



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Dogger Bank South Offshore Wind Farm

Appendix N7 to the Natural England Deadline 7 Submission
Natural England's comments on the Report on the Implications for European Sites
(RIES) [PD-025]

For:

The construction and operation of the Dogger Bank South (East and West) Offshore Wind Farm located approximately 100-122km off the Northeast Coast in the Southern North Sea.

Planning Inspectorate Reference EN010125

26th June 2025

Appendix N7 – Natural England's Natural England's comments on the Report on the Implications for European Sites (RIES)

Natural England has reviewed the Report on the Implication for European Sites (RIES) [PD-025] for Dogger Bank South Offshore Windfarm. We provide answers to the questions posed within the document in Table 1.

General Comments

Natural England notes that only submissions up to Deadline 5 (23rd May 2025) have been considered in the RIES, therefore the RIES does not take account of updated advice on various aspects since then. Where we are able to, we have signposted to our updated advice. Natural England recommends that the RIES is updated before it is included within an ExA report to the Secretary of State (SoS). As previously advised to PINS and DESNZ, Natural England does not consider consultation on the RIES adequately discharges the statutory requirement to consult Natural England on Appropriate Assessments, as the RIES draws no AEol conclusions.

If it is considered that the conservation objectives for any designated site interest feature will be negatively impacted or there is reasonable scientific doubt regarding this, then an Adverse Effect on Integrity (AEol) cannot be excluded.

Natural England advise that a conclusion on AEol is ultimately made at a feature level i.e. holistically and should be based on consideration of all potential impacts to that feature. We acknowledge that it is important to understand the scale of impact likely to result from each pathway, including triggering an adverse effect, but advise that in some instances the overall consideration of adverse effects will need to extend beyond pathway-specific AEol conclusions. It is entirely possible that an individual pathway might be considered to have insufficient impact to drive a conclusion of AEol for a given feature when considered in isolation, but an overall conclusion of AEol could still be reached when it is considered with all other impact pathways. Natural England has therefore highlighted within our answers where we consider a pathway may not be triggering an AEol conclusion in its own right but should be considered a contributing factor.

Please be advised that as a Statutory Nature Conversation Body (SNCB) our remit does not extend beyond advising on the ecological merits of proposals, thus excluding us from making comment on Imperative Reasons of Overriding Public Interest (IROPI) submissions.

Table 1 - Natural England's Advice On: [PD-025] Report on the Implications for European Sites (RIES)

Section	Question/Comment	Natural England's Response
2 LIKELY SIGNIFICANT EFFECTS		
Sites for which the applicants concluded no LSE on all qualifying features		
Table 2.1	N/A	Natural England notes that for Annex I habitats, the LSE pathway for "penetration and/ or disturbance of the substratum below the surface of the seabed, including abrasion penetration" has been identified for 'Construction' and 'Decommissioning' only (as derived from Section 4 of the HRA Screening [APP-049]). We advise that this should also include 'Operation'. Whilst this was omitted from the HRA screening [APP-049], an assessment was included in the Applicant's RIAA (Section 6.4.2.1.1, [APP-046]) and we have ongoing concerns in this regard. We advise this should also be updated in Table 2 of Annex 1 of the RIES for Dogger Bank SAC.
2.4.6; Q1	Can NE confirm whether it agrees with the applicants' conclusion of no LSE, either alone or in combination with other projects or plans, on all qualifying features of the European sites listed in paragraph 2.4.4 above?	Natural England agrees with this conclusion.
Table 2.2: Annex I habitats - issues raised in the examination to date by the ExA and IPs in relation to the applicants' screening of LSEs (alone or in-combination)		
Flamborough Head SAC – vegetated sea cliffs of the Atlantic and Baltic Coasts		

