Trusts raise a concern that fishing should be included in all cumulative and in-combination assessments. The Applicant responds to this position in [AS-036] (Comments on Relevant Representations - Volume 3: Technical Stakeholders). Are The Wildlife Trusts content with the explanation provided there? If not, please describe your outstanding concerns and set out the action that you consider the Applicant needs to take.</p>	<p>This question has been included in the section on fish and shellfish ecology, however the Applicants would highlight that it is not relevant to fish and shellfish ecology. Rather it relates to commercial fishing as an in-combination activity for the marine mammal assessment.</p>



6 Terrestrial Ecology

ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response	
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))					
Terrestrial Ecology					
1.2.54	The Applicant	1	2	Ecological Mitigation Plans (EMPs) Does the Applicant intend on submitting draft (outline) EMPs into the Examination? If this is not the case could the Applicant please explain the rationale in submitting an outline LMP but not EMP?	The outline Ecological Management Plan (EMP) forms Section 10 of the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-584). Pursuant to Requirement 21(1) of the draft DCO (APP-023), the Applicants will prepare a final written Ecological Management Plan which accords with the OLEMS (APP-584) and must be approved by the relevant planning authority in consultation with the relevant statutory nature conservation body prior to the commencement of the onshore works.
1.2.55	Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	EMP As drafted, the DCO would allow individual EMPs to be brought forward for each stage of the transmission and grid connection work (onshore) under R11. Does the OLEMS provide a robust framework within which each of these separate EMPs could be produced?	No response



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2.56	Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<p>Schedule of Mitigation, R21 and EMP</p> <p>The Schedule of Mitigation [APP-575] repeatedly refers to adherence to the EMP as the mitigation but no draft EMP is provided. R21 requires the EMP to accord with the OLEMs. Are you satisfied that the OLEMs provides sufficient detail/certainty of specific mitigation measures and is there sufficient information for preparing future LMP(s)/EMP(s)?</p> <p>An outline EMP is provided within Section 10 of the OLEMS (APP-584). This document details the specific mitigation measures that have been identified based on the results of the surveys undertaken to date.</p>
1.2.57	The Applicant	1	2	<p>Ecological mitigation works</p> <p>In the dDCO [APP-023], some ecological mitigation works are described as temporary and some as permanent. Work no 28 is described simply as ecological mitigation works. Could the Applicant consider whether the description needs to be amended to reflect if the works are permanent or temporary?</p> <p>Work No. 28 is a woodland belt (known as Long Covert) surrounded by agricultural land. It is not possible at this stage to confirm whether permanent or temporary ecological mitigation is required within Work No. 28, however experience has shown that it is necessary to secure a suitable area within the Order limits for use as ecological mitigation in the event that pre-construction surveys identify a need for mitigation. Work No. 28 is considered a suitable mitigation area for roosting and foraging / commuting bat and for nesting birds and may be suitable habitat for badgers.</p> <p>The duration for which Work No. 28 is needed will be determined within the Ecological Management Plan</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				(secured under Requirement 21 of the draft DCO (APP-023)) which is informed by pre-construction surveys. The Applicants will only exercise rights in respect of land which is required for the authorised development.
1.2.58	The Applicant	1	2	<p>Ecological mitigation works</p> <p>There is no definition of ecological mitigation works provided in the dDCO and it is not readily apparent how mitigation in the OLEMs for works no 14, 24, 28 and 29 relate. Can the Applicant provide a schedule setting out the nature of the ecological mitigation works envisaged under works no 14, 24, 28 and 29¹ and provide evidence of the likely land requirement and making clear whether any of these works are required to support the HRA assessment conclusions.</p>
1.2.59	The Applicant/Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<p>Pre-construction surveys</p> <p>A number of pre-construction ecological surveys are proposed prior to the production of the EMP(s).</p> <p>a) How are the pre-construction surveys secured? b) Should they be individually listed in R21?</p> <p>The Applicants will submit an updated OLEMS (APP-584) into the Examination at Deadline 3, which will include a list of the pre-construction ecology surveys to be undertaken.</p> <p>The Applicants consider that specifying the pre-construction ecology surveys via the OLEMS (APP-584) is the appropriate</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				mechanism for securing these as Requirement 21(2)) of the draft DCO (APP-023) requires an EMP (which accords with the OLEMS) to be submitted and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body prior to onshore preparation works (including environmental surveys) being carried out.
1.2.60	The Applicant/Suffolk Wildlife Trust	1	2	<p>Suffolk Wildlife Trust participation in the Examinations</p> <p>Applicant states in [AS-036] that Suffolk Wildlife Trust, in an email dated 29 April 2020, advised that they were stepping away from responding to casework and therefore would not be taking part in the Examination of the projects. The ExA appear not to have received confirmation of this.</p> <p>a) Please could Suffolk Wildlife Trust confirm whether this is the case.</p> <p>b) In any event please could Suffolk Wildlife Trust indicate whether the concerns set out in their RRs [RR-086] continue to stand or whether the response provided by the Applicants in [APP-036] has altered its position.</p> <p>Please could the Applicants provide a copy of the correspondence dated 29 April 2020.</p> <p>The Applicants have provided a copy of the email received from Suffolk Wildlife Trust dated 29th April 2020 in Appendix 5 of this document (document reference ExA.WQ-1.A5.D1.V1). This email confirms that Suffolk Wildlife Trust does not intend to participate in the Examinations of the Projects.</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
1.2.61	The Applicant/ ESC/SCC/Suffolk Wildlife Trust	<p>Biodiversity Net Gain and enhancement</p> <p>SCC and ESC have raised concerns regarding the lack of commitment to biodiversity and net gain. Whilst noting that DEFRA has confirmed that Net Gain is not applicable to NSIPs in the UK Government's' draft Environment Bill, paragraph 5.3.4 of NPS EN-1 states that the Applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.</p> <p>a) Please could the Applicant provide an explanation of how they consider the application has taken advantage of enhancing biodiversity?</p> <p>b) Please could Natural England/ESC/SCC/Suffolk Wildlife Trust give a reasoned response on whether they consider the project accords with paragraph 5.3.4 of NPS EN-1.</p> <p>Please can you ensure that matters pertaining to biodiversity enhancement are included in the SoCGs</p>	<p>The Applicants have submitted an Ecological Enhancement Clarification Note (document reference ExA.AS-16.D1.V1 EA1N&EA2) into Examination at Deadline 1. The Applicants consider that this document demonstrates how they have considered enhancing biodiversity within the Applications and addresses the concerns raised by SCC and ESC.</p> <p>The Applicants confirm that matters pertaining to biodiversity and ecological enhancement are captured within the SoCGs with SCC and ESC.</p>
1.2.62	Natural England	<p>Monitoring</p> <p>Can Natural England please confirm that they are content with the Applicant's response in point 25 of Table 37 in [AS-036] with regards to grasslands and hedgerows monitoring?</p>	No response
1.2.63	The Applicant	<p>Mitigation</p> <p>Section 22.6.1 'Potential Impacts During Construction' within ES Chapter 22 lists the proposed mitigation measures for each species 'which may be employed'. Can the Applicant confirm why the word 'may' is used and whether the resulting conclusions on the impacts following</p>	<p>The mitigation measures set out within Section 22.6.1 of Chapter 22 (APP-070) are an indicative list of example mitigation measures which could be incorporated into the final EMP if and where required. The</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
			mitigation are based on all or just some of the mitigation measures being employed.	requirement of specific mitigation measures for specific species and/or habitats will be informed by the results of the pre-construction ecology surveys and secured via the final approved EMP that will be produced prior to the commencement of the onshore works, in accordance with Requirement 21(1) of the <i>draft DCO</i> (APP-023).
1.2.64	The Applicant	1	2 Updated assessments The Applicant has stated that there were errors within the ES of the importance assigned to some nationally protected species [AS-036]. Can you please confirm when a review and reassessment will be submitted into the Examination?	The Applicants understand that this statement relates specifically to the level of importance assigned badgers, as per the Relevant Representation submitted by Natural England (RR-059) and subsequently raised by ESC and SCC within the SoCG (document reference ExA.SoCG-2.D1.V2). The Applicants have submitted an <i>Onshore Ecology Clarification Note</i> (document reference ExA.AS-12.D1.V1 EA1N&EA2) into the Examination at Deadline 1, which provides an explanation and justification of the level of importance



