The Great Grid Upgrade

Sea Link

Sea Link

Volume 9: Examination Submissions

Document 9.29 Draft Statement of Common Ground Between National Grid Electricity Transmission and the Environment Agency.

Planning Inspectorate Reference: EN020026

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nationalgrid

Contents

1. Introduction

1.1 Overview

1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application process for a Development Consent Order (DCO) and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.

1.1.2 This SoCG is between National Grid Electricity Transmission Ltd ("National Grid") and the Environment Agency relating to the DCO application for the Sea Link Project (the Proposed Project). It has been prepared in accordance with the guidance published by the Ministry of Housing, Communities and Local Government (Ministry of Housing, Communities and Local Government, 2024).This Statement of Common Ground

1.1.1 This SoCG has been prepared to identify matters agreed and matters currently outstanding between National Grid and the Environment Agency. The SoCG will evolve as the DCO application progresses through examination.

1.2 Role of the Environment Agency in the DCO Process

1.2.1 The Environment Agency (EA) is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs, and is supported by the Flood Forecasting Centre. The EA was established in 1996 to protect and improve the environment. The EA is responsible for regulating major industry and waste, treatment of contaminated land, water quality and resources, fisheries, inland rivers, estuary and harbour navigations, conservation and ecology. The EA are also responsible for managing flood risk from main rivers, estuaries, reservoirs and the sea.

1.2.2 The Environment Agency's role in relation to the Development Consent Order (DCO) process derives from the Planning Act 2008. The roles and responsibilities of the Environment Agency under the 2008 Act fall into the following categories:

- Statutory consultee – as a prescribed consultee under the Planning Act 2008 in relation to any Environmental Impact Assessment (EIA) or as a conservation and environmental body for Flood Risk Assessments (FRAs).
- It is the delivery body, advisor and regulator on a range of environmental, flood risk and climate change matters and an advisor on spatial planning.

1.3 Format of Document and Terminology.

1.3.1 Section 2 of this SoCG summarises the engagement the Parties have had with regard to the Proposed Project.

1.3.2 Section 3 of this SoCG summarises the issues that are 'agreed', 'not agreed' or are 'under discussion'. 'Not agreed' indicates a final position where the Parties have agreed to disagree, whilst 'Agreed' indicates where the issue has been resolved. The Parties have also indicated the likelihood that agreement will be reached on each item.

1.3.3 Abbreviations used within the SoCG are provided in Table 1.1 below.

Table 1.1 Abbreviations.

Abbreviation/Term	Definition
BNG	Biodiversity Net Gain
CIRIA	Construction Industry Research and Information Association
CoCP	Code of Construction Practice
DCO	Development Consent Order
EA	Environment Agency
EA1N	East Anglia 1 North
EA2	East Anglia 2
EIA	Environmental Impact Assessment
ES	Environmental Statement
ESC	East Suffolk Council
FRA	Flood Risk Assessment
FRAP	Flood Risk Activity Permit
HDD	Horizontal Directional Drilling
LDC	Land Drainage Consent
MWC	Main Works Contractor
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
Q95	A water level in a river that is exceeded 95% of the time i.e. low flow.
REAC	Register of Environmental Actions and Commitments
SoCG	Statement of Common Ground
SPR	Scottish Power Renewables
WFD	Water Framework Directive

2. Record of Engagement

2.1 Summary of pre-application discussions

2.1.1 Table 2.1 summarises the consultation and engagement that has taken place between the Parties prior to submission of the DCO application.

Table 2.1 Pre-application discussions

Date	Topic	Discussion points
06 February 2024	River Fromus Crossing Meeting	River Fromus Crossing
08 February 2024	Smelt	The inclusion of Smelt into National Grid's assessment
21 February 2024	Stantec, AECOM, National Grid and EA - Geology and Hydrogeology Thematic Meeting	Project update and timeline, statutory consultation – discussions about concerns related to groundwater protection and consideration required for water resources in terms of water use and water requirements, geology and hydrogeology updates – Groundwater Risk Assessment to be undertaken as part of the ES and will identify areas where additional targeted Hydrogeological Risk Assessment will be undertaken following detailed design, discussion on risks of potential drilling fluid breakout at trenchless crossings to be included, and AOB/questions were all discussed in this meeting.
28 February 2024	Physical Processes	Cable burial depths and rock protection, decommissioning
04 March 2024	SCC, ESC, EA Meeting – Water Environment	Project update and progress from previous meeting, stating that Friston SWMP data has been received, Engagement with SPR regarding holistic surface water drainage design and coordinated approach discussed, sequential testing, flood investigation report discussion, baseline flood risk data. River Fromus Crossing update and proposals, drainage design updates and AOB/questions.
02 April 2024	TDC, DCC, EA Meeting – Water Environment	Review of actions from last thematic meeting, groundwater monitoring and flood risk assessment at Kent converter station site, drainage design updates, construction phase dewatering and permitting requirements, AOB

Date	Topic	Discussion points
29 April 2024	SCC, ESC, EA Meeting – Water Environment	Review of actions from last thematic meeting, WFD assessment approach, dewatering approach, updates on River Fromus crossing, updates on Saxmundham converter station drainage, AOB.
28 May 2024	TDC, DDC, KCC, EA – Hydrology meeting	Ecological mitigation land areas, additional consents and licences to DCO, drainage updates, works within River Stour floodplain/riparian zone
27 June 2024	SCC, ESC, EA - Water Environment	Summary email in lieu of thematic meeting, highlighting Project updates since previous thematic meeting, for example the fact it had been accepted for examination.
30 July 2024	Construction Compound within a Source Protection Zone 1- Kent	The proposed temporary construction compound located within a Source Protection Zone 1 in Pegwell area.
28 August 2024	Letter	Letter from EA regarding marine and transitional waterbodies.
17 September 2024	Kent Hydrology EIA Meeting	Water Framework Directive (WFD) Assessment Update, River Stour Crossing – discussions on flood plain compensation, EA recommended consultees for the Stour River works, discussion on the bridge for the crossing; AOB and questions.
17 September 2024	Email	Email from EA regarding ecology tables review and fish surveys.
24 September 2024	Suffolk Hydrology Meeting	Actions from previous meeting, Water framework directive update, Fromus update, update on alternative report, update on permitting strategy
04 December 2024	Letter	Letter from EA regarding River Fromus.
6 December 2024	Letter	Letter from NG regarding 6m bridge option.
3 January 2025	Letter	Letter from EA regarding River Fromus 6m bridge and WFD Compliance
7 January 2025	Email	Initial response from National Grid to the above letter.
11 February 2025	Letter	Comments provided by EA on the draft WFD Assessment
14 February 2025	Letter	Comments provided by EA on the draft FRA

Date	Topic	Discussion points
7 May 2025	Flood Model	Confirmation from EA regarding receipt of the River Fromus flood model.
9 May 2025	Email/Spreadsheet	EA Provided Updated Work Package Tracker
15 August 2025	Meeting	A presentation was given looking at each of the proposed culverts individually. This was followed up with the issuing of the presentation slides with additional information about the culverts.
23 October	Email	EA Provided Updated Work Package Tracker setting out their remaining areas for discussion which now forms the basis of this SoCG.
14 November	Email	Response from the EA on the two ABPmer Landfall Sediment Modelling reports.

Other Correspondence from the Environment Agency

References	Description (e.g. Scoping Opinion, Relevant Rep, Written Rep, Examiner's Questions etc)
KT/2022/129473	01: (01 = feedback on proposed survey methodology and location) 02: superseded = (01 = feedback on proposed survey methodology and location: comments from FBG, Hydrology and GWCL) - no further info 03: charged ground investigation advice (GWCL)
KT/2022/130046	Charged advice relating to river crossing in Kent area
AC/2022/131394/01	Non statutory consultation
AC/2022/131336/01	River crossings consultation
AC/2022/131340/01	Scoping Opinion
XA/2023/100041/01	PEIR report
XA/2024/100083/01	River Fromus Crossing non-statutory Advice
XA/2024/100083/02	Responding to developer letter dated 06 June 2024
XA/2024/100120/01	Consultation on Sea Link WFD scoping tables for Marine (and transitional) waterbodies
XA/2023/100041/02	Re-consultation: Section 42
XA/2024/100150/01	Sea Link - Ecology Survey Tables
XA/2024/100083/03	Sea Link - River Fromus Crossing Technical Note. Supplementary information received (WFD compliance assessment), before consultation was finished.

Date	Topic	Discussion points
XA/2024/100083/04	Sea Link – River Fromus Crossing technical Note and WFD compliance Assessment Fromus	
XA/2024/100212/01	Sea Link River Fromus Invertebrate literature review	
XA/2024/100223/01	River Fromus 6m bridge and WFD compliance	
XA/2024/100234/01	Draft DCO	
XA/2025/100236/01	WFD	
XA/2025/100237/01	FRA	
XA/2025/100237/02	FRA River Fromus Flood Modelling technical note submitted	
XA/2025/100282/01	NaFRA 2 notification email	
XA/2025/100237/03	Fromus Flood Modelling (Suffolk)	
XA/2025/100350/01	Relevant representations and environmental statement	
XA/2025/100370/01	River Fromus Hydraulic modelling	
XA/2025/100370/02	River Fromus Hydraulic modelling	
XA/2025/100376/01	River Conditions Assessment	
XA/2025/100370/03	River Fromus Hydraulic modelling	
XA/2025/100370/04	River Fromus Hydraulic modelling	
XA/2025/100430/01	WFD Classification consultation	
XA/2025/100429/01	Query regarding EA026 and EA027	
XA/2025/100432/01	Principal Areas of Disagreement	
XA/2025/100472/01	Change application	
XA/2025/100350/02	Deadline 2 Response	

3. Areas of Discussion Between the Parties

Table 3.1 Key issues under discussion.