Section	Question/Comment	Natural England's Response
2.2.1; Q2	The applicants and NE are requested to confirm whether they consider that LSE can be excluded for the vegetated sea cliffs of the Atlantic and Baltic Coasts feature of the Flamborough Head SAC.	Natural England confirms that LSE can be excluded.
Table 2.3: Annex II migratory fish - issues raised in the examination to date by the ExA and IPs in relation to the applicants' screening of LSEs (alone or in-combination)		
Humber Estuary SAC and Humber Estuary Ramsar site - sea lamprey and river lamprey		
2.3.1; Q3	NE is requested to confirm which phase(s) it considers this impact pathway [Indirect impacts through effects on preferred prey availability] should be screened in for.	Natural England advise that this impact pathway should be screened in for the construction phase.
Table 3.1: Terrestrial ecology – key issues raised in the examination to date by the ExA and IPs in relation to the applicants' assessment of effects on integrity (alone or in-combination)		
Humber Estuary Ramsar		
3.1.2; Q5	Can NE please provide details as to its concerns in relation to the assessment of natterjack toads of the Humber Estuary Ramsar site.	Natural England confirms that Natterjack toad was included in error and can be screened out of the assessment. Whilst Natterjack toad is a feature of the Humber Estuary Ramsar as a whole, they are only found within the Saltfleetby and Theddlethorpe Dunes NNR which will not be impacted by the Projects.
Humber Estuary SAC, SPA and Ramsar		

Section	Question/Comment	Natural England's Response
3.1.3; Q6	Can NE please provide details as to the nature of its concerns, in terms of how impacts on benthic habitats could result in indirect effects on qualifying features of the Humber Estuary SPA and Ramsar site?	Please see Section 1(vi) of Appendix B6 of Natural England's Deadline 6 submission [REP6-072].
Table 3.2: Dogger Bank SAC - key issues raised in the examination to date by the ExA and IPs in relation to the applicants' assessment of effects on integrity (alone or in-combination)		
3.2.2; Q7	Can NE provide comment on the applicants 'Ecological Halo Effects Technical Note' [REP5-041]? Does NE consider the applicants' suggested methodology for quantifying ecological halo effects to be appropriate?	Natural England's comments on this technical note were submitted at Deadline 6 [REP6-073] and include comments on the Applicant's suggested methodology for quantifying ecological halo effects. In summary, whilst we agree with the use of 50m around infrastructure/scour protection as a worst-case buffer, we advise that halo effects around cable protection should be included and that reducing impacts based on wake/bed shear stress effects is not appropriate.
3.2.2; Q8	In its RR [RR-039, NE6, C6], NE refer to halo effects as habitat loss/ change. The Risk and Issues Log [REP5-061, D21] states that compensation measures for habitat disturbance should be provided and infers that halo effects are the disturbance effects of concern. Can NE clarify whether it considers halo effects to represent permanent habitat loss or temporary habitat disturbance? (Please see also ID 3.2.9 of this RIES).	Natural England advise that we consider halo effects to represent permanent habitat loss. The Applicant has now provided separate footprints for habitat damage/disturbance from installation and ongoing ecological halo effects from the presence of infrastructure, though we acknowledge there will be some overlap between these impact areas.

Section	Question/Comment	Natural England's Response
3.2.3; Q10	On the basis that the applicants are due to submit an updated Cable Statement at DL6, please confirm whether the updated document together with the applicants' responses to ExQ2 [REP5-036, MCP 2.8 and 2.9] address your concerns?	The Applicants have updated the Cable Statement [REP6-044] with a figure showing indicative locations of protection along the export cable corridor (ECC; outside of Dogger Bank SAC), which is welcomed. This has been based on the 2024 Burial Assessment Study in REP6-044 which they have highlighted is preliminary and indicative only. The WCS for external cable protection (20% of the cable route) has not been refined down or fully justified based on this latest information. However, the Applicant has confirmed that no changes will be made to the 20%/10% allowances for cable protection in the ECC and Dogger Bank SAC [REP5-036, MCP 2.9]. Therefore, this issue has progressed, but our concerns have not been fully addressed. We maintain the advice provided in [REP6-073].
3.2.4	"NE [REP2-066] considered it permissible to maintain existing protection placed during construction."	Please note, this does not apply within designated sites and refer you to see Section 4 of [REP2-066] which discusses protected sites
3.2.7; Q12	Does NE agree with the applicants' calculations [REP5-037] that if these impacts were to be considered as permanent habitat loss, the total habitat loss would be 2.12km ² (a 17% increase in footprint for habitat loss)?	Natural England agrees with the Applicant's calculations based on UXO clearance and jack-up vessels. However, this value does not include loss from ecological halo effects. We therefore advise that further revision is needed. See Q7, Q8.
3.2.8; Q15	NE has suggested further mitigation measures to reduce impacts of depositing sediment.	Natural England considers that without all of the mitigation measures being committed to, this pathway