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				assigned to badgers. This information has been presented and agreed with ESC and SCC as part of the SoCG process.
1.2.65	The Applicant	1	2	<p>New assessments and statements Could the Applicant please confirm when they expect to submit the following statements / assessments into the Examination as referred to in [AS-036]:</p> <ul style="list-style-type: none"> a) Outline Watercourse Crossing Method Statement (please confirm if this will relate to Friston Beck and The Hundred River) b) Outline Landfall Construction Method Statement c) Outline SPA Crossing Method Statement d) Hairy Dragonfly Assessment e) Clarification note on semi-natural broadleaved woodland f) NOx and Acid deposition impact assessment
				<p>The Applicants intend to submit the documents listed at (a) to (f) at the following deadlines:</p> <ul style="list-style-type: none"> a) Deadline 3 (the Outline Watercourse Crossing Method Statement will apply to all watercourses crossed during construction of the Projects. The Applicants note that Friston Beck (referred to as Friston Watercourse within the Applications) is not crossed by the Projects) b) Deadline 1 (document reference ExA.AS-2.D1.V1) c) Deadline 1 (document reference ExA.AS-3.D1.V1) d) Deadline 1 (included within the Onshore Ecology



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				<p>Clarification Note (document reference ExA.AS-12.D1.V1 EA1N&EA2))</p> <p>e) Deadline 3</p> <p>f) Deadline 1 (included within the Air Quality Clarification Note (document reference ExA.AS-20.D1.V1)</p>
1.2.66	The Applicant	1	2	<p>Hundred River crossing Natural England in their RRs [RR-059] state that they would expect to see an assessment of alternative methods for the crossing of The Hundred River. Can the Applicant confirm whether such an assessment was undertaken and if so please can you submit this into the Examination?</p> <p>Whilst no report was prepared at the time, consideration was given to the available methods for crossing the Hundred River. There are a combination of constraints and technical considerations at this location including:</p> <ul style="list-style-type: none"> • The Hundred River itself; • The B1122 Aldeburgh Road; • Fitches Lane; • Residential properties; • The wooded area to the west of B1122 Aldeburgh Road) • The requirement to install six power cables (each spaced sufficiently apart to ensure



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			<p>thermal independence from each other), up to two fibre optic cables and up to two distributed temperature sensing cables for each Project within the crossing;</p> <ul style="list-style-type: none"> • The unknown geological conditions in the area (and the need for a trenchless technique to be undertaken in appropriate ground strata to ensure the integrity of the crossing); and • Technical constraints in the depth that the onshore cables can be laid, noting that deeper cabling will require larger cables to compensate for thermal build-up in the cables; <p>The Applicants considered that there was insufficient lateral space and insufficient confidence in trenchless techniques at this location in order to include it as a viable means of crossing these obstacles.</p> <p>In all cases, trenchless crossing techniques would require specific plant and equipment deliveries and</p>



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			<p>operation; additional work compounds and infrastructure; additional water supplies; additional waste generation and disposal; potentially caisson installation (depending on technique); and a considerably longer construction duration.</p> <p>Sufficient space and confidence exists to accommodate a wet or dry open trench crossing of the Hundred River and adjacent obstacles, allowing a clear plan for the works (including diversion/over pumping of the Hundred river and environmental mitigation measures) to be clearly set out within the Watercourse Crossing Method Statement (which requires approval from the relevant planning authority).</p> <p>Further information on the options considered will be presented within the Outline Watercourse Crossing Method Statement which will be submitted to Examination at Deadline 3.</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2.67	The Applicant	1	2	<p>Hundred River crossing The Hundred River feeds into the Sandlings SPA. Is there any risk that works at the crossing could impact on the qualifying features of the SPA?</p> <p>There is the potential for temporary indirect (disturbance, pollution) impacts on the qualifying features of the SPA during construction at the Hundred River crossing, as the Hundred River flows through the Sandlings SPA. However, this is anticipated to be temporary and considered not likely to give rise to significant effects on qualifying features of the SPA. Works at the Hundred River will adopt appropriate mitigation measures and industry good practice to reduce the environmental impact of the works.</p> <p>Further (outline) information on the construction and mitigation measures at the Hundred River will be presented within the Outline Watercourse Crossing Method Statement which will be submitted to Examination at Deadline 3.</p>
1.2.68	The Applicant	1	2	<p>Badgers and Reptiles Can the Applicant confirm whether they intend to submit an outline badger or reptile mitigation plan as per Natural England's request [RR-059]?</p> <p>Final mitigation measures in relation to badger that will be implemented will be contained within the final approved EMP which will be prepared post-consent in accordance</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			<p>with Requirement 21 of the draft DCO (APP-023), and which must be approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.</p> <p>Mitigation measures for badger will accord with those proposed and set out within Section 5.9 of the OLEMS (APP-584).</p> <p>The Applicants do not consider it necessary to provide an outline mitigation plan for reptiles at this time. A residual impact of minor adverse significance upon this species has been concluded through the assessment presented in Chapter 22 (APP-070). Appropriate mitigation measures are presented within Section 5.12 of the OLEMS (APP-584) and these will be carried through and developed within the final EMP prepared post-consent in accordance with Requirement 21 of the draft DCO (APP-023), and which must be approved by the relevant planning authority in consultation</p>