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Working Hours: ID: EA001 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.6-4.6.12 Issue Working hours of the project do not account for seasonal changes to the time of dawn and dusk. Impact Construction work near watercourses during the night have a higher potential to disturb nocturnal protected species, such as otter.	The Applicant still considers that when otters are active at night, this is probably when they are least vulnerable to significant disturbance as they travel over long distances and if they are displaced from one area they have other areas to travel through and forage within until the disturbing activity has ceased. However, the Applicant has made the following commitment which will be added to the REAC: *"During winter, construction work within 4 m of any watercourse are only to be undertaken during 7am to 7pm, except during emergencies, to avoid disturbing otter during the core of the night"*	We do not consider this issue resolved. We previously requested that "wildlife (namely nocturnal protected species)" to be included within NV03 in addition to other 'sensitive receptors' so that appropriate site-specific mitigation can be identified". This has not been included. We require this to be included in commitment NV03. We note that B71 has now been added which notes that construction working hours will be followed over winter, which limit working hours to between '7am to 7pm', when within 4m of a watercourse, to avoid otter disturbance. However, during the winter, this timeframe would cover periods following sunset and sunrise, when otters are most active. We also believe the trigger for the winter working timings should be any activity within 10m a watercourse and not 4m. We require this to commitment to be amended to state that during winter, construction works within 10m of any watercourse are only to be undertaken beyond 1-hour after sunrise, or prior to 1-hour before sunset, except during emergencies. This will ensure that works aren't undertaken during hours of darkness during the winter, and thereby avoid disturbing otters.	Updated wording is currently being considered.
EA – temporary habitat loss effects on otter and water vole: ID: EA002 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity Section/ pages/table reference: 2.9.121 -2.9.133 Issue Lack of a precautionary approach regarding temporary habitat loss and protected species. Impact Impacts to Species of Principle Importance (SPI).	The Suffolk terrestrial ecology ES chapter and oLEMP stated that 'Gaps in ditch marginal vegetation would either be planted with mature emergent vegetation purchased from nurseries or left to recolonize naturally from the adjacent ditch vegetation'. This was stated because it can be beneficial where there is adjacent marginal vegetation to simply allow it to expand rather than introduce plants that have been grown elsewhere. However, the request of the EA is noted and the Applicant has therefore amended the commitment in the oLEMP (Section 4.4) and REAC (B13) as follows: "Gaps in ditch marginal vegetation will ~~either~~ be planted with mature emergent vegetation purchased from nurseries ~~or left to recolonize naturally from the adjacent ditch vegetation~~."	We do not consider this issue resolved. We raised concerns that natural colonisation would take place too slowly following temporary habitat losses along ditches (due to cable installations). This would put water voles at risk of predation. The Outline Landscape and Ecological Management Plan - Suffolk (Clean) [CR1- 045] still refers to either planting or natural colonisation to reinstate ditch habitat (section 4.4.1). We require the Outline Landscape and Ecological Management Plan - Suffolk (Clean) [CR1-045] to be amended to state that riparian planting of mature emergent vegetation will take place following any temporary habitat losses along ditches.	The oLEMPS were updated to make this change and submitted at Deadline 4. As such it is assumed this issue can be closed.

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
EA – Culverts ID: EA003 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project APP-059 6.2.2.12, Part 2 Suffolk Chapter 12 Suffolk Onshore Scheme Intra-Project Cumulative Effects Section/ pages/ table reference: 4.6.72 (APP-045) Table 12.2 (APP-059) Issue Nine temporary culverts and two permanent culverts are proposed to be constructed in the Suffolk area, to facilitate vehicle crossings over watercourses. Impact Culverts have the potential to fragment habitats and reduce connectivity, making dispersal and commuting for some protected species difficult. Culverts also put an added pressure on otters during periods of high water-levels, as culverts offer little room for conveyance and put otters at risk of being killed when crossing roads. They also reduce habitat availability for water voles.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Riparian buffers ID: EA004 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue Control and management measure GG15 mentions the maintenance of riparian buffers but doesn't mention intended width. Impact Impacts on the riparian environment, and a potential in WFD status of waterbodies.	Wording of commitment GG15 has been approved as follows: *Runoff across the site will be controlled through a variety of methods including header drains, 10m buffer zones for all construction and associated activities such as refuelling and storage of materials around watercourses, on-site ditches, silt traps and bunding. Silt fences will be used to trap silt prior to any discharge to surface waters. There will be no intentional discharge of site runoff to ditches, watercourses, wetland habitats, drains or sewers without appropriate treatment and agreement of the appropriate authority (except in the case of an emergency).*	Issue Resolved	Issue Resolved
EA – Licence requirements ID: EA005 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue Control and management measure B01 is vague in regards to when protected species licenses will be obtained. Furthermore, there is no mention of what measures the contractor should take whilst a licence	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
is being sought. Impact Risk of contractor not understanding when a licence is required. Further risk of contractor continuing construction whilst licence application is underway, which may result in the disturbance of a protected species, or the damage or destruction of resting places, which are offences under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981.			
EA – Intertidal BNG ID: EA006 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity APP-297 6.12 Biodiversity Net Gain Feasibility Report Section/ pages/ table reference: 1.1.5 (AP-297) 2.6.3 (APP-075) Issue The Biodiversity Net Gain (BNG) parameters line excludes Intertidal habitat in Kent, despite it being stated that impacts from Horizontal Directional Drilling (HDD) in Kent will affect both intertidal and subtidal habitats. Impact Inaccurate assessment for BNG	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA - Eurasian mink ID: EA007 Environmental Statement APP-062 6.2.3.2 Part 2 Kent Chapter 2 Ecology and Biodiversity Section/ pages/ table reference: 2.7.50 Issue Mustela lutreola is reported as being present in the site. Mustela lutreola is the Eurasian or European mink which has never been present in the UK. Impact Misclassification of invasive species may cause confusion.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA - Beaver/OLEMP ID: EA008 Environmental Statement APP-349 – Outline Landscape and Ecological Management Plan Section/ pages/ table reference:	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue Omission of beavers from report. Impact Management of margins and water levels near beavers could lead to disturbance, injury or death of individuals			
EA – Brook lamprey ID: EA009 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity Section/ pages/ table reference: 2.7.73 Issue Brook Lamprey presence is omitted from the report. Impact Consideration of potential impacts to this species may not have been assessed.	REP1-047 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity will be updated at deadline 4 to include reference to brook lamprey	There are a number of fisheries issues that remain unresolved. However, these issues relate to surveying, and scoping in of Lamprey, only - we believe that there are sufficient mitigation measures in place to avoid impacts to this species regardless. Therefore, we do not believe these issues pose an outstanding concern with respect to meeting the objectives of the WFD. These fisheries issues are as follows: • EA009 • EA010 • EA011	As the chapter submitted at D4 now explicitly references lamprey it is assumed this matter can be resolved.
EA – Fish survey limitations for eel and brook lamprey ID: EA010 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 1.2.31-1.2.35 (App-104) 3.2.27 (APP-293) Issue A single run electrofishing survey is not deemed appropriate for detecting the presence of eel or lamprey. Impact Using a single run sampling method will likely have limited the ability to detect eel or lamprey species, these species are known to seek refuge in silt and vegetation and will often only be caught on the 3rd run of an electrofishing survey.	REP1-047 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity will be updated at deadline 4 to include reference to brook lamprey	There are a number of fisheries issues that remain unresolved. However, these issues relate to surveying, and scoping in of Lamprey, only - we believe that there are sufficient mitigation measures in place to avoid impacts to this species regardless. Therefore, we do not believe these issues pose an outstanding concern with respect to meeting the objectives of the WFD. These fisheries issues are as follows: • EA009 • EA010 • EA011	As the chapter submitted at D4 now explicitly references lamprey it is assumed this matter can be resolved.
EA – Smelt records - River Alde ID: EA011 Environmental Statement APP-104 6.3.2.2.F ES Appendix 2.2.F Aquatic Ecology Survey Report APP-293 6.9 Water Framework Directive Assessment	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Section/ pages/ table reference: 1.3.16 and 1.4.29 (APP-104) 3.2.35 (APP-293) Issue Records of European smelt omitted. Impact Potential impacts to smelt, if not correctly considered within survey research.			
EA – Eel/Lamprey in silt ID: EA012 Environmental Statement APP-104 6.3.2.2.F ES Appendix 2.2.F Aquatic Ecology Survey Report APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 1.2.31 and 1.3.74 (APP-104) 2.3.32 (APP-293) Issue Improper description of eel and lamprey within assemblages. Impact Impacts to eel and lamprey habitat.	REP1-047 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity will be updated at deadline 4 to include reference to brook lamprey	There are a number of fisheries issues that remain unresolved. However, these issues relate to surveying, and scoping in of Lamprey, only - we believe that there are sufficient mitigation measures in place to avoid impacts to this species regardless. Therefore, we do not believe these issues pose an outstanding concern with respect to meeting the objectives of the WFD. These fisheries issues are as follows: • EA009 • EA010 • EA011	As the chapter submitted at D4 now explicitly references lamprey it is assumed this matter can be resolved.
EA - Fromus bridge soffit height ID: EA013 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity APP-104 6.3.2.2.F ES Appendix 2.2.F Aquatic Ecology Survey Report APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 2.9.223-2.9.231 (APP-049) Issue The current designs of the Soffit hights over the river Fromus risk the WFD ecology status of the area.	The Applicant agrees that good progress is being made and looks forward to agreeing wording for this requirement. The last issue is around the Applicant's desire for there to be a refernece to the fact that the contingency plan would include a) the development of a strategy of measures to improve habitats for macro-invertebrates and b) that monies would be made available by the applicant for the measures to be implemented. Until the measures are identified in detail, the Applicant cannot be sure it woudl have the land rights necessary to undertake the measures agreed itself . It is therefore important that the requirement does not commit the applicant to delivering the measures on the ground; only that it would provide the funds necessary for others to undertake the measures, if the appropriate rights were not held.	None - just flagged as not resolved	Resolved on 03/03/2026 via agreement with Louisa McKay to the following wording : (3) Bridge over the River Fromus (a) Development of the bridge crossing of the River Fromus (part of Work No. 3a) must not commence until details of the layout and scale of the bridge have been submitted to the relevant planning authority, and the relevant local planning authority has confirmed, following consultation with the Environment Agency, that the parameters set out in (4)(b) have been met. (b) The bridge over the River Fromus should be designed in accordance with the following parameters: (i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level); (ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and (iii) the bridge shall not have a deck width greater than 6m. (c) The details of layout and scale submitted