Section	Question/Comment	Natural England's Response
	Does NE consider these measures (and the need for a downpipe) are required in order to exclude AEol from this LSE pathway?	<p>will be contributing to the adverse effects on Dogger Bank SAC Annex I sandbank features.</p> <p>We note that the Applicants have now committed to depositing like sediment on like sediment, and to providing a plan as an Appendix to the final Cable Statement(s) (should sand wave levelling be required) which will provide details on sandwave levelling, deposition, and recovery, which is welcomed [REP6-044]. With regards to micro-routing, sandwave crossing and cable installation, the Cable Statement [REP6-044] has also been updated to clarify that route selection and micro-siting of the cables will take place, sandwave crossing will occur at an angle as close to 90 degrees to minimise dredge volumes and that cable installation should occur as soon as possible after levelling, in line with best practice, which is welcomed.</p> <p>The only outstanding mitigation in relation to this pathway is therefore a commitment to the use of a down pipe and depositing sediment upstream of dredge locations to aid natural recovery of the Annex I sandbank system. Natural England provided further advice on this matter in [REP6-072].</p>
3.2.8; Q16	The applicants have provided information [REP5-037] in relation to the placement and retention of drill arisings in close proximity to drilling locations. Is this information sufficient to address your concerns on this matter?	Natural England confirms that the information provided [REP5-037] does not address our concerns on drill arisings. The advice we provided at Deadline 4 [REP4-127] remains unchanged.

Section	Question/Comment	Natural England's Response
3.2.9; Q18	Noting that NE consider jack up activities and UXO clearance to represent permanent habitat loss and contribute to AEol for habitat loss, can it confirm the basis upon which it considers there to be an AEol from abrasion/ disturbance?	As outlined in our previous advice (see Table 3, [REP2-065]), we consider that the evidence provided by the Applicant [AS-025] is not sufficient to state that all aspects of habitat damage caused by construction and preparatory works may be reversible in a short timeframe. As Dogger Bank SAC is a relict sandbank, comparison to the recovery rates to mobile/dynamic sandbank systems is not appropriate in this instance. Furthermore, as raised in [REP2-065] and [REP3-057], <i>“[AS-025] does not consider any potential increased disturbance / impact from in-combination impacts during construction or continued disturbance from the operational phase. Sandy mound sandbanks such as those at Dogger Bank SAC are unique and have limited recovery ability, and whilst there may be shorter recovery rates for specific biotopes known to be present within Dogger Bank SAC, the full recovery of the whole site would be expected to be longer and would delay restoration of the SAC”</i> .
3.2.10; Q20	Can NE confirm the LSE pathway that changes to wave and tidal regime relate to?	Changes to the wave and tide regimes can alter the supporting processes on which qualifying natural habitats rely. In addition, hydrodynamic changes can alter sediment transport pathways and processes, composition, and water/sediment quality. They can also alter finer-scale topography, sediment composition and distribution and influence biological zonation. We

Section	Question/Comment	Natural England's Response
		<p>therefore consider that changes to the hydrodynamic regime could contribute to the following LSE pathways:</p> <ul style="list-style-type: none"> • Indirect effects (impacts on sandeel leading to impacts on the characteristic community and ecological function of Dogger Bank SAC) • Changes in suspended solids (water clarity) (C, O, D) • Smothering and siltation rate changes (heavy) (C, O, D) • Smothering and siltation rate changes (light) (C, O, D)
3.2.11; Q22	To the applicants and NE: Please provide your current views on whether impacts on sandeel can be excluded as a contributing factor to the AEoI conclusions for Dogger Bank SAC.	<p>Natural England maintains its advice that impacts to sandeel are a contributing factor to adverse effects on Dogger Bank SAC. This is because within the conservation advice for the SAC it is stated that loss of the characterising sandbank biological assemblages or sandbank sediments from an area of the feature would constitute sandbank habitat and a reduction in overall feature extent. In addition, the biological structure refers to the key and influential species and characteristic communities present of which sandeel is named. Biological communities are important in not only characterising the sandbank feature but supporting the health of the feature i.e. its conservation status and the provision of ecosystem services by performing functional roles.</p>