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				<p>with the relevant statutory nature conservation body.</p> <p>The outcome of the assessment and proposed mitigation measures in respect to reptiles has been presented to the Environment Agency, Natural England, Suffolk Wildlife Trust, ESC and SCC during the SoCG process and agreement from all parties has been obtained.</p>
1.2.69	The Applicant	1	2	<p>Natural England standing advice</p> <p>Can the Applicant confirm whether the proposed mitigation for protected species accords with Natural England's standing advice for each? Where it departs from such advice please provide a justification.</p> <p>The Applicants can confirm that all ecological mitigation proposed accords with Natural England's standing advice for each respective species, and that no departures from the standing advice have been incorporated into the mitigation measures proposed.</p>
1.2.70	The Applicant/Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<p>Bats</p> <p>ES Chapter 22 states as a worst case scenario it is assumed that the construction phase could result in approximately 11km of hedgerow being temporarily lost in the medium to long term (paragraph 196) which would represent an impact of at worst major adverse significance on bats. Please could you respond to the following points.</p> <p>As part of embedded mitigation, hedgerow losses will be minimised where possible through removing only the minimal working width (e.g. 16.1m for important hedgerows). It is intended that hedgerow sections that have been removed at crossings will be reinstated in the first available</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		a) Proposed mitigation includes reinstatement post construction which may take 5-7 years to establish. Appendix 6.4 of the ES – Cumulative Project Description [APP-453] does not include a programme of works for the onshore cable route. If the projects are constructed sequentially could the Applicant please confirm the maximum duration that they would anticipate that the hedgerows would be removed before reinstatement begins?	planting season post-construction as part of the final approved Landscape Management Plan (secured by Requirement 14 of the draft DCO (APP-023)). This means that, for a single Project, it is anticipated that the time between removing and replacing the same section of hedgerow at a crossing would be 24 months. If the Projects are constructed sequentially, it is anticipated that each hedgerow would be affected for 48 months.
		b) Can you confirm that this duration was assessed as part of the ES?	Chapter 22 (APP-070) paragraph 196 states: <i>“As a worst case scenario, it is assumed that the construction phase could result in the majority of the hedgerow identified above being temporarily lost in the medium to long term whilst they become re-established.”</i> Long term is defined in section 22.4.3.4 as:



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			<p><i>"effects which occur over the multiple active or growing seasons".</i></p> <p>The Applicants confirm that the worst case assessed is based upon the timescales set out within the response to part a) above.</p>
		c) Would there be any long term impacts on bat populations as a result of this duration?	<p>As presented in Paragraph 219 of Chapter 22 (APP-070), there are potential impacts to foraging / commuting bats as a result of vegetation clearance. However, and as stated in Paragraph 224 of Chapter 22, replanting of hedgerows or the use of hazel hurdles (or similar) will be implemented during the construction phase to maintain the habitat connectivity of these features both within the Projects but also within the wider landscape. Through the implementation of these mitigation measures, the foraging/commuting bat corridors will be maintained throughout the construction phase but also whilst the reinstated hedgerows become established. No long-term impacts on foraging/commuting bats are</p>



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			envisaged following the implementation of these measures. This approach has been discussed and principles agreed with ESC and SCC during the SoCG process (document reference ExA.SoCG-2.D1.V2).
		d) Please can you include the programme of works for the onshore cable route in the amended Cumulative Project Description requested in question 1.0.16.	The Applicants will provide a programme of works for the onshore cable route at Deadline 3.
		e) Can the Applicant please provide further information on why certain transects were chosen? Why was long covert excluded from transect 2 [APP-281]?	All linear features (e.g. watercourses, hedgerows) were categorised in terms of their suitability to support commuting or foraging bats during the Extended Phase 1 Habitat Survey (APP-503 and APP-504). As detailed in Section 22.5.1.2 of the Extended Phase 1 Habitat Survey report (APP-503), these features were subject to further survey effort in accordance with industry guidance, i.e. monthly activity transect and static detector surveys. Each of the features that had been identified during the Extended Phase 1 Habitat Survey were grouped into areas, where possible,



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			<p>which in turn enabled a wider transect area to be identified. Each monthly activity transect survey was designed in accordance with Bat Conservation Trust (BCT) guidelines and encompassed all features that had been recorded during the Extended Phase 1 Habitat Survey. Natural England, Suffolk Wildlife Trust, ESC and SCC were consulted on the survey scope and methodology during Expert Topic Group (ETG) meetings on 27th April 2018 (see Section 5.3.2 of the Consultation Report (APP-029)), and this matter was subsequently confirmed as agreed with Natural England and ESC and SCC during the SoCG process (see document references ExA.SoCG-14.D1.V1 and ExA.SoCG-2.D1.V2). Long Covert was not included within the bat activity transect survey effort as it is an area identified for ecological mitigation and will not be directly or indirectly impacted by the Projects. However, bat activity transect No.2 did cover the surrounding area and</p>



