



The Sizewell C Project

8.14 Water Framework Directive Compliance Assessment Report Part 1 Appendix 1B

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SIZEWELL C PROJECT – WFD COMPLIANCE
ASSESSMENT REPORT

NOT PROTECTIVELY MARKED

WFD Compliance Assessment

Part 1: Introduction and Method

Appendix 1B: Summary of Consultation Responses

NOT PROTECTIVELY MARKED

Appendix 1B: Summary of consultation responses

Stakeholder	Report	Initial issue date in current form	NNB GenCo Comment number	Comment Date	Comments (Table and Section Numbers refer to documents at the time of consultation and do not necessarily align with the final version)	Response
Environment Agency	Sizewell C Water Framework Directive (WFD) Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/047	09-06-16	Table 2.1 and 2.2 There are several references to impact on sites of special scientific interest (SSSI) made in these tables. We point out that SSSIs are not protected sites under WFD, so do not need to be considered in this assessment.	References to SSSI removed. An activity exists in relation to the main access road which is known within the Sizewell Project team as SSSI crossing. The reference to SSSI is therefore kept in this context only. All other references to SSSIs removed.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/048	09-06-16	Table 2.1 and 2.2 We have picked up some inconsistency in the approach to defining which grouped elements (e.g. biology, physico-chemistry) are impacted in table 2.1 and 2.2. Often changes in chemistry are not then indicated as having a possible impact on biology. We are unclear whether this would alter the	Tables removed as no longer considered required due to way in which assessment has been restructured to meet Clearing the Waters For All guidance requirements.

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					final outcomes, but we raise the point for completeness.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/049	09-06-16	Table 2.1 and 2.2 The impact of noise is excluded from construction impacts (table 2.1). This is stated that it is because fish are not a quality element for coastal water bodies; however, this should be considered (as we have already done for the discharge) because it can act as a barrier to fish migration.	The effect on noise as a barrier to migratory fish in the Suffolk coastal water body is considered in the transitional water scoping tables. This will be clarified in the table.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/050	09-06-16	Table 3.1 It is our understanding – and view – that there is some degree of hydromorphological connectivity between the Suffolk coastal water body and the Walberswick Marshes and Alde–Ore TraC water bodies. Whilst we note there has been work carried out on MSR1/1 to date, until	As discussed in the teleconference on 10/10/16, because of the nature of the scoping questions (which have been taken from the draft Clearing The Waters For All guidance), the marine structures are unlikely to be scoped in under hydromorphology. There is a

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					<p>we can understand the finalised proposed designs for both the Beach Landing Facility (BLF) and Marine Off-Loading Facility(MOLF) structures, we cannot at this stage rule out hydromorphological impacts to the north and south of the SZC development.</p>	<p>possibility of scoping in hydromorphological effects under biological elements as these scoping questions relate to the footprint of the development. RHDHV confirmed that the latest information indicates that the footprints of the marine structures are larger than 500m² and that these could therefore be screened in for potential impacts on flora/fauna/angiosperms/benthic invertebrates.</p> <p>There was some discussion regarding the BLF becoming a coastal protection structure, in which case there is a possibility of scoping in under hydromorphology. NNB stated however that this was not the intention, more that the structure would act as a hard point. Environment Agency to confirm requirements regarding this</p>

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						issue in relation to scoping questions.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/051	09-06-16	Table 3.1 Until further information and evidence is provided to our satisfaction, we must take a precautionary approach at this stage until we know whether or not the existing studies are appropriate to the final design of the marine structures. If, for example, the MOLF ends up being a different design to that which was modelled and analysed in the existing BEEMS reports, it is likely that some further examination of likely impacts will be needed to ascertain any changes to the 'shadowing effect' detailed in the current modelling data.	See response to comment 050.
Environment Agency	Sizewell C WFD Compliance	12th April 2016	SZCMTF/WFD/052	09-06-16	Table 3.1 For the reasons outlined above we support the	Related to comment 050. Noted regarding addition of foul water.

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	Assessment, Stages 1 and 2				proposal to 'scope in' the Suffolk coastal waterbody, Walberswick Marshes and Alde-Ore for 'construction of marine structures' during construction. We acknowledge and support the inclusion of foul water into scope during the construction phase; this is in line with our comments raised in our previous response in late 2015.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/053	09-06-16	Table 3.2 and 3.3 Reference table 3.2 and appendix B – It is our view that construction (specifically the MOLF and BLF) has the potential to alter morphology, hydrology and hydromorphology of the Suffolk coastal waterbody and so should be scoped into the WFD assessment, particularly in the absence of	See response to comment 050.