Section	Question/Comment	Natural England's Response
Table 3.4: Humber Estuary SAC - key issues raised in the examination to date by the ExA and IPs in relation to the applicants' assessment of effects on integrity (alone or in-combination)		
3.4.1; Q23	Please provide comments for DL7 on the applicants' technical note 'Assessment of Coastal Processes at the Dogger Bank South Landfall' [REP5-040].	Natural England's comments on the Applicants' technical note 'Assessment of Coastal Processes at the Dogger Bank South Landfall' [REP5-040] were provided in Appendix B6 to our Deadline 6 Submission [REP6-072].
3.4.1; Q24	Please also confirm your latest position on whether AEol on benthic habitat features of the Humber Estuary SAC can be excluded in relation to changes to smothering and siltation rates.	Natural England maintains the advice provided in [REP6-072] that an AEol on the Humber Estuary SAC cannot be ruled out.
3.4.3; Q25	The ExA notes that NE's concerns were reported for the Humber Estuary SPA, SAC and Ramsar site in [RR-039]. However, further to examination submissions, the ExA understands the air quality concerns relate solely to Annex I habitats of the Humber Estuary SAC. The ExA requests confirmation from NE as to whether this assumption is correct. If it is not correct, NE is requested to clarify the sites and features which the air quality concerns relate to.	<p>Natural England's advice in RR-039 relates to relevant habitats associated with the SAC, SPA and Ramsar which occur within 200 m of the road network.</p> <p>Table 26-20 of Volume 7 Chapter 26 – Air Quality of the ES identified the relevant 'Mudflats and sandflats not covered by seawater at low tide' feature, which is designated as part of the SAC. Mudflats and sandflats are also component habitats of the Estuary feature of Ramsar site and should therefore be assessed in the context of the Ramsar designation. Although the habitat feature itself is not a designated feature of the SPA, it provides supporting habitat to SPA species. Therefore, impacts to SPA supporting habitat should be assessed,</p>

Section	Question/Comment	Natural England's Response
		<p>in line with the Supplementary Advice for the Humber Estuary SPA.</p> <p>As stated in our Deadline 1 response, Natural England is satisfied that the evidence submitted in Annex A Technical Note, Comparison of Approaches using the Natural England Guidance NEA001 and JNCC Guidance (appended to the Applicant's Response to Natural England's Relevant Representations [AS-048]), demonstrates that construction traffic associated with the development will not impact on adjacent European Sites based on use of the NEA001 impact thresholds.</p>

Table 3.7: Marine mammals – key issues raised in the examination to date by the ExA and IPs in relation to the applicants' assessment of effects on integrity (alone or in-combination)

Sites with Annex II marine mammal qualifying features		
3.7.1; Q28	<p>Please confirm whether you are satisfied with the updates made by the applicants to the dDML conditions [REP5-002], to include wording suggested by the MMO on noise reduction in [REP4-115]. NE is also requested to confirm whether these updates change its DL5 position that an AEol cannot be excluded for grey seal of BNNC SAC (alone and in-combination), grey seal of the Humber Estuary SAC (in-combination) and harbour porpoise of the SNS SAC (in-combination).</p>	<p>With respect to the DCO condition included in [REP5-002], please see the advice provided in Appendix F6 of our Deadline 6 submission [REP6-075]. The updates did not change our advice on AEol conclusions for the listed sites/features.</p> <p>However, Natural England has been given sight of updates to the condition to be submitted in the DCO at Deadline 7. We advise that we are satisfied that this updated condition sufficiently secures the application of noise abatement mitigation to enable an AEol to be ruled out for the listed sites/features.</p>