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			<p>therefore the findings from this survey effort have enabled an understanding of how the area surrounding Long Covert is used by foraging/commuting bats.</p> <p>Natural England, Suffolk Wildlife Trust, ESC and SCC were consulted on the survey findings and conclusions drawn from the bat survey effort during the ETG meetings.</p>
		f) Could the Applicant confirm if they intend to submit an outline hedgerow mitigation plan?	<p>Hedgerow mitigation is outlined in the OLEMS (APP-584), which will form the basis of the final Landscape Management Plan and final Ecological Management Plan to be prepared post-consent in accordance with Requirement 14 and Requirement 21 of the draft DCO (APP-023) accordingly.</p> <p>The OLEMS (APP-584) details the hedgerow planting and reinstatement proposals of the Projects as well as the commitment to undertake pre-construction hedgerow surveys that will be used to inform the final</p>



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			<p>approved Arboricultural Method Statement to be prepared post-consent in accordance with Requirement 21 of the draft DCO (APP-023).</p> <p>No stand-alone outline hedgerow mitigation plan is proposed as all information pertaining to hedgerows and the commitments made by the Projects is presented in the OLEMS (APP-584).</p>
		g) Are Natural England/ESC/SCC/Suffolk Wildlife Trust satisfied that the reinstatement, management and maintenance of the replacement hedgerows is satisfactorily secured? Should this be contained within the LMP or EMP?	No response
		h) Can the Applicant please confirm when an updated CIA with Sizewell in relation to bats will be submitted into the Examination?	With regards to direct impacts, as the footprints of Sizewell C and the Projects do not overlap there is no pathway for direct cumulative impacts on ecological receptors (including bats). The Projects considered cumulative impacts with Sizewell C in relation to nitrogen deposition from construction traffic in the vicinity of Sizewell Gap Road which concluded no significant



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				impacts. The Sizewell C CIA did not consider nitrogen deposition impacts associated with the construction traffic within their air quality assessment. The Projects were included in the baseline for the Sizewell C project alone assessment, which concluded no significant impacts on ecological receptors (including bats).
				Please can Natural England confirm that they are satisfied that Figure 22.7a-g [APP-280] clearly maps the roosting, foraging and commuting areas for bats in relation to the red line boundary?
				No response
1.2.71	The Applicant	1	2	<p>Great Crested Newts</p> <p>Natural England have advised that the Applicant should approach Natural England for a Letter of No Impediment as early as possible with regards to Great Crested Newts. Can the Applicant confirm if they intend on approaching Natural England and if not can the Applicant explain why they consider this is not needed?</p>
				The Applicants are in the process of drafting the materials required for a Letter of No Impediment for both Great Crested Newt and badger. Consultation with Natural England on Letters of No Impediment has commenced, and the applications will be submitted at the earliest possible deadline.
1.2.72	The Applicant	1	2	<p>Woodland and hedgerows</p> <p>Can the Applicant please respond to SWTs assertion that planting is not mitigation but compensation and that further compensatory measures are required [RR-086].</p>
				1) The assessment presented in Chapter 22 of the ES (APP-070) follows the Chartered Institute of



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			<p>Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal (2nd Ed.) (2016). It is the case that planting is categorised as 'compensation' under the mitigation hierarchy within these guidelines. Chapter 22 (APP-070) simply uses 'mitigation' as an overarching term for all mitigation, compensation and enhancement measures proposed by the Applicants in response to the Projects' potential impacts.</p> <p>2) In this regard, the Applicants carefully reviewed all mitigation options regarding the loss of woodland west of Aldeburgh Road; it is considered that all options were exhausted before the final approach was selected (please refer to response given to question 1.2.66). The proposed woodland replanting at Work No. 24 will be at least equivalent in</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				size and similar in its ecological features and function to the area of woodland lost. The Applicants acknowledge that the replanted woodland will not immediately be of the same maturity, complexity and diversity of habitat as that of the woodland lost. A robust aftercare scheme would be implemented following planting.
1.2.73	The Applicant	1	2	<p>Woodland and hedgerows</p> <p>Can the Applicant please respond to the following:</p> <ul style="list-style-type: none"> a) Please can you provide a justification of why the three locations of woodland loss is unavoidable? b) Paragraph 190 of ES Chapter 22 [APP-070] states that at least an equivalent area of lost woodland will be replanted. Where would this be and when would it be planted? Could this replanting begin prior to the areas that would be lost? How is this secured? <p>Mitigation included within Paragraph 193 of ES Chapter 22 states that planting above buried cables is provided for in the OLEMs. Could you draw the ExAs attention to this provision in the OLEMs?</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			<p>(APP-052) the location of the onshore cable corridor is driven by the location of the onshore substations and the location of the landfall and principally aims to avoid residential titles (including whole gardens) where possible. The woodland loss north of Fitches Lane is a result of the onshore cable route crossing B1122 Aldeburgh Road in an area that avoids residential properties. The distribution of existing properties north and south of the B1122 Aldeburgh Road crossing location meant there was insufficient room to bring the cables across the road elsewhere. Given the combination of spatial constraints within this area (including the Hundred River, the B1122 Aldeburgh Road; Fitches Lane; residential properties; and the wooded</p>



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			<p>area to the west of Leiston Road) and the technical requirement to install six power cables, up to two fibre optic cables and up to two distributed temperature sensing cables for each Project within the crossing, the Applicants considered that there was insufficient lateral space to accommodate trenchless crossing techniques in this location. As such, loss of woodland at this location was unavoidable. However, the Applicants have committed to a reduced onshore cable route width of 16.1m for each Project at this location (reduced from 32m) (Table 22.4, Chapter 22 (APP-070)).</p> <p>A1094/B1096 junction highway improvement (approximately 0.1ha). Vegetation removal at this location is required to</p>



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			<p>provide the level of visibility splay as required by drivers exiting a junction into oncoming traffic, as stated within the Design Manual for Roads and Bridges (CD 123: Geometric design of at-grade priority and signal controlled junctions).</p> <p>Onshore substation in proximity to Laurel Covert (approximately 0.1ha). The Applicants note that this woodland loss is required as a result of the onshore substation footprints as presented within the Applications (190m x 190m).</p> <p>b) Woodland will be planted within the ecological mitigation area west of Aldeburgh Road comprising Work No. 24 – see response to ExA. Questions Ref. 1.2.58. The timing of planting this woodland will be included within the final</p>



