



By Email to the MMO and Natural England  
c/o Collaborative Environmental Advisers Ltd.

CEA Ref: C01432\_NLL\_LET\_D0174\_Rev0

September 9th 2023

Dear Ashley and Becca,

Please find the attached Year 5 Nemo Link Monitoring Report for your review, updated following the return of the MMO's comments on the Year 4 monitoring report 31st May 2023 (received by the client and CEA 20th June 2023). We hope this report is sufficient to close out condition 5.2.22 of marine licence L/2013/00373/4.

To support the Year 5 report, as agreed on the December 9<sup>th</sup> 2022 project call (MMO and NE present), CEA have reviewed the conservation objectives and management principles of the following designations against the outcomes of the Year 5 saltmarsh monitoring report, provided as a table in Annex 1.

- Sandwich Bay SAC
- Thanet Coast and Sandwich Bay SPA
- Sandwich Bay to Hacklinge Marshes SSSI

The MMO's letter dated 31st May 2023 discharged the Year 4 monitoring report and made 4 general comments (Section 2) to be addressed in the Year 5 report, which has been completed.

Regarding the major comments (Section 1):

*1.1 The MMO note the high marsh ridge has not fully recovered and that the lagoon is inundated more frequently. The MMO require a new topographic survey to be included within the year 5 report to show the recovery of the salt marsh ridge. Until the ridge has fully developed, the MMO advise that monitoring continues.*

Nemo Link's response: A topographic survey is included in the Y5 report (Chapter 4: Results of the Year 5 topographic monitoring).

*1.2 The MMO recommends that the year 5 report considers next steps which take into account the long-term recoverability of the saltmarsh habitat. The MMO note that it has not been possible to agree a suitable restoration programme (MLA/2021/00474 withdrawn). The MMO advise that post-construction monitoring continues as vegetation is still visibly recovering and there remains to be tidal inundation of the lagoon as the seaward ridge is slowly developing. The MMO require high confidence in the continued recoverability of the saltmarsh from the impacts of the cable landfall. The MMO draw your attention to document 20220531\_MLA\_2021\_00474\_MMO letter and the subsequent email clarification regarding paragraph 4. The MMO notes that the year 5 report will be submitted as a return under licence L/2013/00373/4 which has an end date of 31 December 2115. Any extension to the period of monitoring beyond year 5 would be agreed between MMO, statutory nature conservation body and licence holder. If this is agreed, the MMO has the ability to add additional returns for future submissions to allow for an extended monitoring period. The MMO advise discussion with Natural England through their Discretionary Advice Service on this point. The MMO is available to attend a meeting to discuss extended monitoring requirements.*

Nemo Links response: Our position remains unchanged from the previously communicated strategy and we wish to wait for the formal feedback on the concluding post construction report (Year 5). As communicated through the 'Letter to MMO' uploaded to the MCMS as a response to RFI2 for MLA/2021/00474 on 15/07/2022, and during the meeting on 9/12/2023 to discuss the Year 4 monitoring results. Further monitoring, beyond that already undertaken, is not proportionate to the outstanding issue around the topography of the original high marsh ridge and the emerging establishment of a new high marsh ridge. A strong recovery of the zone has been observed and as acknowledged by the MMO, in 20220531\_MLA\_2021\_00474\_MMO letter, remediation works are no longer the best course of action.

Please let me know if you would like a meeting to discuss any of the above.

Yours sincerely



For and on behalf of Nemo Link Limited

Designated Site	Qualifying Features	Conservation Objectives	Assessment
<i>Sandwich Bay SAC</i>	<p>H2110 Embryonic shifting dunes</p> <p>H2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('White dunes')</p> <p>H2130 Fixed dunes with herbaceous vegetation ('Grey dunes')</p> <p>H2170 Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>)</p> <p>H2190 Humid dune slacks</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <ul style="list-style-type: none"> <li>the extent and distribution of qualifying natural habitats.</li> <li>the structure and function (including typical species) of qualifying natural habitats.</li> <li>the supporting processes on which qualifying natural habitats rely.</li> </ul> <p><a href="#">UK0013077_Sandwich Bay_SAC_Published 21 Sep 2021 (naturalengland.org.uk)</a></p>	<ul style="list-style-type: none"> <li>There has been no change to the extent and distribution of the dune habitats of the sandwich Bay SAC since installation of the Nemo Link interconnector.</li> <li>There has been no change to the structure and function of the sandwich Bay SAC since installation of the Nemo Link interconnector.</li> <li>There has been no change to the supporting processes of the sandwich Bay SAC since installation of the Nemo Link interconnector.</li> </ul>
<i>Thanet Coast and Sandwich Bay SPA</i>	<p>Golden plover (<i>Pluvialis apricaria</i>), Non-breeding</p> <p>Little tern (<i>Sternula albifrons</i>), Breeding</p> <p>Turnstone (<i>Arenaria interpres</i>), Non-breeding</p>	<p>The integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> <li>the extent and distribution of the habitats of the qualifying features</li> <li>the structure and function of the habitats of the qualifying features</li> </ul>	<ul style="list-style-type: none"> <li>Golden plovers are a wading bird that spend time feeding on the intertidal habitat of Pegwell and Sandwich Bays, but also make use of terrestrial habitat inside and outside the designated nature conservation sites<sup>1</sup>.</li> <li>The turnstone is a species that is confined to intertidal habitat and does not make use of terrestrial habitat inside or outside the SPA boundary.</li> </ul>