Section	Question/Comment	Natural England's Response
BNNC SAC, Humber Estuary SAC and Humber Estuary Ramsar site – grey seal qualifying features		
3.7.2; Q30	The ExA understands that resolution of the underwater noise concerns relating to grey seal of the Humber Estuary SAC would also resolve this concern for grey seal of the Humber Estuary Ramsar. The ExA requests confirmation from NE as to whether this assumption is correct.	Natural England confirms this assumption is correct.
3.7.2; Q31	Please also confirm whether you currently consider an AEol can be ruled out for grey seal of the Humber Estuary Ramsar site.	Please see 3.7.1; Q28.
SNS SAC – harbour porpoise qualifying feature		
3.7.4; Q32	NE maintains that there is still a risk of AEol for harbour porpoise of SNS SAC as a result of impacts to prey species [REP5-061, NE12]. Can NE confirm whether this applies to the project alone and/ or in-combination?	Noting that AEol conclusions are made at feature level, were an AEol to be concluded for SNS SAC harbour porpoise overall, we would have considered that indirect impacts to prey species would likely be having a contributing effect. However, we do not consider the risk to harbour porpoise from indirect impacts on prey species is sufficient to drive an AEol conclusion alone.
3.8 Marine Ornithology		
Displacement assessments		
3.8.21; Q35	Can NE explain the basis for its request for in-combination totals for displacement-affected species according to agreed	Natural England originally requested this as the approach taken by the Applicant (presenting in-combination totals for displacement-affected species as

Section	Question/Comment	Natural England's Response
	impacts and whether it is likely that receiving such information would materially affect their conclusions?	<p>total and apportioned abundance estimates, which displacement and mortality rates have then been applied to) made it difficult to check the appropriate impact figures against those presented by other projects, and it prevented the Applicant from considering advice Natural England has given to previous projects on how these impacts should be calculated.</p> <p>The Applicant has now provided greater clarification on their approach, and whilst some discrepancies remain in in-combination outputs, we consider these are unlikely to have a material impact on assessment conclusions.</p>
In-combination assessments		
3.8.34; Q38	Does NE agree with the applicants that an in-combination assessment for Atlantic puffin of FFC SPA is not required? If so, can it explain why, given the precedent it set on SEP&DEP?	Natural England advise that it is best practice for in-combination assessments to be provided for all SPA features that have been screened in for assessment. As a minimum, we consider that in-combination assessments should be carried out for all species that meet the 1% baseline mortality threshold (calculated according to SNCB guidance). The Applicant provided in-combination assessments for species that met the 1% threshold, so we considered this issue satisfactorily resolved. We do not consider that provision of an in-combination assessment for puffin would materially

Section	Question/Comment	Natural England's Response
		change our advice regarding this component of the FFC SPA seabird assemblage.
Table 3.8: FFC SPA		
3.8.3; Q42	Can NE confirm whether it agrees an AEol from the proposed development alone can be excluded for razorbill and guillemot of FFC SPA?	Natural England confirms this is correct.
3.8.6; Q45	Can NE confirm whether it agrees an AEol on the Atlantic puffin component of the FFC SPA seabird assemblage can be ruled out?	Natural England confirms this is correct.
3.8.7; Q46	NE maintains that there is still a risk of AEol on ornithology receptors at FFC SPA as a result of impacts to prey species [REP5-061, NE12]. Can NE confirm which specific qualifying features of FFC SPA this applies to and whether this is for the project alone and/ or in-combination?	Natural England consider that for those features where AEol cannot be ruled out (kittiwake, guillemot and razorbill), this impact pathway will, without resulting in an AEol in its own right, intensify the effects on those species. This would be for the AEol impacts of the Projects alone with respect to kittiwake, and in-combination AEol for guillemot and razorbill. See Q52 for further detail.
3.9 Summary of examination outcomes in relation to adverse effects on integrity		
4.5.28; Q.48	The ExA has set out its understanding of the ANCB's positions at the time of publication of this RIES in Annex 1. Please review Annex 1 and provide any corrections if necessary.	Natural England has provided comments as needed within the relevant sections for each Annex 1 Table below.
4 DEROGATIONS FROM THE REGULATIONS		