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				<p>Landscape Management Plan prepared post-consent in accordance with Requirement 14 of the draft DCO (APP-023). It could be possible to plant this woodland prior to the felling of woodland as part of early planting proposals being discussed between the Applicants and ESC and SCC within the SoCG process (document reference ExA.SoCG-2.D1.V2).</p> <p>The Applicants signpost the Examining Authority to paragraph 102 and plate 3.4 of the OLEMS (APP-584) which highlights the constraints and possibilities of planting directly above and adjacent to onshore buried cables.</p>
1.2.74	ESC/SCC	1	2	<p>Arboricultural Method Statement (AMS)</p> <p>The Schedule of Mitigation [APP-575] states at ref 5.4 that woodland planting would be implemented through the LMP and AMS. Are you satisfied that this is sufficiently secured? Should this be in the LMP or EMP? Is there sufficient information in the</p> <p>The Applicants wish to highlight that the Arboricultural Method Statement will be part of the final EMP prepared post-consent, and so planting would be implemented through both the</p>



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			OLEMs to satisfy that an AMS will do its job?	LMP and EMP. Both of these final management plans must accord with the OLEMS (APP-584) as stipulated by Requirement 14 and Requirement 21 of the draft DCO (APP-023).
1.2.75	ESC/SCC	1	2 Growth rate Please expand on your concerns regarding planting growth rates.	No response
1.2.76	ESC/SCC	1	2 Ecological receptors Please expand on your concerns [RR-002 and RR-007] that there are some ecological receptors which are either not considered to have been fully assessed or have insufficient mitigation/compensation measures identified within the ESs and secured in the dDCO.	The Applicants wish to highlight that ongoing discussions regarding this matter are being progressed during the SoCG process (document reference ExA.SoCG-2.D1.V2). The Onshore Ecology Clarification Note submitted to the Examination at Deadline 1 seeks to address these concerns (document reference ExA.AS-12.D1.V1 EA1N&EA2).
1.2.77	The Applicant/ The Woodland Trust		Grove Wood Can The Woodland Trust confirm that they are content with the Applicant's response in Table 53 in [AS-036]. Can the Applicant confirm if there is an AMS to provide to the Woodland Trust in order for them to assess whether veteran trees will be impacted by proposed works?	At this stage there is no outline or final Arboricultural Method Statement which can be provided. The Applicants consider it more appropriate to prepare this document post-consent during the detailed design stage when more detailed information becomes available. The preparation of an Arboricultural



ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			Method Statement as part of the final EMP is secured via Requirement 21(1) of the draft DCO (APP-023) and must accord with the OLEMS (APP-584).
1.2.78	The Applicant	CIA Please can you confirm that the CIA for the two projects was based on the maximum working width for the two projects as stated in ES Appendix 6.4 'Cumulative Project Description' [APP-453] and the maximum parameters set out in R12.	Yes. The Applicants confirm that the CIA of ecological receptors undertaken for both Projects was based on the Order limits for the two Projects as stated in Appendix 6.4 (APP-453) and the maximum parameters set out for each Project within Requirement 12 of the draft DCO (APP-023).
1.2.79	ESC/SCC	Noise Please can you confirm what assessments you would expect to see in relation to the impact of noise on ecological receptors? [RR-002] and [RR- 007]	Through the SoCG with ESC and SCC (document reference ExA.SoCG-2.D1.V2), the Applicants have agreed to review and provide clarification on operational noise impacts upon ecological receptors (birds and bats). A clarification note will be submitted to the Examination at Deadline 3.
1.2.80	The Applicant	Marlesford Bridge Considering the off-site highway works at Marlesford Junction includes a large land parcel, can the Applicant confirm whether	No ecological assessment has been undertaken for the offsite highways works at Marlesford Bridge (Work

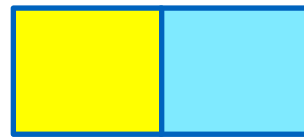


ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
		ecological studies at this location have been undertaken, and if not, could the Applicant provide a reason for why these studies have not been undertaken?	No. 37), given the limited detail on the works required at this site, if indeed works are required at all. The scope and extent of works required at Marlesford Bridge will be defined post-consent during detailed design. Should a requirement for such works be identified, pre-construction ecological surveys would be undertaken for the species listed within the updated OLEMS (APP-584) and works at Marlesford Bridge would be subject to the ecological mitigation measures within the final approved EMP in accordance with Requirement 21 of the draft DCO (APP-023).



7 Onshore Ornithology

ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2 Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))				
Onshore Ornithology				
1.2.81	Royal Society for the Protection of Birds and the Applicant	1	2	<p>Royal Society for the Protection of Birds (RSPB) Representations</p> <p>The ExA notes the content of the RSPB's [RR-067] which sets out a number of outstanding concerns in relation to onshore and offshore ornithology.</p> <p>The ExA also acknowledges the RSPB's intention to engage with the Examination primarily through the Statement of Common Ground process due to resource limitations. The ExA has therefore refrained from directing written questions to the RSPB at this stage but makes the following requests:</p> <ul style="list-style-type: none">a) Please could the Applicant and RSPB ensure that the SOCG captures and charts progress with all of the main points contained in [RR-067].b) Should the RSPB wish to respond to any of the questions directed to other parties within ExQ1, it is welcome to do so.
1.2.82	The Applicant	1	2	<p>Breeding Bird Survey</p> <p>Could the Applicant provide robust justification for not extending the 2018 breeding bird survey to extend across the entirety of the order limits? Has the Applicant consulted with Natural England or the local authorities regarding the extent of their breeding bird surveys?</p>
				<p>a) The Applicants confirm that the SoCG prepared in collaboration with the RSPB (document reference ExA.SoCG-1.D1.V2) reflects the comments received within the RSPB's Relevant Representation (RR-067) and charts the progress made in relation to the matters pertinent to the respective statement.</p>
				<p>The extent of the breeding bird survey area was discussed during Expert Topic Group meetings with Natural England and the local planning authorities in April 2018. The sufficiency of data collected to inform the assessment has been agreed within SoCGs with Natural England</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>(document reference ExA.SoCG-14.D1.V1), RSPB (document reference ExA.SoCG-1.D1.V2) and ESC and SCC (document reference ExA.SoCG-2.D1.V2).</p> <p>At the time of undertaking baseline ornithology surveys in 2018, the onshore development area was yet to be finalised, and therefore surveying was completed on the scoping onshore development area plus a 400m buffer. Because of the subsequent change in onshore development area, breeding bird surveys in 2019 were based on the revised onshore development area plus a buffer of up to 400m, shown as the "onshore ornithology study area (400m buffer)" in Figure 23.1 of the ES (APP-284). This has ensured that all parts of the onshore development area were covered.</p>
1.2.83	The Applicant	1	2	<p>HRA methodology</p> <p>In Chapter 2 (HRA Methodology) of the HRA Screening Report [APP-044], the approach to the Stage 1 screening process (2.1.1.1) and the selection of sites with the potential to be affected by the Proposed Development is presented by the Applicant as being a general methodology applicable to all interest groups included at screening.</p> <p>On reviewing Appendix 1 HRA Screening Report (APP-044) the Applicants note that Paragraph 40 - 42 of (APP-044) as submitted with the Applications can be disregarded as</p>