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant’s position at D5
			under (a) must be accompanied by a technical statement demonstrating how, recognising the minimum size parameters in (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02. (d) No part of the finished external treatment of the bridge crossing of the River Fromus comprised in Work No. 3A(a) (part of the authorised development comprising the access road to the Suffolk Converter Station) must be implemented until details of the external colour and surface finish (in line with the process established in Design Principle ID.3) have been submitted to and approved by the relevant planning authority. (e) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by East Suffolk Council, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include: (i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing. (ii) Principles of the contingency monetary fund set out in (f) and criteria for when provision of the fund would be triggered. (f) Following receipt and review of the monitoring results under (e)(i), should the criteria in (e)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
			and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.
EA – Smelt potential - River Fromus. ID: EA014 Environmental Statement APP-104 6.3.2.2.F ES Appendix 2.2.F Aquatic Ecology Survey Report Section/ pages/ table reference: 1.5.9 Issue Assumption that smelt are unlikely to use the River Fromus for spawning, due to a lack of suitable spawning habitat. Impact Potential impacts to smelt.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Eel in adjacent waterbodies ID: EA015 Environmental Statement APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 4.2.25 Issue Eel migration routes inaccurately detailed. Impact Impacts to eel not properly understood and assessed.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Smelt/ thermal plumes. ID: EA016 Environmental Statement APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 4.2.39-4.2.40 Issue Insufficient detail regarding impacts on Smelt from combined thermal plumes from the cable and plumes emitted from Sizewell B (SZB) and Sizewell C (SZC). Impact Inter-project Anthropogenic impacts to Smelt from thermal plumes.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Trout data ID: EA017 Environmental Statement APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 4.2.25	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue Outdated data is made reference to regarding trout. Impact Misleading statements may lead to the poor assessment of the status of and risks to brown trout.			
EA - Fish legislation ID: EA018 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity Section/ pages/ table reference: 2.2 Issue The Salmon and Freshwater Fisheries Act 1975 and The Eels (England and Wales) Regulations 2009 have not been included in the list of legislation that is relevant to biodiversity. The legal responsibility on the developer pertaining to this specific legislation has not been considered. Impact The impacts on fish from the construction, operation and decommissioning may not have not been fully considered.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Excavation noise and fish ID: EA019 Environmental Statement APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 4.2.32 Issue Noise impacts from cable excavation have not been included. Impact Certain techniques used to dredge or excavate material can be classed as noisy activities and may have an impact on fish, depending on the severity.	The unweighted SPLrms value of 178 dB re. 1µPa for the sound source level for cable installation activities represents the maximum sound level for these activities and therefore a worst-case scenario. The application of weighting to sound levels requires reliable measures of hearing sensitivity and species-specific audiograms for frequency. Popper et al. (2014) states that these measures are only available for a few fish species (e.g. European eel) and confidence in this data is limited, due to the poor acoustic conditions surrounding the experiments. Overall, Popper et al. (2014) advises against using weighted sounds for fish species. Diadromous fish identified within the Study Area include sea and river lamprey and European eel species. These species are considered to be of low and medium hearing sensitivity, respectively (Popper et al. 2014). Popper et al. (2014) does not provide quantitative threshold criteria for continuous noise for diadromous fish (e.g. low and medium hearing sensitivity fish), there are however relative risk ratings for acoustic effects. In particularly, the potential risk of mortality and recoverable injury is considered to be of low risk at all distances from the sound source. There is a moderate risk of	None - just flagged as not resolved	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
	behavioural effects occurring at near and intermediate distances (e.g. tens to hundreds of metres) from the sound source but is low risk beyond this distance. Cable installation activities operate at frequencies of 1-15 kHz (Nedwell, Longworthy, and Howell, 2003), which are outside of the peak hearing frequency range of most fish species. Where there are audiograms available, the peak sensitivity generally occurs between 100 Hz and several hundred hertz (Popper et al., 2014). For example, European eel is shown to have an upper audible threshold frequency of 300 Hz (Piper et al., 2019). Therefore, most fish, including diadromous fish and European eel, will not be sensitive to sounds in the operating frequency range of cable installation activities. Overall, the approach to the assessment in Application Document 6.2.4.3 Part 4 Marine Chapter 3 Fish and Shellfish Ecology [APP-076], superseded by [AS-022] is still considered correct; that being, this activity can be scoped out from further assessment. Piper, A.T., White, P.R., Wright, R.M., Leighton, T.G. and Kemp, P.S., 2019. Response of seaward-migrating European eel (Anguilla anguilla) to an infrasound deterrent. Ecological engineering, 127, pp.480-486.		
EA – Culverts – fish and geomorphology ID: EA020 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.72 Issue Using box culverts to permanently and temporarily culvert watercourses for crossings. Impact Impacts on geomorphological processes which may impact on fish ecology. Any culverting of a watercourse or waterbody that contains fish can impact on lifecycle migration, both locally and more long distance. Culverting also impacts on fish habitat and spawning habitat by decreasing the quality of substrate. This will contribute to a deterioration in WFD status of the waterbody.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
EA – Eel protection in REAC ID: EA021 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.2 Issue The control and management measures have not considered European eel (Anguilla anguilla). Impact European eel are likely to be within the sediment in estuarine and intertidal areas and so are at risk from disturbances from noise, any dredgings.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Percussive vs vibro-piling ID: EA022 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: Appendix B (APP-293) 2.9.159 (APP-049) Issue Inconsistency as to whether the proposed piling technique is percussive or vibro. Impact Percussive piling can cause anthropogenic disturbances to fish during spawning and migration.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Fish and permanent outfalls ID: EA023 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity Section/ pages/ table reference: 2.9.155 Issue Entrapment of fish into permanent outfalls has not been assessed. Impact Runoff from permanent outfalls may attract fish which may put fish at risk if they become trapped in attenuation ponds.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Sea Trout in Survey Report ID: EA024 Environmental Statement APP-160 6.3.3.2.N ES Appendix 3.2.N Aquatic Ecology Survey Report Section/ pages/ table reference:	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue Sea Trout missing from fish surveys. Impact Impacts to Sea Trout population may lead to a deterioration in WFD status of the waterbody.			
EA – Culverts and fluvial geomorphology ID: EA025 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity APP-062 6.2.3.2 Part 3 Kent Chapter 2 Ecology and Biodiversity APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: 2.8.6, and 2.9.152 (APP-049) 2.8.6, and 2.9.152 (APP-062) W03 and W04 (APP-341) Issue Culverting is proposed. We have a general policy against culverting due to the impacts to meeting WFD objectives. Impact Culverting can damage integrity of channel bed, interrupt flow and sediment transport pathways.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Scour shear strength modelling ID: EA026 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Issue Omission of quantitative assessment of possible scour via shear strength modelling. Impact Misunderstanding the shear strength and the effects of scour may cause a deterioration in the WFD water quality of a waterbody.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Suspended sediments at landfalls ID: EA027 Environmental Statement APP-195 6.3.4.1.A ES Appendix 4.1.A Suspended Sediment Modelling Section/ pages/ table reference: Issue Only sediments along the offshore cable corridor have been characterised and studied/modelled, not landfall locations. This assessment, as it stands, fails to characterise the effects of sediment disturbance at	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
landfall. Impact Sediment release into the inshore area from HDD pit excavation, in both high and low energy regimes, may lead to deterioration in WFD water quality.			
EA – Western Fromus Tributary culvert ID: EA028 Environmental Statement APP-049 6.2.2.2 Part 2 Suffolk Chapter 2 Ecology and Biodiversity Section/ pages/ table reference: 2.9.55 and 2.9.180 Issue Unclear whether the culvert over Western River Fromus Tributary will be permanent or temporary. Impact The construction of the culvert would impact the channel banks and bed, interrupt flow pathways and sediment transport. It will also shade out channel macrophytes along a majority of its 13m length. Temporary outfalls may cause water quality issues, if the surface runoff from the haul road is discharged directly into the ditches without sufficient sediment control systems (settling ponds etc). These impacts may lead to a deterioration in WFD status of the waterbody.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Cable protection and sediment transport ID: EA029 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: 1.8.3 Issue Cable protection measures, such as rock bags/mattresses, may interfere with sediment transport pathways. Impact Interference with sediment transport pathways and tidal channels – with possible impacts to coastal morphology and processes.	We are satisfied and consider this issue resolved. Commitment MPE06 in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) states our commitment to monitor the beach profile and erosion rates at the Suffolk Landfall over the operational lifetime.	Issue Resolved	Issue Resolved
EA – Breakout point and corraline crag ID: EA030 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: 1.9.30 Issue Breakout point is in a high-risk location. Impact Any misdirection of the drill string may cause damage	We are satisfied and consider this issue resolved. Commitment MPE06 in Application Document 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) states our commitment to monitor the beach profile and erosion rates at the Suffolk Landfall over the operational lifetime.	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
to the outcrop, and a deterioration on WFD water quality.			
EA – Pegwell Bay morphology sensitivity ID: EA031 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: 1.9.9, 1.9.20-1.9.24 and 1.9.59 Issue Inappropriate assessment of the sensitivity of the morphology of Pegwell Bay. Impact Although disturbance will be localised to the cofferdam sites, the time for the environment to recover from disturbance may be greater than expected, even when the excavations are backfilled. Misidentification of sensitivity may lead to unforeseen impacts to the environment occurring. This can include disturbance to morphology in lower energy regimes, which can lead to longer recovery times that have not been accounted for at planning stage.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – River Stour Channel Movement ID: EA032 Environmental Statement APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 4.2.12 Issue Risk of movement of the mouth of the River Stour by Pegwell Bay. Impact Risk of deterioration in the WFD status of the River Stour.	The Applicant is giving further consideration to this matter following ISH2 and will respond in due course.	We do not consider this issue resolved. We were concerned that the cable burial depth would not be deep enough to avoid the moving mouth of the River Stour. We requested that the cables be buried a minimum 3m below the bed of the low flow of the channel of the mouth of the Stour. We note that the MPE02 has been amended to state: o "For subtidal sections of the cable route, the minimum depth of lowering (DOL) to the top of the cable is 0.5 m (in areas of bedrock), with a target DOL for the Proposed Project approximately 1 m to 2.5 m, to be achieved where possible dependant on the seabed geology. At the Kent landfall, a target DOL of 1.5 m will apply to allow for the potential future lowering of the intertidal bed levels." This does not resolve our concerns regarding the cable burial depth. In order to mitigate for this risk, as stated in our relevant representation and Deadline 2 response letter, we require the depth of the cable to be deeper than the mouth of the low flow Stour channel.	An additional commitment has been added Deadline 5 for the Proposed Project to monitor the migration of the Stour channel at Pegwell Bay.
EA – Construction water supply ID: EA033 Other Documents	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
APP-340 7.5.3 Outline Onshore Construction Environment Management Plan APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Issue The outline Construction Environment Management Plan (CEMP) does not include any planning provision for water supply. Furthermore, not all consumptive volumes have been evidenced, and it is unclear whether the water company will be able to provide the volumes. Impact Depending on the option secured there may be secondary impacts which have not been assessed in this project.			
EA – Construction Water Abstraction ID: EA034 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-064 6.2.3.4 Part 3 Kent Chapter 4 Water Environment Section/ pages/ table reference: Issue The impacts on watercourses do not mention the abstraction of surface water and/groundwater for dewatering or consumptive uses of water (for dust suppression, concrete production, wheel washing etc) to allow for construction. Impact The impacts of abstraction on the environment could result in WFD deterioration of groundwater and surface water bodies.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Additional abstractions ID: EA035 Environmental Statement APP-117 6.3.2.5.B ES Appendix 2.5.B Qualitative Groundwater Risk Assessment Section/ pages/ table reference: Table 3.1 Licenced groundwater abstractions within study area Issue Not all receptors have been identified in assessments carried out. Licences 7/35/05/*G/0020 (TM 43925 58267) and AN/035/0005/026 (TM 41155 59562) are not included in possible receptors from groundwater impacts.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
They are in proximity to 7/35/05/*G/0046 which is included. Impact Potential deterioration in water levels and water quality of receptors.			
EA – Marine INNs Dispersion ID: EA036 Other Documents APP-357 7.5.12 Outline Offshore Invasive Non-Native Species Management Plan APP-360 7.7 Marine Biosecurity Plan Section/ pages/ table reference: 1.4.1 (APP-357) Paragraph 1, page 3 (APP-360) Issue Inappropriate characterisation of INNs dispersion. Impact Underestimation of the potential limits of dispersal of INNS associated with infrastructure or activity within the project.	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
EA – Red ripple bryzoan ID: EA037 Other Documents APP-360 7.7 Marine Biosecurity Plan Section/ pages/ table reference: Section 3 Environmental information; Tidal, salinity, stratification information. Paragraph 1, page 3 Issue The red ripple bryozoan (Watersipora subatra) is not included in the plan. Impact Incomplete assessment of risks to marine biosecurity could allow for the development to spread INNS	The Applicant agrees and considers this issue to be resolved	Issue Resolved	Issue Resolved
ID: EA038 Environmental Statement APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 4.2.67 Issue Incomplete sentence - “Therefore, it can be concluded that it is not likely that the Proposed Project will influence the introduction or spread of INNS as” Impact Missing information necessary to assess risk	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – access to HDD site ID: EA039 Environmental Statement	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
APP-075 6.2.4.2 Part 4 Marine Chapter 2 Benthic Ecology APP-293 6.9 Water Framework Directive Assessment Section/ pages/ table reference: 2.6.3 (APP-075) 4.2.9-4.2.16 (APP-293) Issue Lack of clarity regarding how large plant and equipment will arrive to the HDD exit point in the intertidal environment. Impact Vehicular access across the shore may cause damage to saltmarsh habitat			
EA – Firewater pollution ID: EA040 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-064 6.2.3.4 Part3 Kent Chapter 4 Water Environment Section/ pages/ table reference: 4.9-4.10 (APP-045) 4.3.14 and 4.8.4-4.9 (APP-051) 4.3.14 and 4.8.4-4.9 (APP-064) Issue In the unplanned event of a fire at a substation or converter station, fire supressing agent/firewater may enter the site drainage system and subsequently the water environment. Impact Contaminants carried by the firewater may enter and pollute the water courses. It may cause a detrimental impact to both water quality and the ecology of the receiving environment.	Shut off valves are required as standard within the drainage network of the Applicants substations and converter stations, so will be provided. The type of valve is to be determined at detailed design and will be based on a risk assessment for the specific location as is the case on all sites. Although automatic shutoff values may be used there is an increased risk of a delay in operation should automation fail which must be factored into the assessment, the impact of which will depend on the detailed design and the operational logistics of the site, such as whether staff are present 24hrs or not.	We do not consider this issue resolved. We previously raised that in the unplanned event of a fire at a substation or converter station, fire supressing agent/firewater may enter the site drainage system and subsequently the water environment. We have reviewed the following documents: • 9.17.1 Suffolk Drainage Strategy [REP3-060] • 9.17.2 Kent Drainage Strategy [REP3-061] Whilst the sections 8.1.12 (Suffolk) and 8.1.13 (Kent) state that penstock valves will be installed to isolate the outfall in the event of a pollution incident, the Applicant must: • Confirm that the valve will close automatically, and clarify what will be the trigger event for the action. • Clarify that in the event of automation failure, there will be a manual override. • Commit to providing a maintenance plan for the penstock valve. Therefore, this issue is not resolved.	Awaiting EA updated feedback on this response
EA – Contaminated Water ID: EA041 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-064 6.2.3.4 Part3 Kent Chapter 4 Water Environment Section/ pages/ table reference: 4.6.33 (APP-045) 4.9.3-4.9.9 (APP-051) 4.9.3-4.9.9 (APP-064)	The Applicant has included the following in the commitments to be included in the REAC *"The Applicant will seek to maximise the use of precast concrete instead of insitu concrete where practicable, particularly where works are in the vicinity of watercourses such as for culverts and headwalls.* *Areas where concrete works are proposed will be identified and each will be specified as either requiring concrete to be cast in-situ, or alternatively precast and delivered. Where in-situ concrete*	We do not consider this issue resolved. We were concerned that the disposal of contaminated construction and concreting water, as-well as rainfall runoffs from the batching plant area, may introduce contaminants into the receiving water environment. We have reviewed the following documents: • 9.17.1 Suffolk Drainage Strategy [REP3-060] • 9.17.2 Kent Drainage Strategy [REP3-061] • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] • 9.83 Outline Code of Construction Practice (Tracked) [REP3-077]	Awaiting EA updated feedback on this response.

