The Great Grid Upgrade

Sea Link

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Volume 9: Examination Submissions

Document 9.155 Applicant's Update on Environment Agency's Outstanding Issues

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1. Purpose

1.1.1 The purpose of this document is to provide an update on the current status of discussions with the Environment Agency on outstanding matters as the Applicant understands them to be. This is submitted in lieu of a final Statement of Common Ground, as there has not been time to get this agreed and signed prior to deadline 7.

1.1.2 The latest position is set out in Table 1.1 below.

Table 1.1 Applicant's Update on Environment Agency's Outstanding Issues

Topic	Summary of Relevant Representation	Current position	Agreed?
Biodiversity	EA001 - Working hours of the project do not account for seasonal changes to the time of dawn and dusk.	Awaiting EA feedback on updated B71 commitment in **9.84 (D) Register of Environmental Actions and Commitments (REAC) [REP6-134]**	In discussion
Fisheries	EA019 Noise impacts from cable excavation have not been included.	Still awaiting EA response on the Applicant's response, at deadline 5 (in **REP5-088**) which was as follows: 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 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.	In discussion

Topic	Summary of Relevant Representation	Current position	Agreed?
Geomorphology	EA032 Risk of movement of the mouth of the River Stour by Pegwell Bay.	The Applicant's revised wording for this requirement, as submitted in the **3.1 (I) draft Development Consent Order [REP6-004]** is included below: *River Stour Channel* ~~**18.** sss) This requirement is necessary as it manages the risk of erosion in the area and the secondary risk of harm to habitat and protected species.~~ **18.**~~(1)~~ (1) No installation of the marine cables in Pegwell Bay may commence until a monitoring and contingency plan has been submitted to and approved by the Marine Management Organisation in consultation with the relevant planning authority and the Environment Agency. (2) ~~(2)~~ The marine and contingency plan will— (a) set out monitoring proposals for the River Stour Channel within Pegwell Bay throughout the operational life of the cables. Monitoring will be undertaken annually for the first five years following installation of the cables after which the frequency and scope of monitoring will be reviewed in consultation with the Environment Agency; and (b) set out actions that will be undertaken where monitoring demonstrates a need for potential remediation as a result of the River Stour channel migrating to within 50m of the installed cables. In such circumstances, and unless otherwise agreed with the Environment Agency, cable lowering would be the primary mitigation method and no mitigation would be proposed involving the use of sheet piling or dredging. (3) ~~(3)~~ Mitigation and remediation measures will be agreed with and approved by the Environment Agency prior to the undertaking of any remedial works.	In discussion but assume resolved
Water Quality	EA040 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.	Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Water Quality	EA041 Disposal of contaminated construction/ concreting water.	EA request for **9.84 Register of Environmental Actions and Commitments (REAC)** commitment GG17 to include backstop position of tankering water offsite - Applicant has updated GG17 as follows: "Where required, wheel washing will be provided at each main construction works compound access point on to the highway and at any location where there is a risk of mud and debris being tracked onto the public highway. Wash water and rainfall runoff from concrete batching plant areas will be prevented from passing untreated into watercourses and groundwater . Flows from these designated impermeable areas will either be discharged to foul sewer, or be collected and contained on site in accordance with EA Regulatory Position Statement 287, for example using leak proof skips, settling tanks (provided with 10% freeboard to prevent overtopping), prior to treatment to separate solids and neutralise pH e.g. using approved solutions or CO2. If water associated with concrete batching still cannot be discharged to the foul sewer it will be removed off site by tanker. Road sweepers will also be deployed on public roads where necessary to prevent excessive dust or mud deposits."	In discussion, but assume resolved
Water Quality	EA043 Dewatering of both rainfall runoffs and potentially elevated groundwater at the construction site.	Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Water Quality	EA045 Pumping (over pumping) process may allow silty water to enter the water course downstream.	Awaiting EA feedback on updated GG15 commitment in **9.84 (D) Register of Environmental Actions and Commitments (REAC) [REP6-134]** around Contamination of the water environmental from site runoff. EA request to be added as a consultee for the two drainage plans, which has been added	In discussion, but assume resolved

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		to the update to **3.1 draft Development Consent Order** submitted at deadline 7, so it is assumed this matter is resolved	
Water Quality	EA046 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.	Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Groundwater and Contaminated Land	EA053 Omission of assessment of risks from heat generated by the cable to groundwater.	Awaiting EA further comments on **9.130 Groundwater Heat Pollution - Technical Note [REP5-143].**	In discussion
Flood Risk	EA064 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.	Drawings included in Appendix E of the **6.8 (B) Flood Risk Assessment [REP6-052]** and cross referenced in para 2.3.3. EA to provide feedback Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Flood Risk	EA065 Sequential approach within Flood Zone 3 not clearly applied to avoid Flood Zone 3b.	Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Flood Risk	EA066 Medium flood risk noted during construction without clear location or specifics.	**6.8 (B) Flood Risk Assessment [REP6-052]** Updated to better convey intended meaning. Updated last sentence of Ex1.3.2. Applicant notified by EA on 28/4/26 that the issue is resolved	Yes