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				<p>However, the sub-header at 2.1.2 (Onshore Ornithology Screening Summary) suggests that the approach outlined may in fact be specific to this feature group only. Please clarify what should be considered as the Applicant's general approach to the Stage 1 screening process.</p> <p>these have been inserted in error. Paragraph 39 and Paragraph 43 of (APP-044) as submitted with the Applications should be read together, such that it reads:</p> <p>'The initial identification of designated sites and Ramsar sites for inclusion in the Stage 1 HRA Screening is primarily based on the location of the site relative to the proposed [East Anglia TWO / East Anglia ONE North] project. The approach for each site interest feature is outlined in section 3 Terrestrial Ecology, Section 4 Onshore Ornithology, Section 5 Benthic Ecology, section 6 Fish Ecology, section 7 Marine Mammals and section 8 Offshore Ornithology.'</p>
1.2.84	The Applicant	1	2	<p>Worst case scenario and noise</p> <p>Can the Applicant justify the conclusion that constructing EA1N and EA2 sequentially rather than simultaneously will result in the worst case scenario, considering that if constructed simultaneously the noise emitted would be greater?</p> <p>The justification for scenario 2 (sequential construction) being considered a cumulative worst case is set out within Section 23.2.2 and Table A23.3, Appendix 23.2 (APP-509). The Project alone impact for all ornithological receptors is negligible or minor adverse and the magnitude of effect of disturbance is not increased</p>



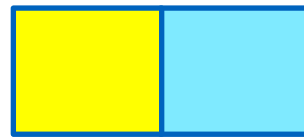
ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				<p>in the simultaneous construction scenario. It is therefore considered that even though the impacts are not significant multiple events would be worst case (i.e. they occur over two breeding seasons or winter seasons).</p> <p>Although not cited in Chapter 23 (APP-071), the noise modelling undertaken for residential receptors at the landfall highlights that there are minimal differences in noise levels between the Project alone case (see Table 25.26 of Chapter 25 Noise and Vibration (APP-073)) and the cumulative case (see Table A25.2.4 of Appendix 25.2 (APP-523)).</p>
1.2.85	Natural England, Suffolk Wildlife Trust	1	2	<p>Sandlings SPA crossing Please respond to the following:</p> <ul style="list-style-type: none"> a) Whilst noting that open cut trenching is not your preferred option for the SPA crossing, please comment on the Applicant's explanation that open cut trenching would have less of an impact than HDD. Are you confident that there is sufficient certainty and security for the proposed mitigation relied upon by the Applicant in this scenario? b) Do you consider the need for any further mitigation beyond that already set out by the Applicant? <p>Whilst not requested to respond on this question the Applicants wish to add that, considering the balance of other receptor topics considered within the EIA, it considers an open-trench SPA crossing methodology to be the less environmentally impactful given the shorter construction duration and requirement for less plant. This has implications for the community such as reduced noise impacts, reduced HGV</p>



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
				movements as well as less disturbance of ecological features.
1.2.86	The Applicant	1	2	<p>Sandlings SPA crossing Please respond to the following:</p> <p>a) Proposed mitigation for works at the SPA crossing and within 200m includes a seasonal restriction. How is the SPA crossing area defined? Should this be linked to a works no. or can the Applicant provide a plan showing the extent of the area that would be subject to the seasonal restriction?</p> <p>Further information on the SPA crossing methodology is provided in the Outline SPA Crossing Method Statement submitted at Deadline 1 (document reference ExA.AS-3.D1.V1 EA1N&EA2). This Outline SPA Crossing Method Statement relates to works associated with the installation of cables through the Sandlings SPA to the extent that these fall:</p> <ul style="list-style-type: none"> • Within the SPA boundary (the SPA crossing), located within Work No. 12 as shown on the Works Plans (Onshore) (AS-003); and • Within 200m of the SPA crossing (the SPA crossing buffer) located within Work Nos. 11 and 13, as shown on the Works Plans (Onshore) (AS-003). <p>Figure 6 of the Outline SPA Crossing Method Statement</p>



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			(document reference ExA.AS-3.D1.V1 EA1N&EA2) illustrates the area subject to a seasonal restriction under an open trench SPA crossing methodology scenario. Figure 8 of the Outline SPA Crossing Method Statement illustrates the area subject to a seasonal restriction under a trenchless SPA crossing methodology scenario.
		b) Should the seasonal restriction be specifically referred to within the DCO?	The Applicants do not consider it appropriate for seasonal restrictions to be stated within the wording of DCO Requirements. It is considered more appropriate that seasonal restrictions are set out within the respective management plan (which will be based on the relevant certified plan), and which will be controlled via the final DCO and require approval from the relevant regulatory body.
		c) What engagement with RSPB has taken place in relation to the SPA crossing?	Prior to the submission of the Applications, the RSPB was involved in four ETG meetings throughout 2018 and 2019, which included discussion on potential ecological and



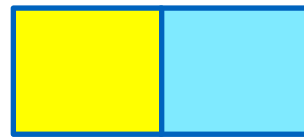
ExA. Question Ref.	Question addressed to	ExA. Question	Applicants' Response
			ornithological impacts to the SPA arising from the Projects. Since submission of the Applications, the Applicants have entered into a SoCG with the RSPB (document reference ExA.SoCG-1.D1.V2) in which the SPA crossing has been discussed extensively. The RSPB have been given the opportunity to comment on the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1 EA1N&EA2) prior to its submission to the Examination at Deadline 1.
		d) The ExA note your preference for open cut trenching yet works no 11 and 13 include HDD compounds. Does this wording need refining on the basis that these would only be needed if that option was taken.	The Applicants have written the draft DCO (APP-023) to accommodate HDD compounds within Work No. 11 and Work No. 13 in the event that HDD is selected as the SPA crossing methodology. In the event that an open cut trench methodology is selected to cross the SPA, HDD compounds within Work No. 11 and Work No. 13 would not be required. The Applicants are considering updating the draft DCO (APP-023) to reflect the position that the HDD