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue APP-045 Disposal of contaminated construction/concreting water. APP-051 and APP-064 Rainfall runoffs from the batching plant area. Impact May introduce contaminants into the receiving water environment. This will lead to a decline in WFD status of the waterbody.	*pours are required, there will be detailed provision for timing, weather conditions, and runoff control. These construction works will be minimised during heavy precipitation events, and carried out during dry months where practicable. Details of containment measures for concrete washout (such as lined washout pits, bunded areas) will also be specified.* "	Whilst commitment W26 [REP3-079] mandates regular visual monitoring, water quality sampling will only occur after a visible change is detected. This approach creates a lag between observation, source, tracing and testing, potentially allowing harmful substances to be released before mitigation can be implemented. Our comments on water monitoring through construction into operation - as stated in EA046 - should be adhered to. Sections 8.1.8 [REP3-060] and 8.1.9 [REP3-061] clarifies that prefabricated concrete products for outfalls and bridge piers will be used, which is welcomed. However, there is still no commitment to provide the timing for in-situ pours, or for control concrete washout. GG17 [REP3-079] states that “wash water will be prevented from passing untreated into watercourses and groundwater using appropriate measures”. It is unclear what these measures are, and how water is intended to be disposed of. There is a difference in wording between sections 8.1.14 [REP3-060] and 8.1.15 [REP3-061], as the first for Suffolk states “Provision of a suitable vehicle wash area on hardstanding which drains to foul or suitably treated on site”, whilst the latter for Kent only says “which drains to foul”, so we seek clarification if this is correct. It is unclear if it is treated on site, or if disposal offsite or discharge to the water environment is proposed.	
EA – Herbicides ID: EA042 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.52 (APP-045) Issue Potential use of herbicides to remove vegetations from the temporary culvert location near watercourses. Impact May introduce pollutant to the watercourses. This will lead to a decline in WFD status of the waterbody.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Dewatering discharge ID: EA043 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.80 (APP-045)	Updates to commitment GH07 have been made to address the points raised and will be included in updates to the Outline Code of Construction Practice and the REAC that will be submitted at the next deadline.	We do not consider this issue resolved. We were concerned that dewatering of both rainfall runoffs and potentially elevated groundwater at the construction site. We have reviewed the following documents: • 9.17.1 Suffolk Drainage Strategy [REP3-060]	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue Dewatering of both rainfall runoffs and potentially elevated groundwater at the construction site. Impact May introduce contaminants to the receiving environment. This will lead to a decline in WFD status of the waterbody	GH07 now reads: "*Any temporary dewatering activities during construction will be undertaken in accordance with EA guidance, and if required, an Abstraction Licence and Environmental Permit (for the discharge) and will be limited to the depth and time required to facilitate construction activities. If discharge at the site is required, a water discharge activity permit will be sought*" Rather than updating measure W02, the applicant felt it was more appropriate to update GG15, as this was a more general measure relating to site runoff/discharge. GG15 now reads: "*Runoff across the site will be controlled through a variety of methods including header drains, 10m buffer zones for all construction and associated activities such as refuelling and storage of materials around watercourses, on-site ditches, silt traps and bunding. Silt fences will be used to trap silt prior to any discharge to surface waters. There will be no intentional discharge of site runoff to ditches, watercourses, wetland habitats, drains or sewers without appropriate treatment and agreement of the appropriate authority (except in the case of an emergency)*".	• 9.17.2 Kent Drainage Strategy [REP3-061] • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] • 3.1(F) Draft Development Consent Order (Tracked) [REP3-007] The draft DCO [REP3-007] has not been updated to include the Environment Agency as a named consultee for requirement 6, specifically (o) Construction Drainage Management Plan and (q) Operational Drainage Management Plan. 8.1.8 [REP3-060] and 8.1.9 [REP3-061] mention silt traps, filter logs and settlement basins, which are good mitigation measures. However, we still have concerns over “discharging into a watercourse” and comments of the dewatering system being “generally clean”. We require this wording to be amended to state that the dewatering system will be clean. In conjunction with EA046, we seek clarification how the Applicant would determine that any dewatering discharges are free from contamination. Whilst, GG15 commits to silt traps, and W02 to silt fences or silt screens, water quality monitoring, as requested in issue EA046, will help provide confidence that there is no risk of deterioration. We welcome changes to GG15 which now acknowledges “10m buffer zones for all construction and associated activities such as refuelling and storage of materials around watercourses, on-site ditches, silt traps and bunding.” Please note, this issue is linked to EA045.	
EA – Material Storage proximity to waterbodies. ID: EA044 Environmental Statement APP-293 6.9 Water Framework Directive Assessment APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table A.1 (APP-293) Table 1.1 (APP-342) Issue Material storage and dust suppression location too close to waterbodies. Impact Pollution entering watercourses as the material is stored too close. This will cause a deterioration in the WFD status of the waterbody.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
EA – Overpumping silt mobilisation ID: EA045 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue Pumping (over pumping) process may allow silty water to enter the water course downstream. Impact Potential sediment disturbance that will lead to a waterbody's deterioration in WFD water quality.	Rather than updating measure W02, the applicant felt it was more appropriate to update GG15, as this was the more general measure relating to site runoff/discharge. The revised wording is included in response to EA043 above.	We do not consider this issue resolved. We were concerned that the pumping (over pumping) process may allow silty water to enter the water course downstream. We have reviewed the following documents: • 9.17.1 Suffolk Drainage Strategy [REP3-060] • 9.17.2 Kent Drainage Strategy [REP3-061] • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] • 3.1(F) Draft Development Consent Order (Tracked) [REP3-007] The draft DCO has not been updated to include the Environment Agency as a named consultee for requirement 6, specifically (o) Construction Drainage Management Plan and (q) Operational Drainage Management Plan. The draft DCO [REP3-007] has not been updated to include the Environment Agency as a named consultee for requirement 6, specifically (o) Construction Drainage Management Plan and (q) Operational Drainage Management Plan. 8.1.8 [REP3-060] and 8.1.9 [REP3-061] mention silt traps, filter logs and settlement basins, which are good mitigation measures. However, we still have concerns over "discharging into a watercourse" and comments of the dewatering system being "generally clean". We require this wording to be amended to state that the dewatering system will be clean. In conjunction with EA046, we seek clarification how the Applicant would determine that any dewatering discharges are free from contamination. Whilst, GG15 commits to silt traps, and W02 states silt fences or silt screens, water quality monitoring, as requested in issue EA046, will help provide confidence that there is no risk of deterioration. Whilst, GG15 commits to silt traps, and W02 to silt fences or silt screens, water quality monitoring, as requested in issue EA046, will help provide confidence that there is no risk of deterioration. We welcome changes to GG15 which now acknowledges "10m buffer zones for all construction and associated activities such as refuelling and storage of materials around watercourses, on-site ditches, silt traps and bunding." Please note, this issue is linked to EA043.	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
EA – Construction water quality monitoring ID: EA046 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-115 6.3.2.4.A ES Appendix 2.4A Water Environment Baseline Data Section/ pages/ table reference: 4.11 (APP-045) 4.7.9 (APP-051) Section 3 (APP-115) Issue The WFD watercourses Hundred River and River Fromus have 'high' sensitivities to changes in water quality, and the potential impacts on water quality especially during the construction and decommissioning phases. Impact Potential deterioration in surface water quality.	Updates to commitment W26 have been included in the commitments approval process to address the points raised and will be included in the update to the CEMP Appendix A Outline Code of Construction Practice that will be submitted at deadline 4A. The proposed revised wording of W26 is as follows: "*Where construction works are undertaken in proximity to the Hundred River and the River Fromus, which are of high sensitivity to water quality changes, monitoring for signs of water pollution will be undertaken by the Environmental Clerk of Works (ECoW). Quarterly monitoring will be undertaken in the year prior to construction commencing, so an up-to-date water quality baseline is established. Monitoring will then be undertaken fortnightly during construction and after heavy rainfall events. Locations to be monitored include immediately upstream and downstream of any proposed surface water outfalls or water crossings. The primary method will be via in-situ handheld devices operated by the EcOW, with samples sent off to laboratories if potential pollution is detected. If pollution is confirmed, appropriate mitigation measures will be implemented to prevent further deterioration.*"	We do not consider this issue resolved. We were concerned that there would be impacts to water quality for the WFD watercourses Hundred River and River Fromus, especially during the construction and decommissioning phases. We requested regular water quality monitoring to be carried out both during and after the construction and decommissioning phases. We have reviewed the following documents: • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] • 3.1(F) Draft Development Consent Order (Tracked) [REP3-007] • 9.83 Outline Code of Construction Practice (Tracked) [REP3-077] We are pleased to see that the Environment Agency will be consulted on Requirement 13 (Decommissioning), within [REP3-007]. However, there has been no amendment to the [REP3-079] or [REP3-077] in regards to surface water quality monitoring. We need to be confident that a water quality baseline can be established. If a monitoring plan isn't suitably designed, then we will not be confidant that trends will be detected. Therefore, our issue remains unresolved. From our Comments on any further information/submissions received by deadline 1 and deadline 1A [REP2-050]: We welcome the addition of W26 in Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Tracked) - Accepted at the discretion of the Examining Authority [REP1-103]. However, a commitment to monitoring, including taking water samples, should be included in all phases of the project construction, operation and decommissioning. Currently there is a lack of detail, and it should be made clear that site walkovers and visual monitoring alone are not a suitable method of monitoring. A monitoring plan should provide details of frequency, quantity, location and method of monitoring. These locations should include monitoring upstream and downstream of any proposed surface water outfalls and water crossings. Methods may include in-situ handheld devices or samples sent off to laboratories. Monitoring should start prior to construction, so that the water quality of any possibly affected areas are known, and a baseline is established. We note that there is no outline Operational	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
		Environment Management Plan (OEMP), nor a requirement for an OEMP to come forward. We require further discussions with the Applicant on how monitoring would be secured during operation.	
EA – HDD breakout plan ID: EA047 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: 1.9.42-1.9.53 Issue Insufficient HDD breakout plan in regards to Pegwell Bay. Impact There is a risk that possible mobilisation of contaminants, in Pegwell Bay, will reduce water quality and damage saltmarsh. Breakout of drilling muds into a sea water environment may lead to floccing of these muds and lead to deposition of non-native materials which will not be dispersed as easily as is stated.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Waste types missing ID: EA048 Other Documents APP-340 7.5.3 Outline Onshore Construction Environment Management Plan APP-354 7.5.10.1 Outline Soil Management Plan – Suffolk APP-355 7.5.10.2 Outline Soil Management Plan – Kent Section/ pages/ table reference: Issue The outline Onshore CEMP includes a number of waste management measures but does not consider all potential waste types likely to be produced during the projects construction. Impact Waste that isn't properly classified may cause delays to the project's timeline, and if not appropriately managed, may cause a deterioration in WFD waterbody status.	The Applicant is content and has updated Requirement 6 as proposed, which was submitted at Deadline 3	Issue Resolved	Issue Resolved
EA – Waste legislation ID: EA049 Other Documents APP-340 7.5.3 Outline Onshore Construction Environment Management Plan Section/ pages/ table reference: 2.4.20 – 2.4.26 Issue	The Applicant is content and has updated Requirement 6 as proposed, which was submitted at Deadline 3	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Not all relevant waste legislation is mentioned. Impact Potential delays to the project's timeline. Waste that's not properly managed may cause a deterioration in WFD waterbody status.			
EA – Groundwater body screening ID: EA050 Environmental Statement APP-293 6.9 Water Framework Directive Assessment APP-052 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology APP-065 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology Section/ pages/ table reference: 3.1.18 Issue The report states that Groundwater bodies within the Zone of Interest (ZOI) have been screened out, in agreement with the Environment Agency. We did not agree to the screening out of the Groundwater Bodies when we were consulted on the Water Framework Directive Assessment Version: V01 January 2025 (refer to our response letter XA/2025/100236/01-L01, dated 11 February 2025. The scheme involved 1.5km of HDD at approximately 15m depth. This has not been discussed in the WFD assessment in relation to groundwater bodies. Impact Deterioration in groundwater WFD status.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Drilling mud components ID: EA051 Environmental Statement APP-117 6.3.2.5.B ES Appendix 2.5.B Qualitative Groundwater Risk Assessment APP-170 6.3.3.5B ES Appendix 3.5.B Qualitivie Groundwater Risk Assessment Other Documents APP-340 7.5.3 Outline Onshore Construction Environment Management Plan Section/ pages/ table reference: 4.3.20 (APP-117) 4.3.31 (APP-170) 9.2.2 (APP-340) Issue The components of the drilling muds are not listed as being included in the "Frac Out Management Plan". Impact Without knowing the components of the drilling muds, it is not possible to determine whether a risk to controlled waters exists. Hazardous substances	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
could be present in drilling muds that pose a risk to controlled waters.			
EA – Piling pollution guidance ID: EA052 Environmental Statement APP-117 6.3.2.5.B ES Appendix 2.5.B Qualitative Groundwater Risk Assessment APP-170 6.3.3.5.B ES Appendix 3.5.B Qualitative Groundwater Risk Assessment Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 (APP-341) Issue Outdated guidance is referred to in regards to "Piling and Penetrative Ground Improvement Methods On Land Affected by Contamination: Guidance on Pollution Prevention" Impact Using outdated guidance may to inform avoidance and mitigation measures may impact a groundwater body's WFD status.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Thermal pollution of groundwater ID: EA053 Environmental Statement APP-052 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology APP-065 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology Section/ pages/ table reference: Issue Omission of assessment of risks from heat generated by the cable to groundwater. Impact Heat generated by high voltage cables has the potential to pollute groundwater. If the potential impacts are not adequately assessed, a deterioration in WFD groundwater body status could occur.	~~The Applicant agrees that this matter is resolved~~	We do not consider this issue resolved. Previously we raised that the assessment of risks from heat generated by the cable to groundwater had been omitted. The Applicant stated in their 9.34.1 (B) Applicant's Detailed Responses to the Relevant Representations identified by the ExA (Clean) [REP2-014] is subject to further discussions with Environment Agency. We have not yet been engaged further on this issue. Therefore, this issue remains unresolved. We are pleased to see that EA054 is resolved. However, we are yet to see any proposed mitigation measures to resolve EA053	Application Document 9.130 Groundwater Heat Pollution - Technical Note has been submitted at Deadline 5
EA – Unexpected contamination strategy ID: EA054 Environmental Statement APP-052 6.2.2.5 Part 2 Suffolk Chapter 5 Geology and Hydrogeology APP-065 6.2.3.5 Part 3 Kent Chapter 5 Geology and Hydrogeology Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice	The Applicant has updated Requirement 10 to reflect the wording proposed by the EA	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Section/ pages/ table reference: 5.8.4 (APP-052) 5.8.4 (APP-052) Table 1.1 (APP-341) Issue "GH08 – A protocol will be developed for dealing with any unexpected contamination." This is vague at this stage. Impact Without a robust strategy for the identification, risk assessment and mitigation of any unexpected contamination, risks to groundwater could be left unmanaged.			
EA – Wash water ID: EA055 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue Control and Management Measure GG17. Impact Wash water may seep into groundwater, and cause a deterioration of WFD quality of the waterbody.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Incident reporting ID: EA056 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table 1.1 (APP-341) Table 1.1 (APP-342) Issue Control and Management Measure GG24 doesn't include informing the Environment Agency of an incident affecting the environment. Impact Impacts to WFD water quality will not be appropriately recorded.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Notifying EA ID: EA057 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table 1.1 (APP-341) Table 1.1 (APP-342)	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue Control and Management Measure W09 does not include notifying the Environment Agency. Impact Major incidents may cause extensive deterioration to WFD waterbodies if not reported sooner.			
EA – Drilling fluid permitting ID: EA058 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table 1.1 (APP-341) Table 1.1 (APP-342) Issue Control and Management Measure GH10 doesn't make reference to requirements for permits or exemptions/exclusions on the use of certain drilling fluids/additives. Impact Certain activities that are controlled under permitting may take place, which may cause deterioration to WFD status of waterbodies.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Mitigation of PWS contamination ID: EA059 Other Documents APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table 1.1 Issue W08 and W09 do not mention mitigating the cause of any contamination of private water supplies. Impact Groundwater contamination could be left unmanaged.	The Applicant agrees that this matter is resolved	Issue Resolved	
EA – Vulnerable areas ID: EA060 Other Documents APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table 1.1 Issue GH12 does not provide reassurance that if the most vulnerable areas cannot be avoided, that risks will consequently be assessed and managed. Impact Risks to groundwater could be present.	Measure GH12 in the REAC has been updated to reflect this wording. This was submitted at Deadline 3.	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
EA Consultee on FWRA ID: EA061 APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue A commitment (GH02) requires a foundation works risk assessment (FWRA) to be undertaken for all locations where trenchless crossings are proposed. The Environment Agency is not listed as to be consulted on the FWRA. Impact Potential deterioration of groundwater body WFD status	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA062 APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue Control and Management Measures G05 and GH10 do not mention EPR requirements. Impact Activities may pose a risk to the environment without an environmental permit secured.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA063 Environmental Statement APP-117 6.3.2.5.B ES Appendix 2.5.B Qualitative Groundwater Risk Assessment Section/ pages/ table reference: 4.2.8 and 4.3.14 Issue Ground investigations are being used to fully characterize a site. Impact Without a strategy in place, risks to controlled waters, including private water supplies, may be present	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Soffit heights ID: EA064 Plans/Drawings/Sections APP-037 2.13 Design and Layout Plans Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: DCO/K/DE/PS/1266 and DCO/K/DE/PS/1267 (2.13)	A new commitment, securing that the River Stour bridge soffit will be set above the 0.5% flood level, plus an additional freeboard allowance, has been added to the CEMP Appendix B Register of Environmental Actions and Commitments (REAC). This will be submitted at Deadline 4A. The text of this new commitment is: "*In order not to increase flood risk, the proposed temporary bridge crossing of the River Stour will be*	None - just flagged as not resolved	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue The temporary bridge over River Stour and a permanent bridge over the River Fromus are proposed, without any reference to the soffit height in metres Above Ordnance Datum (mAOD) on drawings. Impact An unknown soffit height in mAOD means that checks cannot be made against Environment Agency modelling to ensure it doesn't increase flood risk onsite or elsewhere.	*constructed with a soffit level set above the 0.5% event flood level, with a minimum additional freeboard allowance of 300mm*"		
EA – Sequential approach to FZ 3b ID: EA065 Environmental Statement APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Table Ex 1.1 Issue Sequential approach within Flood Zone 3 not clearly applied to avoid Flood Zone 3b. Impact Potential inappropriate development within functional floodplain without justification.	It is clarified that the Applicants approach has been to avoid development in Flood Zone 3 (a and b) and this has been achieved for the vast majority of the temporary works and permanent operational above ground infrastructure. It has not been possible to avoid Flood Zone 3 in all locations. However, the development that is proposed in such locations (small number drainage outfalls and localised sections of 2 No. access routes and pylons) is either water compatible and must be located in the proposed location to fulfill its function (the drainage outfalls), are not essential components to the operation of the project (the access routes, where use could be avoided in times of flood), or are not vulnerable to damage if flooding did occur (the pylons).	We do not consider this issue resolved. We were concerned that the sequential approach within Flood Zone 3 was not being clearly applied to avoid Flood Zone 3b. The Applicant confirmed at the Examination hearing on 29 January 2026 that the proposal will not be split into component parts for the purposes of vulnerability classification, and instead is considered wholly essential infrastructure, rather than water compatible. Therefore, in line with the national Planning Practice Guidance Paragraph: 079 Reference ID: 7-079-20220825, the Applicant as part of the Exception Test, must consider the Notes to Table 2 (Flood risk and coastal change - GOV.UK): ""†" In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood. "*" In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to: • remain operational and safe for users in times of flood; • result in no net loss of floodplain storage; • not impede water flows and not increase flood risk elsewhere." In particular, some components in Suffolk and Kent are within Flood Zone 3b, and we require further consideration of how these components are compliant with the notes to Table 2 above. In regards to any temporary structures, such as attenuation basins and outfalls, we require clarification of how long they'd be in place. For drainage pipes and outfall pipes we require clarification as to whether they're located below or above ground. From our deadline 2 response letter [REP2-050]: It is still unclear what approach to the sequential test the Applicant is proposing. In line with PPG Paragraph: 079 Reference ID: 7-079-	Awaiting EA updated feedback .