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					final designs for the structures.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/054	09-06-16	Table 3.2 and 3.3 We do not understand why hydromorphology is included as a parameter within the wider hydromorphology Quality Element (ref. table 3.2). It would be useful to get clarity on this?	Hydromorphology is not subdivided in the new Clearing The Water For All guidance for TraC waters (but is for freshwaters), because of the way the scoping questions are written. This has been clarified in the report.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/055	09-06-16	Table 3.2 and 3.3 There is no recognition of Nitrate Vulnerable Zones (NVZs) in either the appendices or in the summary of protected sites in Table 3.2 and 3.3 . We consider this an omission which needs to be addressed – it may change the outcome of the scoping for protected sites.	Agreed. NVZs to be included in the assessment.
Environment Agency	Sizewell C WFD Compliance	12th April 2016	SZCMTF/WFD/056	09-06-16	Table 3.2 and 3.3 Protected sites (special areas	Acknowledged. Altered in Part 2 Scoping section. Where

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	Assessment, Stages 1 and 2				of conservation (SAC)/special protection areas (SPA)/Ramsar) have been classed as 'No' assessment. However on legality we ask that you do recognise this is scoped in where relevant, but a note made to state that for these sites it will be delivered through the Habitats Regulations Assessment (HRA). This will ensure you comply with the protected sites requirements of WFD.	SAC/SPAs are within 2 kilometres (km), activity is scoped in then with a note saying but no further work to be completed under WFD as separate HRA being prepared.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/057	09-06-16	Table 3.2 and 3.3 We refer to Natural England's supplementary advice information for marine protected areas for HRA. Within the supplementary advice there are strong links to WFD standards; in some instances meeting the environmental standards set out by the WFD will be	Noted.

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					sufficient for the purposes of HRA, however, in some cases more stringent standards may be needed. There is therefore a need to ensure appropriate linkage between these two workstreams.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/058	09-06-16	<u>Marine</u> Our key comments and observations add new considerations or detail as a result of applying the newer Clearing the Water for All guidance. Reference should be made to the newer Clearing the Water for All guidance (which is currently being published), which does differ from the previous version – it needs to be noted though that this is still officially a draft; we have provided this guidance.	Part 1 now contains the updated methodology which uses the Clearing the Water For All guidance.

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Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/059	09-06-16	Section 3.6.2 This also needs to include consideration of invasive non-native species – a risk assessment is required.	Biosecurity risks will be addressed in the relevant sections of the Environmental Statement (ES) and referenced in the WFD compliance assessment.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/060	09-06-16	Table 3.2 Scoping questions for Phytoplankton need to consider if the area has a history of significant, toxic or persistent blooms.	Updated now with Clearing the Waters For All trigger questions.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/061	09-06-16	Table 3.2 Scoping questions for Chemistry need to consider if the dissolved oxygen or salinity will be affected (this seems to be covered in the later scoping assessment, but not in this table).	Updated now with Clearing the Waters For All trigger questions.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/062	09-06-16	Table 3.5 and 3.6 Biology: within and between class deterioration. There has been no	Updated now with Clearing the Waters For All trigger questions.

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					consideration of additional habitats not surveyed under the WFD surveillance programme and how they will be addressed? It is expected these other sensitive habitats will be a qualitative assessment only, and there will not be an existing WFD tool available.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/063	09-06-16	There is mention of temporary deterioration being <12 months. We do not agree that this is appropriate to use as a 'blanket' approach for all elements; period may be shorter of longer. Please see Table A3.1 and associated text in our Clearing the Water for All guidance, which provides more detail on our requirements.	New guidance noted. Discussion held regarding using only timescales for assessment of deterioration. Case Study presented. Environment Agency to provide guidance on very small impacts which will last for the period of the operational period.
Environment Agency	Sizewell C WFD Compliance	12th April 2016	SZCMTF/WFD/064	09-06-16	As raised in our comments to your report 'Sizewell C WFD Compliance Assessment:	NVZs to be included.

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	Assessment, Stages 1 and 2				Stages 1 and 2' (110/final, dated 12 April 2016) the sensitive areas and NVZs need to be considered appropriately. Our guidance says that nutrient sites need to have a Weight of Evidence approach; we are unclear if this will be delivered through the Environmental Impact Assessment (EIA) alone? Confirmation requested.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/065	09-06-16	Freshwater Section 3.3 This discusses the role of the Environment Agency in implementing the WFD and it mentions the Environment Agency being "...a consultee to other regulators and bodies in relation to WFD compliance..." Picking up on this, we note your strategy to date does not consider non-WFD waterbodies; we are	It is our understanding that ALL water bodies should be considered under the WFD, and that all surface watercourses not shown on the water body line map need to be considered as part of the water body into which they drain. The methodology has been amended to make this clear.

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					interested to understand your proposed approach to these and your proposed engagement with organisations.	
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/066	09-06-16	Section 3.4 An old version of position statement 488_10 is referenced. This was revised in 2014 and is now called 'Water Framework Directive compliance of physical works in rivers'. For completeness, we have included a copy of this with our response; we advise that you continue to pursue your strategy as outlined.	Reference updated.
Environment Agency	Sizewell C WFD Compliance Assessment, Stages 1 and 2	12th April 2016	SZCMTF/WFD/067	09-06-16	<u>Groundwater</u> We have no specific comments or concerns to raise based on the latest information.	Noted.