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			compounds forming part of Work No. 11 and Work No. 13 will not be constructed in the event that open cut trenching is selected to cross the SPA. This would be reflected in the updated version of the draft DCO (APP-023) to be submitted at Deadline 3. Furthermore, if an open cut trench SPA crossing methodology is confirmed during the Examination the Applicants will consider amending the draft DCO (APP-023) to remove reference to HDD compounds from Work No. 11 and Work No. 13 and reduce the Order limits to that required for an open cut trench SPA crossing solution.
		e) Work no 12 appears to be within the SPA crossing area and includes the construction of haul road and access. Would the haul road be affected by the seasonal restriction?	No use of the haul road within Work No. 12 or within 200m of the SPA crossing would be permitted during the breeding bird season as specified within the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1 EA1N&EA2).
		f) Are there any implications for land take in the event that a trenchless technique is used?	Implications for land take under the different SPA crossing scenarios are



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			<p>discussed within the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1 EA1N&EA2). The land take associated with an open trench and trenchless SPA crossing methodology is illustrated in Figure 1 and Figure 8 of the Outline SPA Crossing Method Statement respectively (document reference ExA.AS-3.D1.V1 EA1N&EA2).</p> <p>In the event that an open cut trench SPA crossing solution is confirmed during the Examination, the Applicants will consider amending the draft DCO (APP-023) to remove reference to HDD compounds from Work No. 11 and Work No. 13 and reduce the Order limits to that required for an open cut trench SPA crossing solution.</p>
		g) Can you confirm that if a trenchless technique is used the maximum working width of the onshore cable route must not exceed 90m applies as a total or individually to both projects i.e. 180m?	A 90m width would be required for a trenchless crossing of the SPA for each individual Project. A combined width of 180m would be required to deliver a trenchless crossing of the SPA for both Projects.



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		h) When and through what process would the cable crossing methodology be decided?	<p>It is intended that the SPA crossing methodology will be determined post-consent following detailed design and will be included within the final SPA Crossing Method Statement which requires to be signed off by the relevant planning authority in consultation with the relevant statutory nature conservation body.</p> <p>The Applicants are prepared to commit to cross the SPA using open cut trenching during the Examination, at which point the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1) will be updated to reflect this and amendments will be made to the draft DCO (APP-023) accordingly.</p> <p>The detailed SPA crossing methodology will be set out post consent in the final SPA Crossing Method Statement, which will accord with the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1) and this will need to be approved by the relevant planning authority in</p>



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				accordance with Requirement 21 of the draft DCO (APP-023).
1.2.87	The Applicant	1	2	<p>Sandlings SPA During construction to what extent will the crossing point in Sandlings SPA be restricted to public access? To what extent have indirect effects from displaced visitors to other parts of the SPA and therefore increase visitor pressure on the breeding territories of nightjar and woodlark been considered?</p> <p>As per the Temporary Stopping up of Public Rights of Way Plan (APP-013), bridleway E-363/026/0 will be temporarily diverted around the eastern and northern extent of Work no. 12 (the SPA crossing area) under an open cut trench SPA crossing methodology. Under a trenchless SPA crossing methodology, there will be no requirement to temporarily stop up this bridleway and access along this public right of way will be maintained.</p> <p>An assessment of indirect effects arising from displaced visitors in relation to the SPA crossing area specifically has not been undertaken, however Paragraph 266 of Chapter 23 (APP-071) states:</p> <p>'...any disturbance impacts on nightjar within the onshore development area beyond a 200m buffer from a nest would likely to be those related to increased access for predators, dogs or humans, rather than noise or visual</p>



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				<p>disturbance associated with any construction activities within the onshore development area. The level of access within and surrounding the Sandlings SPA is not however anticipated to change as a result of construction of the proposed [Project], with most works take place in agricultural fields not used by the public, suggesting no additional adverse disturbance impacts would occur beyond 200m from a disturbance source.'</p> <p>The Applicants consider that the above statement is applicable for bird species other than nightjar which use the Sandlings SPA.</p>
1.2.88	The Applicant	1	2	<p>Sandlings SPA</p> <p>The anticipated volumes or extent of cable protection measures has not been described. These measures could have the potential for AEOL to relevant features of Sandlings SPA. The Applicant should explain in detail the anticipated volume and extent of such measures and clarify the likely effects particularly if EA1N and EA2 cable routes are constructed sequentially (rather than the same time).</p> <p>Cable protection is generally a term associated with offshore cables that cannot be buried.</p> <p>Whether HDD or open trenching is used at the SPA crossing, cables would be buried. Where open trenching is used, the onshore cables will be buried beneath the surface of the land to a depth of approximately</p>



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				1.2m below ground level (see paragraph 310, Chapter 6 (APP-054)). Where a trenchless solution is employed, the depth of the onshore cable will depend upon the topology and geology at the crossing site (see Paragraph 367, Chapter 6 (APP-054)). Paragraph 318, Chapter 6 states that 'Concrete cable protection tiles (or similar) would be fitted above the cables in each trench, featuring indented lettering warning of the danger of electricity below. Between the protection tiles and the ground surface would be plastic warning tape containing text alerting future excavators to the danger of the cables below.'
1.2.89	The Applicant	1	2	<p>Seasonal restrictions</p> <p>a) Where are the commitments listed in Table 3.2 of [APP-043] secured in the DCO?</p> <p>Commitments listed in Table 3.2 of the Information to Support Appropriate Assessment Report (APP-043) are secured through the following Requirements of the draft DCO (APP-023). Requirement 14 requires the production of a written landscape management plan which must accord within the OLEMS (APP-584) and be</p>



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			<p>approved by the relevant planning authority prior to the relevant stage of the onshore works commencing. Requirement 15 requires the written landscape management plan prepared under Requirement 14 to be implemented as approved and secures the delivery of an aftercare period. Requirement 21 requires the production and implementation of a written Ecological Management Plan which must accord with the OLEMS (APP-584) and be approved by the relevant planning authority prior to the relevant stage of the onshore works commencing. Requirement 21(1)(d) requires a special protection area crossing method statement to be prepared in respect of the SPA crossing. The Applicants have submitted an Outline SPA Crossing Method Statement to the Examination at Deadline 1 (document reference ExA.AS-3.D1.V1 EA1N&EA2) and the final SPA Crossing Method Statement will accord with the outline method statement. An updated version of the draft DCO (APP-023) will be</p>