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
		20220825, some developments may contain different elements of vulnerability, and the highest vulnerability category should be used, unless the development is considered in its component parts. If the Applicant is proposing to split their proposal into component parts (e.g., 1 No. temporary drainage outfall and 1 No. permanent infiltration outfall pipe (buried) and outfall are water compatible), then they would need to provide clarity on what vulnerability is proposed for each component. However, if the applicant is merely stating that these components of are essential infrastructure that have water-compatible uses, these should be designed and constructed to: • remain operational and safe for users in times of flood; • result in no net loss of floodplain storage; • not impede water flows and not increase flood risk elsewhere. We agree that the pylons works would be deemed "essential infrastructure" and so is appropriate for flood zone 3, as long as the exception test is passed. The pylons once constructed should not impede flow as they are to be "open" structures, so therefore should not increase flood risk elsewhere. Additionally, if the pylons are to be placed within the tidal floodplain only, then floodplain compensation won't be required. However, if new pylons are to be constructed within the fluvial floodplain, then the Applicant should consider if and what flood compensation may be required. Please see EA069 and EA089 for more details on the River Stour floodplain.	
EA – Medium flood risk ID: EA066 Environmental Statement APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Ex 1.3.2 Issue Medium flood risk noted during construction without clear location or specifics. Impact Inhibits adequacy of assessment of mitigation measures.	The Applicant wishes to clarify that the intention of para Ex1.3.2 was to summarise residual flood risks to the Project during construction. This residual risk is concluded to be low risk for all sources, with the exception of in small and localised areas of land within the Order Limits, where the residual risk is medium.	None - just flagged as not resolved	Awaiting EA updated feedback
EA – Flood defence damage ID: EA067	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Environmental Statement APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Issue Incident response plan (GG24) lacks explicit flood defence damage contingencies. Impact Unmanaged damage could lead to uncontrolled flooding and risk to personnel.			
ID: EA068: Environmental Statement APP-292 6.8 Flood Risk Assessment Issue Open-cut crossings of main rivers suggested under W02. Stockpile setback distances don't consider flood zones. Impact Increased flood risk from construction activities.	The Applicant can confirm that there would be no open cut crossings of main rivers; commitment W02 has been updated to include this. The Project's interactions with Flood Zone 3b are very limited, as described in Additional Submission accepted at the discretion of the Examining Authority – Applicant's response to the ExA's s89(3) letter 8 July 2025 & 5 August 2025 – 9.4 Supplementary Environmental Information - Flood risk assessment (AS-099). W02 now reads: "*For open cut watercourse crossings and installation of vehicle crossing points, good practice measures will include but not be limited to:* *- where practicable, reducing the working width for open cut crossings of ~~a main or~~ ordinary watercourses whilst still providing safe working;* *- no open cut crossings of main rivers* *- installation of a pollution boom downstream of open cut works;* *- the use and maintenance of temporary lagoons, tanks, bunds, silt fences or silt screens as required;* *- have spill kits and straw bales readily available at all crossing points for downstream emergency use in the event of a pollution incident;* *- the use of all static plant such as pumps in appropriately sized spill trays;* *- prevent refuelling of any plant or vehicle within 10 m of a watercourse and within 50 m of any spring/borehole/well;* *- prevent storing of soil stockpiles within 15 m of a main river (16m where river is tidal) and within Flood Zone 3b where practicable;* *- inspect all plant prior to work adjacent to watercourses for leaks of fuel or hydraulic fluids; and* *- reinstating the riparian vegetation and natural bed of the watercourse, using the material removed when appropriate, on completion of the works and compacting as necessary. If additional material is*	None - just flagged as not resolved	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
	required, appropriately sized material of similar composition will be used.		
EA – Compensatory flood storage ID: EA069 Environmental Statement APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Table 1.1 Issue (W06) Construction material storage in Flood Zone 3 with ground raising, however there is no compensatory storage mentioned. Impact Lost floodplain storage could increase flood risk by impeding or flood flows.	This is a change of position by the Environment Agency, having previously agreed that no floodplain compensation was required for works in the Stour floodplain. To review this matter and provide a response, the Applicant has requested further information from the Environment Agency. This information will be used to review which Project infrastructure are in this zone, and quantify any storage losses and impacts.	We do not consider this issue resolved. We have reviewed the following documents: • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] We have yet to receive a commitment to re-instate land to pre-construction levels within 5 years of commencing construction. Currently, the Applicant only commits to this for temporary haul roads (W06) and temporary attenuation ponds (W31). We require this commitment to be extended to all temporary works within floodplain. We are pleased by the changes to W01, which reflects that activities within the floodplain will be considered in accordance with a method approved under the Environmental Permitting Regulations. From our deadline 2 response letter [REP2-050]: We do not consider this issue resolved. We have identified that the River Stour floodplain within the boundary of the scheme is fluvially-influenced in areas, as well as having areas of tidal/fluvial crossover, and solely tidal influence. Of particular concern is the right bank floodplain of the River Stour between grid references 630950, 162775 and 632100, 162300 and additionally at grid reference 632650, 159900 as these areas fall within the defended fluvial floodplain, and parts of these areas are within the functional floodplain. We would not be requiring compensation for works in tidal areas or areas which have tidal/fluvial cross-over. However, floodplain compensation is required for any areas of development in fluvial areas, to manage the flood risk associated with the River Stour floodplain. This will ensure that the permanent and temporary elements of the scheme are not displacing fluvial flood storage. Given the proposed temporary nature of the bridge (we assume 5-years given the length of the construction phase), associated temporary works, and the large size of the Stour floodplain, we will ensure compensation requirements are proportionate and reasonable. Compensation for temporary works should be balanced against the commitment to fully reinstate the land to its pre-construction condition upon removal. We note that Commitment W06 (REP1-102) states “No construction materials should be stored within Flood Zone 3 and areas of high and medium risk of flooding from surface water, where this cannot	The Applicant is currently updating commitments to address this issue