Topic	Summary of Relevant Representation	Current position	Agreed?
Flood Risk	EA068: Open-cut crossings of main rivers suggested under W02. Stockpile setback distances don't consider flood zones.	W06 updated in **9.84 (D) Register of Environmental Actions and Commitments (REAC) [REP6-134]** and split between Suffolk and Kent - Need EA view on these updates. 29/04/26 - updated Measure W06 in the **9.84 Register of Environmental Actions and Commitments (REAC)** as follows (orange updates address EA068): Where new or additional impermeable surfacing is required on any access tracks, bellmouths and in compound areas e.g. for parking provision, site offices, Sustainable Drainage Systems (SuDS) will be incorporated appropriate to the existing ground conditions, with infiltration to ground preferred where conditions are suitable. These would be put in place as early activities in the construction schedule so as to avoid or reduce working on land that is prone to waterlogging and flooding. The Proposed Project will incorporate appropriate surface water drainage measures into its final design for the haul roads and access tracks so that they do not lead to a significant increase in flood risk. Temporary haul routes and all other temporary works within Flood Zone 3 and areas of high and medium risk of flooding from surface water will be removed at the end of the construction phase and the ground surface will be reinstated to pre-project levels, except in instances where the ground level has been adjusted as part of the Proposed Project subject to the provisions of the draft DCO in Article 27 (see Application Document 3.1). During construction of the Suffolk Onshore Scheme, construction materials would be stored within Flood Zone 1 and areas at low risk of flooding from surface water. For the Kent Onshore Scheme, given the expansive nature of the River Stour floodplain, this commitment cannot practicably be achieved. It is therefore proposed that storage of materials within Flood Zone 3 will be minimised with materials such as pylon steelwork stored for up to 30 days and 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. In addition the contractor would monitor weather forecasts and flood alerts/warnings, including information on tidal conditions, enacting protocols to remove temporary stores out of Flood Zone 3B to the closest suitable location in Flood Zone 3a on receipt of warning. Where construction access routes for both the Kent and Suffolk Onshore Schemes cross Flood Zone 3 and areas at high risk of surface water flooding no land raising would be required, except for the approaches to the temporary bridge crossing of the River Stour. W07 - The contractor(s) will subscribe to the Environment Agency's Floodline service, which provides advance warning of potential local flooding events, and subscribe to the Met Office's Weather Warnings email alerts system and any other relevant flood warning information. The contractor(s) will prepare and implement a suitable Flood ~~risk action~~ Emergency Plan as part of the Onshore Construction Environmental Management Plan, which will set out procedures that will be followed to manage flood risk to site personnel, materials and equipment and include appropriate evacuation procedures, identifying safe access and egress arrangements for site personnel should a flood occur or be forecast.	In discussion
Flood Risk	EA069 (W06) Construction material storage in Flood Zone 3 with ground raising, however there is no compensatory storage mentioned.	W06 updated **9.84 (D) Register of Environmental Actions and Commitments (REAC) [REP6-134]** and split between Suffolk and Kent. Applicant notified by EA on 28/4/26 that the issue is resolved	Yes