Section	Question/Comment	Natural England's Response
Summary of examination outcomes to date in relation to Annex I habitat compensation		
4.5.28; Q49	Paragraph 17 of the Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance, published 29 January 2025 includes a statement that at all stages of the NSIP planning process, as an application progresses, the draft DCO requirements regarding compensation measures may be updated as more clarity on MPA designations and/ or extensions becomes available, and certainty as to the type of compensation which is available and is being delivered increases over time. Are the requirements in the draft DCO [REP5-002] in relation to the strategic compensation for benthic habitats as up to date and as clear as possible based on the latest information available at this time? If not and further clarity could be provided, please state where and suggest wording if possible.	Natural England will provide our response to this question at DL8.
4.6 Compensatory measures – Marine ornithology		
4.6.3; Q51	NE explained in [REP5-062, OR.2.26] that compensation requirements for seabird assemblages are typically handled by the species-specific proposals. Can NE explain whether it considers compensation for the seabird assemblage has been sufficiently accounted for?	Natural England are satisfied that compensation for the seabird assemblage will be sufficiently accounted for via the project specific proposals.
4.6.3; Q52	As noted in ID 3.7.4 and ID 3.8.7 of this RIES, NE stated it was unable to rule out AEol on harbour porpoise of SNS SAC and ornithology features of FFC SPA as a result of indirect impacts on prey species [REP5-053] [REP5-056] [REP5-061,	The Applicant has not provided an adequate assessment to quantify predicted impacts on predator species as a result of impacts to localised prey populations (see REP5-056). However, we

Section	Question/Comment	Natural England's Response
	NE12]. Does NE consider the indirect impacts on prey species can be quantified to the extent that the quantum of compensatory measures required can be identified?	<p>acknowledge that any such assessment would carry a high degree of uncertainty and that as a result the likely scale of potential impact would remain poorly understood. Accordingly, we do not consider the indirect impacts can be quantified in the way suggested. Looking ahead to future impact assessments, and noting the inclusion of sandeel monitoring within the Dogger Bank South In-Principle Monitoring Plan (IPMP), Natural England consider that robust monitoring should be undertaken to fill evidence gaps with respect to this pathway. We direct the Applicant to outputs produced by JNCC (Report 767, 2024¹) and the PrePARED project which provide recommendations for future work targeting both birds and mammals in relation to prey availability.</p> <p>See Q53 below with respect to compensation measures.</p>
4.6.3; Q53	What measures does NE consider could be employed to compensate for the indirect impacts on prey species?	<p>As noted in our response to Q46, we consider that impacts on prey species will intensify the already adverse effects acting on FFC SPA features. We therefore advise that this impact pathway is a source of under-precaution in the current assessment, and that it is challenging to gauge its significance. We therefore reiterate our advice regarding the importance of taking a suitably precautionary approach to calculating the</p>

¹ Ruffino, L. & Black, J. 2024. Interactions between black-legged kittiwakes and their fish prey in the North Sea. Report of the JNCC-Ørsted workshop, Edinburgh, October 2023. JNCC Report 767. JNCC, Peterborough, ISSN 0963-8091. <https://hub.jncc.gov.uk/assets/9627551b-3805-4bcc-9db8-bbad34841537>

Section	Question/Comment	Natural England's Response
		<p>compensation quantum, for example using the Hornsea 3 Part 2 method where appropriate, scaling measures to the 95% Upper Confidence Interval (95% UCI) rather than the mean impact value and applying a suitable ratio. This will increase the level of confidence that the proposed compensatory measures can encompass the hard-to-quantify effects of reductions in prey availability.</p> <p>Should the Secretary of State be minded to require compensation specifically targeting this impact pathway, and noting that the benthic compensatory measures may need to encompass impacts on sandeels as part of Dogger Bank SAC's characteristic community of species/influential species (see RIES Q22); we consider that it would be appropriate to base compensation quantum and associated compensation delivery on habitat loss that is predicted to occur. For example, where new sandbank feature is designated to compensate for impacts to Dogger Bank SAC, selection criteria for the new habitat should include it providing similar ecological functionality and structure, i.e. inclusion of suitable sandeel habitat equivalent to the worst case area of loss due to the Projects, and being within the foraging range of FFC SPA species. However, given the strategic nature of the benthic compensation measure we recognise that this is not in the Applicant's gift to provide.</p>