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
		be avoided, for example in the River Stour floodplain adequate mitigation measures will be applied. For example, model outputs would inform the placement of soil during construction and soil stockpiles would be aligned in the direction of flow to avoid impeding flood flow routes." We require a clear commitment to re-instate land to pre-construction levels within 5 years of commencing construction. Currently, the Applicant only commits to this for temporary haul roads. We accept that it may not be possible to provide all the details of stockpiles at this stage. Further detail regarding the stockpiles would be needed for us to be fully satisfied from a flood risk perspective, but it is acknowledged that this will be dealt with via the Flood Risk Activity Permit (FRAP) process. At FRAP stage, we'd require the details relating to the location, length of time in place, quantity of material and method for storing the material. Please note, this issue interlinks with EA089.	
EA – Attenuation pond details ID: EA070 Environmental Statement APP-039 2.14.2 Indicative General Arrangements Plans - Kent APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Appendix A Figures (APP-292) DCO/K/IGA/PS/1510 (APP-039) Issue Details omitted regarding temporary attenuation ponds and outfalls within flood plain. Unknown construction method and details on the expected changes in ground level in order to construct these temporary features. Impact Changes in ground level to accommodate any attenuation basins may increase flood risk.	Further information will be provided by the applicant following review of the additional information that has been provided by the Environment Agency to define the fluvial floodplain of the River Stour.	We do not consider this issue resolved. We were concerned that details were omitted regarding temporary attenuation ponds and outfalls within floodplain. There were no details regarding their construction method, and the expected changes in ground level in order to construct these temporary features. We requested clarity as to whether the temporary attenuation ponds would be located in the fluvial floodplain. We are yet to receive this clarification. If they are to be located in fluvial floodplain, then we'd require a commitment that floodplain storage compensation would be undertaken. We note that commitment W31 mentions that drainage ponds will be removed and land-levels re-instated following construction. However, this does not commit to floodplain storage compensation during the construction phase. Please note, this issue relates to EA075.	The Applicant is currently updating commitments to address this issue
ID: EA071 Other Documents APP-340 7.5.3 Outline Onshore Construction Environment Management Plan Section/ pages/ table reference: 2.4.4-2.4.5 Issue Fencing of compound and construction works may preclude access to Environment Agency assets and flood defences. Impact	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
If access is precluded for maintenance of main rivers or flood defence assets, essentially maintenance will not place. This will undermine the stability of assets and defences and thereby increase flood risk.			
ID: EA072 Environmental Statement APP-292 6.8 Flood Risk Assessment Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue Omission of details relating to method and location of defences being monitored. Impact Works close to flood defences has the potential to destabilise of undermine said defences and therefore creating a significant increase flood risk to surrounding areas.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA073 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-064 6.2.3.4 Part 3 Kent Chapter 4 Water Environment Section/ pages/ table reference: 4.9.17, 4.9.25-4.9.26 (APP-051) 4.9.17, 4.9.25-4.9.26 (APP-064) Issue Culverts are proposed with some retained permanently. Impacts of culverts rated as minor adverse without supporting evidence. Impact Risk of blockage, backwater effects, and restricted flows. Possible underestimation of risk to receptors.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Flood risk sensitivity ID: EA074 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-064 6.2.3.4 Part 3 Kent Chapter 4 Water Environment Section/ pages/ table reference: 4.9.12 (APP-051) 4.7.14 (APP-064) Issue Unclear definition of receptor sensitivity classification and how this has been derived. Impact	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Inaccurate assessment of consequences to flood risk.			
EA – Haul road ground level ID: EA075 Other Documents APP-341 7.5.3.1 CEMP Appendix A Outline Code of Construction Practice Section/ pages/ table reference: Table 1.1 Issue W06 temporary and permanent haul/access roads within floodplain. Impact Changes in ground level has the potential to displace flood water and reduce flood storage capacity	Commitment W01 secures that all works within main rivers will be in accordance with a method approved under environmental permits issued under the Environmental Permitting Regulations by the Environment Agency. The Applicant has revised the wording of this commitment to broaden it out to qualifying works within the floodplain. W01 now reads "*All works within main rivers and qualifying activities within floodplains such as installation of access tracks, within ordinary watercourses and board drains, will be in accordance with a method approved under environmental permits issued under the Environmental Permitting Regulations by the Environment Agency and /or the relevant secondary consents or permits from the Lead Local Flood Authorities and Internal Drainage Boards*"	We do not consider this issue resolved. We were concerned that commitment W06 of document Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Clean) - Accepted at the discretion of the Examining Authority [REP1-102] for temporary and permanent haul/access roads within the floodplain could result in loss of flood storage or impedance to flood flow. We have reviewed the following documents: • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] The Applicant has updated commitment W01 to reflect that activities within the floodplain will be considered in accordance with a method approved under the Environmental Permitting Regulations. However, we require confirmation as to whether any land raising is proposed, and if confirmed, any measurements of it being provided in metres Above Ordnance Datum (AOD). This is part of our original request under EA075 in our relevant representation response [RR-1586]. This issue links with EA069, and EA070.	The Applicant is currently updating commitments to address this issue
EA – 16m tidal defence offset ID: EA076 Other Documents APP-342 7.5.3.1 Register of Environmental Action and Commitment (REAC) Section/ pages/ table reference: Table 1.1 Issue Wording within mitigation commitments GG14 and W02 reflects activities occurring 15m from watercourse. Impact Increase in flood risk for activities within 16m of a tidal-influenced watercourse.	W02 does stipulate the prevention of storing soil stockpiles with 16m of any tidal watercourse. GG14 is specific to storage of fuels/oils/chemicals and stipulates a minimum buffer of 10m from watercourses, which is in line with EA guidance for this acitivity.	None - just flagged as not resolved	Awaiting EA updated feedback - assume they had not seen our response as was only issued to EA on 11 Feb (their letter was dated 10 Feb)
ID: EA077 Environmental Statement APP-292 6.8 Flood Risk Assessment APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment Section/ pages/ table reference: 4.3.25 (APP-292) 4.9.25-4.9.26 (APP-051) Issue Discrepancy in number of permanent culverts	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
retained (two in APP-051, whist three in APP-292). Impact Ambiguity limits clarity in flood risk assessment and mitigation.			
ID: EA078 Environmental Statement APP-292 6.8 Flood Risk Assessment APP-119 6.3.2.5.D ES Appendix 2.5.D Ground Investigation Report - Suffolk Section/ pages/ table reference: 4.3.23 (APP-292) Issue Uncertainty around feasibility of HDD (or other trenchless methods) at landfall. Impact Reactive works and increased flood / erosion risk if a trenchless method is unfeasible.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Quantified coastal erosion ID: EA079 Environmental Statement APP-292 6.8 Flood Risk Assessment APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: Ex 1.3.2 Issue Lack of quantified assessment of the rate of coastal erosion at the landfall location over the lifetime of the project. Impact Without quantified projections, there is no certainty that the proposed landfall cables will remain protected over the operational and decommissioning phases. Accelerated erosion could result in the exposure of buried cables, increasing the risk to infrastructure operability, people, and flood risk management.	An additional committment has been includedin the updated REAC submitted at Deadline 3 "*MPE08 - Further analysis will be undertaken to consider the potential for coastal erosion over the lifetime of the project in line with the final Offshore Construction and Environmental Management Plan. This information will be used to inform the detailed design of the Proposed Project, to ensure that the risk of future exposure of the offshore burial cables is as reduced as far as practicable*." The request to update requirement 13 is currently being considered by the applicant. The applicant awaits the EAs feedback on a further requirement, once the EA has received ESC comments.	We do not consider this issue resolved. We have reviewed the following documents: • 9.84 Register of Environmental Actions and Commitments (REAC) (Tracked) [REP3-079] • 6.2.4.1 (D) Part 4 Marine Chapter 1 Physical Environment (Clean) [REP3- 020] • 3.1(F) Draft Development Consent Order (Tracked) [REP3-007] • 6.8 Flood Risk Assessment [APP-292] We previously raised there was a lack of quantified assessment of the rate of coastal erosion at the landfall location over the lifetime of the project. We are pleased by the inclusion of commitment MPE08 in [REP3-079] relating to the exposure of offshore burial cables. We require confirmation whether this incudes erosion in proximity to the shore where the cables will make landfall, and update the wording accordingly. We note that the estimates on coastal erosion in relation to NCERM data are only referenced within Table 1.17 of the [REP3-020]. We would expect these estimates to also form part of, or at least be referenced in, the 6.8 Flood Risk Assessment [APP292]. The FRA should clarify whether the NCERM estimates (presented within Table 1.17 of the Marine Physical Environment chapter) have any implications for the proposals as they currently stand. It was stated in the Examination meeting on 29 January 2026 that the applicant had no major concerns. However, this still needs to be addressed in the FRA. We expect this information to consider the rate of	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
		erosion and landfall location in relation to the relevant Shoreline Management Plan, and reference any related Beach Management Plans. We only require this amendment to the FRA in regards to Suffolk. We are pleased to see that "in consultation with the Environment Agency" has been added to requirement 13 Decommissioning of the [REP3-007]. This adequately addresses our concerns relating to decommissioning. Regarding the wording for the Suffolk Landfall infrastructure decommissioning requirement, please see our answer to the examining authority's question 77. in Appendix A. We request that this wording is included in the draft Development Consent Order. We note National Policy Statement for Electricity Networks Infrastructure (EN-5), section 2.3.2 states that: "As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to: • Coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively."	
ID: EA080 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: 4.9.21 (APP-051) 4.3.23 (APP-292) Issue HDD surface level monitoring is not linked to monitoring of flood defence and emergency response. Impact Settlement may compromise defences and flood risk management.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Bridge decommissioning ID: EA081 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment	With regard to the mannings n co-efficients adopted in the Fromus model, the EA undertook a review of the model, raised comments on this matter, which the applicant responded to in July	We do not consider this issue resolved. We previously raised that the bridge over the River Fromus may be retained after operation phase without an adaptation plan for future flood	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Section/ pages/ table reference: 4.9.22-4.9.23 (APP-051) Issue Bridge may be retained after operation phase without adaptation plan for future flood risk. Impact Retained structure may limit floodplain function and increase climate change risk.	2025. In August 2025 the EA responded that they were satisfied that these comments had now been addressed and resolved. No further modelling is therefore proposed. The applicant is considering the proposed change to the wording of requirement 13	risk. We are pleased to see that the Environment Agency will be consulted on Requirement 13 (Decommissioning), within [REP3-007]. However, there has been no re-adjustment of the Mannings Roughness value in the hydraulic modelling relating to the River Fromus crossing, or a commitment to floodplain compensation. Therefore, this issue is unresolved. From our Deadline 2 Response letter [REP2-050]: We do not consider this issue resolved. We previously raised that the bridge over the River Fromus may be retained after operation phase without an adaptation plan for future flood risk. We note that the bridge abutments for the Fromus crossing fall outside the design flood extent and hence there is no loss of floodplain storage associated with the abutments. However, we note that the review of the hydraulic modelling for the Fromus crossing noted that the flood extent is sensitive to Manning's roughness within the river channel at this location. There are higher roughness values causing out of bank flooding and some impact to the proposed right bank bridge abutment. In light of this, it would be prudent to ensure the channel and embankment vegetation in the vicinity of the proposed crossing is well maintained throughout the operational life of the bridge. This is also applies beyond decommissioning phase if the crossing is to be retained. We note that B32 within Document Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Clean) - Accepted at the discretion of the Examining Authority [REP1-102] states there will be riparian habitat planting along the riparian corridor of the River Fromus. Given the sensitivities shown in the model to manning roughness, increase in vegetation along the watercourse may exacerbate flood risk. To resolve this issue, we require the following: • Alter the wording for requirement 13. (Decommissioning) in Late Deadline 1 Submission - 3.1(E) draft Development Consent Order (Clean) - Accepted at the discretion of the Examining Authority [REP1- 036] to be amended to include the wording “for the approval of by the relevant planning authority, in consultation with the Environment Agency”.	