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			submitted at Deadline 3 which will include reference to the final plan being in accordance with the Outline SPA Crossing Method Statement within Requirement 21(1)(d). Requirement 22 requires the production of a Code of Construction Practice (CoCP) which must accord within the Outline CoCP (APP-578) and be approved by the relevant planning authority prior to the relevant stage of the onshore works commencing.
		b) Where seasonal restrictions are assumed what will this involve i.e. is this cessation of work or cessation/restriction of certain activities?	The seasonal restriction will restrict activities associated with the SPA crossing within the SPA and SPA buffer. A definition of the seasonal restriction under an open cut trench SPA crossing methodology is set out in Section 2.4 of the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1 EA1N&EA2). A definition of the seasonal restriction for a trenchless SPA crossing methodology is set out in Section 3.4 of the Outline SPA Crossing Method Statement



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				(document reference ExA.AS-3.D1.V1 EA1N&EA2).
			c) Clarify the statements made in the Information to support the AA that seasonal restriction is not possible for HDD (Appendix 4) but that it would be restricted for up to six months per year within the two year construction period (Table 3.2 and elsewhere in [APP-043]) – can a seasonal restriction be applied to HDD or not?	Clarification is provided within the Outline SPA Crossing Method Statement (document reference ExA.AS-3.D1.V1 EA1N&EA2). Where the HDD entry / exit pits are located outside of the 200m SPA crossing buffer, no seasonal restriction would apply. However, a seasonal restriction would apply to a trenchless SPA crossing methodology where the HDD entry / exit pits fall within the 200m SPA crossing buffer. Such a seasonal restriction would be in place from 14 th February until 31 st August (inclusive) to account for the nightjar and woodlark breeding season. However, given the time required to undertake a trenchless crossing of the SPA, where a seasonal restriction applies the works would take 11-months split over two consecutive non-breeding bird seasons.
1.2.90	Natural England/ESC/	1	2 Seasonal restrictions In point 1 of Table 37 [AS-036] the Applicant has confirmed that the seasonal restriction proposed by the Applicant applies only to	No response



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	SCC/Suffolk Wildlife Trust			<p>works associated with crossing the SPA and works associated with crossing the SPA within 200m of the SPA.</p> <ul style="list-style-type: none"> Please can you set out your reasons for advising that all cable line construction works in the boundary, or within 200m of the Sandlings SPA and Lesiton to Aldeburgh SSSI is undertaken outside the breeding bird season. Do you consider that the Applicant's response on this point is capable of having acceptable impacts on the SPA?
1.2.91	The Applicant/ESC/ SCC	1	2	<p>Landfall</p> <p>a) In light of the sensitivity of the inter-tidal area is sufficient information currently provided to secure the embedded mitigation of HDD at landfall?</p> <p>The Applicants have committed to locating the onshore HDD entry / exit pit outside of the Leiston-Aldeburgh Site of Special Scientific Interest (SSSI) (see paragraph 69, Chapter 23 (APP-071)). Requirement 13 of the draft DCO (APP-023) requires the production and implementation of a landfall construction method statement, which must be approved by the relevant planning authority prior to the commencement of construction activities associated with Work No. 6 or Work No. 8. The Applicants have prepared an Outline Landfall Construction Method Statement which is submitted to the Examination at Deadline 1 (document reference</p>



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				ExA.AS-2.D1.V1 EA1N&EA2). This outline document sets out the principles with which the final Landfall Construction Method Statement must accord. An updated version of the draft DCO will be submitted at Deadline 3 which include an amendment to Requirement 13 to require the final Landfall Construction Method Statement to be in accordance with the Outline Landfall Construction Method Statement.
			b)	Should the dDCO provide additional clarification/detail such as through the expansion of R13 to set out what should be included?
				The Applicants have provided additional detail within the Outline Landfall Construction Method Statement which has been submitted into the Examination at Deadline 1 (document reference ExA.AS-2.D1.V1 EA1N&EA2). In light of this, the Applicants do not consider it necessary to amend the wording of Requirement 13 of the draft DCO (APP-023).
1.2.92	The Applicant	1	2	Cable parameters Please provide a plan showing the maximum working widths for the onshore cable route set out in R12(14)(a) in relation to the Leiston-Aldeburgh SSSI and Sandlings SPA from landfall to the SPA crossing
				The Applicants have provided two figures (Appendix 6 of this document (document reference ExA.WQ-

Applicable to East Anglia ONE North and East Anglia TWO



ExA. Question Ref.	Question addressed to	ExA. Question		Applicants' Response
1.2.95	Natural England/ESC/SCC/NWT	1	2	<p>Turtle Doves Do you consider that the compensatory measures for turtle doves provides at least an equivalent value of biodiversity to that which is being lost?</p> <p>No response</p>
1.2.96	The Applicant	1	2	<p>Nightjar and Woodlark Micrositing would be used within the SSSI to avoid suitable nightjar and woodlark nest locations. What would happen if the working width of the onshore cable route means that this is not possible?</p> <p>Micro-siting will not be necessary within the Sandlings SPA/Leiston-Aldeburgh SSSI due to the seasonal restriction that the Applicants have committed to. This means that there will be no above ground construction works within the SPA/SSSI within the breeding season when nests may be present.</p> <p>The installation of the cables at the landfall would avoid the Leiston-Aldeburgh SSSI by the use of a trenchless solution under the cliffs and the SSSI. Therefore, no micrositing is required.</p>
1.2.97	The Applicant	1	2	<p>Nightjar and Woodlark Are pre-construction surveys proposed to confirm absence of breeding nightjar and woodlark? If so, will this mitigation be secured in the BBPP?</p> <p>Pre-construction bird surveys will be undertaken for nightjar and woodlark. The Applicants have agreed, through the SoCG process, to list the ecological and ornithological species for which pre-construction surveys will</p>



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			<p>be undertaken within an updated OLEMS (APP-584).</p> <p>An updated OLEMS (APP-584) will be submitted to the Examination at Deadline 3.</p>