ANNEX 1 EXA'S UNDERSTANDING OF POSITION AT POINT OF RIES PUBLICATION

Table 2: Annex I habitats (Offshore, intertidal and terrestrial)		
Dogger Bank SAC		
Qualifying feature screened in: Sandbanks which are slightly covered by sea water all the time		
RIES Q59	<p>The ExA understands the LSE pathways listed in this row are not of concern to NE. Can NE confirm if it agrees an AEol can be excluded?</p> <p>Changes in suspended solids (water clarity) (C, O, D)</p> <p>Smothering and siltation rate changes (heavy) (C, O, D)</p> <p>Smothering and siltation rate changes (light) (C, O, D)</p> <p>Electromagnetic changes (O)</p> <p>Hydrocarbon & Polycyclic Aromatic Hydrocarbon (PAH) contamination (C, O, D)</p> <p>Introduction or spread of invasive non-indigenous species (INIS) (C, O, D)</p> <p>Synthetic compound contaminant (including pesticides, antifoulants, pharmaceuticals) (O)</p> <p>Transition elements & organometal (e.g. TBT) contamination (C, O, D)</p>	<p>Natural England consider that the Introduction of INIS pathway will contribute to AEol conclusions, as it includes the introduction of species non-native to soft-substrate habitats so is associated with the colonisation of hard infrastructure and ecological halo effects.</p> <p>We also consider that Changes in suspended solids (water clarity) (C, O, D), Smothering and siltation rate changes (heavy) (C, O, D) and Smothering and siltation rate changes (light) (C, O, D) should remain in scope (see Q15 and Q20).</p> <p>Those LSE pathways that are no longer a concern, and therefore excluded from AEol are crossed out.</p>
Table 4: Annex II marine mammals (offshore)		
SNS SAC		
Qualifying feature screened in: Harbour porpoise		

RIES Q60	<p>The ExA understands the LSE pathways listed in this row are not of concern to NE. Can NE confirm if it agrees AEol can be excluded?</p> <p>Disturbance from vessels due to presence and underwater noise (C, O, D)</p> <p>Barrier effects from underwater noise (C, O, D)</p> <p>Vessel interaction (increase in risk of collision) (C, O, D)</p> <p>Disturbance to porpoise foraging at sea (C, O, D)</p> <p>Barrier effects due to the physical presence of offshore infrastructure (O)</p>	<p>As detailed in Q28 and Q32, Natural England is of the view that an AEol can now be ruled out for harbour porpoise on SNS SAC.</p> <p>However, as a general note we consider that the pathway 'Disturbance to porpoise foraging at sea (C,O,D)' should be considered alongside 'Behavioural impacts resulting from underwater noise' for the construction phase, as the daily and seasonal thresholds for disturbance within SNS SAC (20% and 10% respectively) relate to harbour porpoise being disturbed from foraging areas due to underwater noise.</p>
<p>Humber Estuary SAC and Ramsar site</p> <p>BNNCSAC</p> <p>Qualifying feature screened in: Grey seal</p>		
RIES Q61	<p>The ExA understands the LSE pathways listed in this row are not of concern to NE. Can NE confirm if it agrees AEol can be excluded?</p> <p>Behavioural impacts resulting from underwater noise (C, O, D)</p> <p>Physical or auditory injury resulting from underwater noise (C, O, D) (in combination)</p>	<p>As detailed in Q28, Natural England is of the view that an AEol can now be ruled out for grey seal in the Humber Estuary SAC (and Ramsar) and BNNC SAC. We confirm that the LSE pathways listed are not of concern.</p>
<p>The Wash and North Norfolk Coast SAC</p> <p>Qualifying feature screened in: Harbour seal</p>		

N/A	N/A	<p>As raised in [REP6-075], Natural England are currently unable to rule out AEol for harbour seal in WNNC SAC due to the following impact pathways:</p> <ul style="list-style-type: none"> -Physical or auditory injury resulting from underwater noise (C) -Behavioural impacts resulting from underwater noise (C) -Disturbance to seals foraging at sea (C) <p>However, we understand that the Applicant is intending to submit an illustrative assessment demonstrating the impact reductions that would be achieved with mitigation applied for this feature at Deadline 7. If this is satisfactory, the updated DCO condition to be submitted at Deadline 7 (see Q28) would also be sufficient to rule out AEol on this feature.</p>
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