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
		• Adjust the Mannings Roughness value in the modelling, re-assess flood risk, and adjust the design if necessary; or commit to providing floodplain compensation in Suffolk (inclusive of the River Fromus).	
ID: EA082 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment Section/ pages/ table reference: 4.7.17 Issue High surface water flood risk areas which align with watercourses may imply unmapped fluvial flood risk for catchments less than 3 km². Noting that in many cases the Flood Map for Planning (FMfP) has an evidence gap for catchments less than 3 km², fluvial flood risk may not have been adequately assessed. Impact Possible fluvial risks in smaller, unmapped catchments not addressed.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – River Stour – construction debris ID: EA083 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.3.3 Issue Overhead line crossing over River Stour. Impact Possibility of debris or construction materials falling into Stour and causing potential blockages on watercourse.	The following wording is proposed to be included in the next iteration of the REAC "*Appropriate mitigation will be in place to avoid the possibility of debris or construction materials falling into Stour and casueing potential blockages on watercourse. This could include debris netting under the temporary bridge, though still allowing the 4m clearance for navigation, details of this will be included in the CEMP. The final CEMP will include a method statement for construction of the scaffolding either side of the River Stour.* "	None - just flagged as not resolved	Awaiting EA updated feedback
ID: EA084 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.15-4.6.18 Issue Landscaping involving Earth Bunds. Impact Changes in flood compensation and flow paths, if landscaping is located within Floodplain, will increase flood risk on-site and elsewhere.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA085 EA – Scaffolding over River Stour ID: EA085 Environmental Statement APP-045 6.2.1.4 Part 1	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.96-4.6.108 Issue Temporary scaffolding over Main River Stour. Impact Potential for blockages within Main River if scaffolding not secure or poorly designed.			
ID: EA086 Environmental Statement APP-045 6.2.1.4 Part 1 Introduction Chapter 4 Description of the Proposed Project Section/ pages/ table reference: 4.6.172-4.6.174 Issue Unclear as to the exact location of temporary cofferdams at HDD exits. Impact May impact the stability or preclude access to flood defences/banks of a main if located nearby.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA087 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: 1.9.21–1.9.22 Issue The location of the cofferdam at the Kent Landfall is unclear. Impact May impact flood levels and has the potential to displace flood water/change flow paths.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – HDD Exit pit details ID: EA088 Environmental Statement APP-074 6.2.4.1 Part 4 Marine Chapter 1 Physical Environment Section/ pages/ table reference: 1.9.7 and 1.9.16 Issue Details omitted relating to HDD exit pits and use of rock bags/concrete mattresses. Impact Without full design details, it's difficult to assess their impact on flood risk.	Committment W30 has been added which states: *"W30 - In order not to impact flood levels by means of displacement or changing flow paths, at the Kent Landfall, cofferdams (which are temporary) will not be located within 16m of the River Stour (tidal element) or the coastal flood defences. Therefore, A FRAP will not be required."* The REAC will be updated at the next iteration	None - just flagged as not resolved	Awaiting EA updated feedback
ID: EA089 Environmental Statement APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Table 1.1	This is a change of position by the Environment Agency, having previously agreed that no floodplain compensation was required for works in the Stour floodplain. To review this matter and provide a response, the Applicant has requested further	None - just flagged as not resolved	The Applicant is currently updating commitments to address this issue