		<ul style="list-style-type: none"> <li>the supporting processes on which the habitats of the qualifying features rely</li> <li>the populations of each of the qualifying features</li> <li>the distribution of qualifying features within the site.</li> </ul> <p><a href="https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9012071&amp;SiteName=sandwich+bay&amp;SiteNameDisplay=Thanet+Coast+and+Sandwich+Bay+SPA&amp;countyCode=&amp;responsiblePerson=&amp;SeaArea=&amp;IFCAArea=&amp;NumMarineSeasonality=3">https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9012071&amp;SiteName=sandwich+bay&amp;SiteNameDisplay=Thanet+Coast+and+Sandwich+Bay+SPA&amp;countyCode=&amp;responsiblePerson=&amp;SeaArea=&amp;IFCAArea=&amp;NumMarineSeasonality=3</a></p>	<ul style="list-style-type: none"> <li>Little terns are a feature of the SPA but no longer breed within the site2.</li> <li>The vegetation quadrat monitoring has indicated that there has been little change in the extent and distribution of the habitats of the qualifying features at those quadrat locations which have been undisturbed by the cable installation works, although there has been detectable change in areas along the marsh front which are influenced by natural patterns of sediment erosion and deposition.</li> <li>Monitoring of vegetation quadrats within the cable corridor has shown considerable variation between surveys but an overall trend towards a reduction in the extent of bare / thinly vegetated ground, particularly in the areas surrounding the three main pools, two of which existed prior to cable installation. The increase in vegetation cover has mainly involved colonization by annual Salicornia sp., perennial Sarcocornia sp. and Spartina sp. The vigour and year-year survival of these species has been affected by growing conditions, with 2020 and 2021 being favourable and 2022 relatively unfavourable.</li> <li>The saltmarsh within the cable corridor is shown to be recovering and the relevant bird species are largely dependent on the intertidal habitat for feeding (rather than the saltmarsh) and therefore</li> </ul>
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			there is no significant impact predicted on the objectives of the SPA site.
Designated Site	Reason for notification	Management Principles	Assessment
<i>Sandwich Bay to Hacklinge Marshes SSSI</i>	This site contains the most important sand dune system and sandy coastal grassland in South East England and also includes a wide range of other habitats such as mudflats, saltmarsh, chalk cliffs, freshwater grazing marsh, scrub and woodland.	<p>Associated with the various constituent habitats of the site are outstanding assemblages of both terrestrial and marine plants with over 30 nationally rare and nationally scarce species, having been recorded. Invertebrates are also of interest with recent records including 19 nationally rare<sup>3</sup>, and 149 nationally scarce<sup>4</sup> species. These areas provide an important landfall for migrating birds and also support large wintering populations of waders, some of which regularly reach levels of national importance<sup>5</sup>. The cliffs at Pegwell Bay are also of geological interest.</p> <ul style="list-style-type: none"> <li>• Coastal cliffs and foreshore</li> <li>• Unique or Finite Mineral, Fossil and Other Geological Interests</li> <li>• Sand Dunes</li> <li>• Coastal Saltmarsh</li> <li>• Wet grassland with breeding and wintering bird interest</li> <li>• All habitats</li> </ul>	<ul style="list-style-type: none"> <li>• The vegetation within the quadrats on the landward side of the Lagoon affected by cable installation has now recovered with similar vegetation assemblages. Vegetation around the Lagoon has shown considerable variation due to variations in water levels which reflect the frequency / magnitude of tidal inundation and weather conditions. Overall, following the cable installation works the range of water level variation has been reduced. At the end of the five-year monitoring period (October 2022) many of the Zone 2 quadrat locations were submerged but marginal saltmarsh vegetation was in a visibly healthy condition.</li> <li>• Monitoring of vegetation quadrats within the cable corridor has shown considerable variation between surveys but an overall trend towards a reduction in the extent of bare / thinly vegetated ground, particularly in the areas surrounding the three main pools, two of which existed prior to cable installation. The increase in vegetation cover has mainly involved colonization by annual <i>Salicornia</i> sp., perennial <i>Sarcocornia</i> sp. and <i>Spartina</i> sp. The vigour and year-year survival of these species has been affected by growing conditions, with 2020 and 2021 being favourable and 2022 relatively unfavourable.</li> </ul>

			<ul style="list-style-type: none"><li>• Based on the results of the 5 years of post-construction monitoring it is concluded that there is no physical or biological mechanism by which the higher saltmarsh ridge can recover to its former state. However, the resulting increased frequency of tidal incursion are contributing to a less variable water level and salinity regime within the Lagoon which may bring net benefits to the marginal saltmarsh vegetation.</li></ul>
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