Topic	Summary of Relevant Representation	Current position	Agreed?
Flood Risk	EA070 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	FRA Updated. Added Table 4.3 and para 4.3.12 and 4.3.13 for Suffolk and Table 4.4 and paras 4.3.26 for Kent to include the information requested. The Applicant confirms that the alternative drainage solution proposed to replace the temporary attenuation basin in Suffolk (TC-40-ATPN) is a linear filter drain. This filter drain would be positioned adjacent to and receive runoff from a short section of construction haul road. As the extent of Flood Zones 2 and 3 in this location is limited, the filter drain would be situated outside of these extents in Flood Zone 1. There would therefore be no risk of submergence during a fluvial flood event and no concern about operability/performance. Also, no new fluvial flood flow routes would be formed. The only drainage feature remaining in FZ2/3 would be a small outfall from the filter drain into the ditch. A drawing is being prepared detailing the proposed location of surface water flood storage basin trenches relative to flood zones to accurately deduce the proposed interaction area and scale of risk.	In discussion
Flood Risk	EA075 W06 temporary and permanent haul/access roads within floodplain.	W06 updated in version D of the REAC and split between Suffolk and Kent - Awaiting EA view on these updates. 29/04/26 - updated Measure W06 in the REAC as follows (green update addresses EA075): Where new or additional impermeable surfacing is required on any access tracks, bellmouths and in compound areas e.g. for parking provision, site offices, Sustainable Drainage Systems (SuDS) will be incorporated appropriate to the existing ground conditions, with infiltration to ground preferred where conditions are suitable. These would be put in place as early activities in the construction schedule so as to avoid or reduce working on land that is prone to waterlogging and flooding. The Proposed Project will incorporate appropriate surface water drainage measures into its final design for the haul roads and access tracks so that they do not lead to a significant increase in flood risk. Temporary haul routes and all other temporary works within Flood Zone 3 and areas of high and medium risk of flooding from surface water will be removed at the end of the construction phase and the ground surface will be reinstated to pre-project levels, except in instances where the ground level has been adjusted as part of the Proposed Project subject to the provisions of the draft DCO in Article 27 (see Application Document 3.1). During construction of the Suffolk Onshore Scheme, construction materials would be stored within Flood Zone 1 and areas at low risk of flooding from surface water. For the Kent Onshore Scheme, given the expansive nature of the River Stour floodplain, this commitment cannot practicably be achieved. It is therefore proposed that storage of materials within Flood Zone 3 will be minimised with materials such as pylon steelwork stored for up to 30 days and 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. In addition the contractor would monitor weather forecasts and flood alerts/warnings, including information on tidal conditions, enacting protocols to remove temporary stores out of Flood Zone 3B to the closest suitable location in Flood Zone 3a on receipt of warning. Where construction access routes for both the Kent and Suffolk Onshore Schemes cross Flood Zone 3 and areas at high risk of surface water flooding no land raising would be required, except for the approaches to the temporary bridge crossing of the River Stour.	In discussion
Flood Risk	EA076 Wording within mitigation commitments GG14 and W02 reflects activities occurring 15m from watercourse.	W02 updated in version D of REAC. Applicant notified by EA on 28/4/26 that the issue is resolved	Yes

Topic	Summary of Relevant Representation	Current position	Agreed?
Flood Risk	EA079 Lack of quantified assessment of the rate of coastal erosion at the landfall location over the lifetime of the project.	FRA Updated - at section 4.3 (Operational Risk Assessments for Suffolk and Kent). REAC commitment MPE06 - have developed revised wording as follows: Over the operational lifetime of the Proposed Project, monitoring of the beach profile and erosion rates ~~is~~ will be carried out at both the Suffolk and Kent landfall sites ~~where rock bags are planned to be placed at the Horizontal Directional Drilling (HDD) exit pits~~ in relation to the trenchless technique construction areas associated with the exit pits. The frequency and scope of monitoring would be dependent on the outcomes of the pre-construction surveys and 'as-built' status of the Offshore Scheme. The Applicant will produce a monitoring plan, in substantial accordance with the outline In-Principle Monitoring Plan to be submitted to the MMO to cover works below Mean High Water Springs within three months of the 'as-built survey' unless otherwise agreed in writing by the MMO.	In discussion
Flood Risk	EA081 Bridge may be retained after operation phase without adaptation plan for future flood risk.	FRA Updated relating to the Fromus bridge approach road. Added Plate 4.1 and para 4.3.40 to FRA. 29/04/26 New commitment added to the REAC at deadline 7 which states: *"To remove any future risk of the proposed permanent bridge over the River Fromus becoming inaccessible in future scenarios, the western approach road would be raised in the order of 100mm to provide added flood resilience, in accordance with the details provided in 6.8 (B) Flood Risk Assessment [REP6-052]"*	In discussion
Flood Risk	EA083 Overhead line crossing over River Stour.	Method Statement included as Appendix E to the updated FRA. Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Flood Risk	EA088 Details omitted relating to HDD exit pits and use of rock bags/concrete mattresses.	This is covered by measure W30 in the REAC section 1 Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Flood Risk	EA089 Omission of details regarding mitigation for storage of materials within the River Stour floodplain.	Covered by measure W35 in the REAC Section 1 Applicant notified by EA on 28/4/26 that the issue is resolved	Yes
Flood Risk	EA091 The Flood Map for Planning has been superseded by the recent NAFRA2 data published in March 2025.	TC-40-ATPN has been removed from the drainage plans in the Suffolk Drainage Strategy. Copy of revised document issued to EA and to then submit into examination at D7. Applicant notified by EA on 28/4/26 that the issue is resolved	Yes

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