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
Issue Omission of details regarding mitigation for storage of materials within the River Stour floodplain. Impact Potential to alter or impede flood flow paths and thereby increase flood risk.	information from the Environment Agency. This information will be used to review which Project infrastructure are in this zone, and quantify any storage losses and impacts.		
ID: EA090 Environmental Statement APP-051 6.2.2.4 Part 2 Suffolk Chapter 4 Water Environment APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: 4.3.13 (APP-051) Appendix A (APP-292) Issue Limited detail is provided on the flood risk impacts of ordinary watercourse crossings. Of particular concern are the permanent culverted crossings at locations S/WA/0064.5 and S/WA/0064.4 and the temporary crossing at S/WA/0057 which is within Flood Zone 3. Impact Flood risk could be increased as a result of new crossings	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
EA – Updated flood mapping ID: EA091 Environmental Statement APP-231 6.4.2.4 ES Figures Suffolk Water Environment APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Figure 6.4.2.4.2 (APP-231) Appendix A (APP-292) Issue The Flood Map for Planning has been superseded by the recent NAFRA2 data published in March 2025. One area of change in Suffolk is noted around grid reference 640435, 262050. This location was in Flood Zone 1 in the previous Flood Map for Planning, but is now in Flood Zone 3. In this area two temporary attenuation ponds and joint bays are proposed as well as a temporary crossing (S/WA/0057). Impact The assessment of Flood Risk to the onshore scheme is based on the superseded Flood Map for Planning and could be inaccurate. Therefore aspects of the development are increased flood risk, and may increase flood risk elsewhere.	The area of the pond is approximately 268m2, with existing ground level at approximately 12.72m AOD. From the EA Flood Mapping data the access track at 13.24m AOD is not impacted by FLood Zone 2 or 3. The maximum flood depth is therefore considered to be 0.52m and the maximum displaced flood water would be 139.36m3. This is considered a conservative estimate. The pond cannot be relocated as it is located at the bottom of the slope to the east between the catchment and the outfall into the ordinary watercourse. The order limits within this area have also been restricted to minimise the impact on the landowner in this location, limiting flexibility for relocation. The indicative construction programme estimates that the attenuation pond would be required for approximately 2 years. The applicant can confirm that all temporary drainage features will be removed following completion of the works, with a specific commitment to the removal of this pond being added to the REAC submitted at Deadline 3 as follows:	We do not consider this issue resolved. Previously, we stated that the flood map for planning NAFRA2 data hadn't fully been considered for two temporary attenuation ponds, joint bays and a temporary crossing (S/WA/0057). We have not been provided with the requested information raised in our Deadline 2 Response letter [REP2-050]. Therefore, this issue is unresolved. From our Deadline 2 Response letter [REP2-050]: The Document Additional Submission accepted at the discretion of the Examining Authority – Applicant's response to the ExA's s89(3) letter 8 July 2025 & 5 August 2025 – 9.4 Supplementary Environmental Information - Flood risk assessment [AS-099] describes how one attenuation pond is within Flood Zone 3. This pond will be designed to exclude flood water ingress, and the supplementary note describes how impacts would be negligible due to the small temporary loss of storage. We require clarification from the applicant regarding: • The volume of water that would be displaced by the pond • Whether the pond would be moved to an area	Awaiting EA updated feedback

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
	"*W31 - Drainage ponds serving temporary works during construction of the Project would be removed following construction, and the land reinstated*."	outside of the flood zone • Clarification of how long the temporary attenuation pond would be in place for In addition to the above we request clarification of how the removal of temporary attenuation ponds will be secured. It is not clearly stated within the Late Deadline 1 Submission - 7.5.3.2 (B) CEMP Appendix B Register of Environmental Actions and Commitments (REAC) (Clean) - Accepted at the discretion of the Examining Authority [REP1-102] or in Late Deadline 1 Submission - 3.1(E) draft Development Consent Order (Clean) - Accepted at the discretion of the Examining Authority [REP1-036].	
ID: EA092 Environmental Statement APP-231 6.4.2.4 ES Figures Suffolk Water Environment Section/ pages/ table reference: Figure 6.4.2.4.3 (APP-231) Issue The Risk of Flooding from Surface Water information presented in figure 6.4.2.4.3 has been superseded by more recent information published in January 2025. Impact The assessment of surface water flood risk is based on outdated information. Surface water flood risk may interact with fluvial flood risk, and thereby pose a greater risk to people and property.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA093 Environmental Statement APP-038 2.14.1 Indicative General Arrangements Plans - Suffolk Section/ pages/ table reference: Issue The proposed temporary attenuation pond to the northeast of construction compound S03 at grid reference 640130, 262830 falls within an area shown to be at risk of surface water flooding. The extent of flooding shown in the latest Risk of Flooding from Surface Water dataset shows connectivity to the Ordinary Watercourses, which run adjacent to the B1119. Impact Fluvial water from the ordinary watercourse could collect in the attenuation pond. This could reduce its capacity for surface water attenuation, and increase flood risk on site and elsewhere.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

Summary of EA Relevant Representation	Applicant's Response at D4	EA Response at D4	Applicant's position at D5
ID: EA094 Environmental Statement APP-038 2.14.1 Indicative General Arrangements Plans – Suffolk APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Issue In the previous Flood Map for Planning, two temporary attenuation ponds and joint bays in the vicinity of crossing S/WA/0057 were shown to be in Flood Zone 1, but in the most recent update to the Flood Map for Planning (NAFRA2), they are now in Flood Zone 3. Impact An evidence gap in fluvial flood risk for smaller catchments, which are not covered by the Flood Map for Planning, which may result in infrastructure being inappropriately sited in areas of flood risk. This will increase flood risk on site and elsewhere.	Noted, see response to EA091 above	Issue Resolved	Issue Resolved
ID: EA095 Environmental Statement APP-292 6.8 Flood Risk Assessment Section/ pages/ table reference: Issue There are several temporary and permanent crossings over ordinary watercourses which could increase flood risk if not designed appropriately. Of particular concern are the permanent crossings over Minster Stream adjacent to the converter station. Impact Temporary and permanent culverts may impede flow and increase flood risk if not designed appropriately.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved
ID: EA096 Environmental Statement APP-064 6.2.3.4 Part 3 Kent Chapter 4 Water Environment Section/ pages/ table reference: Issue Outdated Flood Map for Planning data from 2023 is being used. Impact Some flood zones may have been altered, and therefore outdated data may be being used to determine flood zones.	The Applicant agrees that this matter is resolved	Issue Resolved	Issue Resolved

4. Approvals

Signed	

On Behalf of	National Grid
Name	
Position	[senior consents officer/lead project manager/ lead project director]
Date	

Signed	

On Behalf of	Environment Agency
Name	
Position	[senior consents officer/lead project manager/ lead project director]
Date	

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