

Theme: BHLR: Addendum to the ES Additional Comments – Environment Agency Consultation

Location: County Hall, Lewes

Meeting Date 22.07.08

Present: Sally Chadwick (SC) EA
 Hannah White (HW) EA
 Rosie Piper (RP) EA
 Hugh Coakley (HC) ESCC
 Nigel Marshall (NM) ESCC
 Artemis Christophi-Turner (ACT) ESCC
 Giles Hewson (GH) MM
 Lisa Huckstep (LH) MM
 Julia Barrett (JB) MM

Notes Taken by: JB

Item	Text	Action	Target Date
<p>1.0 Meeting Agenda</p>	<ul style="list-style-type: none"> - Introductions - Purpose of the Meeting: to agree the content of the Addendum to the ES (AES) for the proposed Bexhill to Hastings link Road - Confirmation that the Regulation 19 Issues raised by Natural England have been addressed, with the exception of those raised as Additional Comments - Confirmation that the Additional Comments raised by Natural England have been addressed - Any other business 		
<p>2.0 Introductions and notes</p>	<p>All present were introduced with their roles in relation to the Scheme.</p> <p>Noted that Kate Entwistle is the key contact for the EA with regards to BHLR at present. She is unavailable for this meeting. Sally Chadwick is present in her absence.</p> <p>Artemis Christophi-Turner is the Principal Planner, representing Tony Cook of ESCC.</p> <p>Dr. Alex Tait, ESCC County Ecologist could not be present due to long term illness.</p> <p>GH requested clarification of which version of the Nature Conservation chapter has been reviewed by EA and has given rise to their additional comments. SC confirmed that the first of two versions was reviewed. GH stated that this version was an initial draft and has been significantly amended by subsequent reviews.</p> <p>Clarity over the authors of the first and second set of comments from EA is sought. The first set of Regulation 19 comments were</p>		

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	compiled by Sarah Warris, who has since left the EA. The second set were compiled by SC.		
3.0 Purpose of the meeting	The aim of the meeting is to close off, as far as possible, the additional issues raised so that a response to the queries is provided. Where the issue cannot be closed off, a clear method to address the issue should be developed.		
4.0 Confirmation that the Regulation 19 Issues raised by Natural England have been addressed, with the exception of those raised as Additional Comments	GH suggests that the meeting should focus on the additional comments received from EA. A Schedule of these additional comments was provided in the information pack issued to the EA prior to this meeting. This Schedule will be included as an Appendix to the AES. These minutes will also be included as an Appendix to the AES.		
5.0 Confirmation that the Additional Comments raised by Natural England have been addressed	<p>5.1 Mitigation and compensation for ecological impacts</p> <p>GH confirmed that the mitigation design had been developed in consultation with the English Nature, the Countryside Agency, NE and EA. Grant Moffatt was the key contact for this purpose, and the 2:1 habitat replacement was developed with his knowledge and input.</p> <p>Natural England (NE) have been consulted regarding biodiversity mitigation. MM and ESCC had a successful meeting with NE on 22.07.08, the minutes of which will be added as an appendix to the AES.</p> <p>GH requested an overview from EA as to why it is thought that the mitigation proposed is not adequate.</p> <p>SC commented that there is doubt to the feasibility of the wetland habitats such as the borrow pit in Powdermill Valley. Is this wetland habitat at this location sustainable?</p> <p>SC also raised the point that the 2:1 habitat replacement must be appropriate in relation to habitat loss.</p> <p>NM made reference to the Addendum Design and Access Statement (ADAS). This is amended to contain a schedule showing loss/ gain habitat. Overall, there is a greater amount of replacement habitat than the 2:1 requirement. Figure 208/31/60 of the ADAS showing Habitat Loss, identifies that much of the habitat lost as a result of the Scheme is of low biodiversity value.</p> <p>Note: NM to provide a printed copy of the ADAS to EA.</p>	NM	ASAP
	<p>5.2 Unknown Impacts:</p> <p>5.2.1 Noise –</p> <p>GH queried whether the noise chapter of the ES (Chapter 11) has been reviewed. This chapter assesses noise impacts for human health. It is accepted that there will be a moderate adverse impact as a result of the Scheme in relation to noise, as stated in the ES. However, the impacts will be significantly ameliorated as a result</p>		

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	<p>of noise mitigation such as bunding and noise fencing. However, it is noted that there will be some residual impacts after mitigation in relation to potential impacts upon over wintering birds.</p> <p>5.2.2 Nitric acid –</p> <p>The AES includes a report on the assessment of AQ effects on designated sites. The impact of Acidification is confirmed here, in accordance with DMRB, as a regional issue and therefore is not significant for this Scheme.</p> <p>The AQ report contained as Appendix G of the Draft AES backs up the original findings of the ES to state that there is a potentially significant impact from atmospheric NO_x and NO₂ deposition. The updated assessment does not alter this conclusion. The query is how the additional exceedence over and above that which is occurring without the Scheme will impact the designated sites. This will be done by applying the lower threshold, and assessing the impact of this change on the communities present at the locations where the AQ assessment identifies an exceedence.</p> <p>GH states that MM will include a section within the Draft AES to outline the mitigation strategy for managing and reducing the impact of NO₂ deposition (principally thorough land management). Whilst EA reserve their position until they review the final submission, EA expressed agreement to this approach.</p> <p>5.2.3 Discharge of Road Drainage and Leachates –</p> <p>As requested by NE, additional detail for surface water runoff pollution from Queensway into Marline Woods SSSI will be added to the AES.</p>	<p>MM</p> <p>MM</p>	
	<p>5.3 Salts:</p> <p>The original ES addresses the impact from de-icer salts. It states that due to the high dilution capacity from SUDS and overflows, and the low concentrations of salts for this location, the impact from salt run-off will not be significant. NE have asked for an attempt to quantify the amount of salts entering watercourses at peak flows. The DMRB provides some guidance, but not to the level of detail being requested.</p> <p>EA will consult with colleagues and provide some further information on potential methodologies for modelling salt impacts), and additional guidance for mitigating the long-term accumulation of salts. One suggestion (SC) could be to divert outflows away from sensitive habitats where possible. To do this, MM will map the discharge points in relation to the habitats and identify any locations where there is conflict with sensitive habitats.</p> <p>In addition, current codes of practice for the application of de-icer salts will be referenced in the AES. Recommendations for minimum applications, without compromising safety, will be made. HC to contact Area Manager for ESCC with regards to this information. Whilst EA reserve their position until they review the final submission, EA expressed agreement to this approach.</p>	<p>EA</p> <p>MM</p> <p>HC</p>	<p>ASAP</p> <p>ASAP</p>
	<p>5.4 Mitigation –</p> <p>GH confirmed that the ES highlighted an initial concern regarding</p>		

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	<p>mitigation proposals. These concerns have subsequently been resolved in the revised Environmental Design proposals.</p> <p>Additional information which is provided in the DAS and ADAS for funding of long-term management (through ring-fenced and additional monies) will be adequately summarised and cross referenced in the AES so that there is no uncertainty over the long-term feasibility of the proposed mitigation.</p> <p>EA query whether the habitat creation of replacement habitats would take place in advance of the main works. The AES will investigate this, with a caveat stating that where possible, mitigation will be brought forward so that any ecological enhancement commences as early as possible. Whilst EA reserve their position until they review the final submission, EA expressed agreement to this approach.</p> <p>Note: the 2:1 habitat replacement for ditches is now confirmed in the ADAS.</p>	<p>MM</p>	
	<p>5.5 Habitat Severance</p> <p>SC summarises the concerns that the very nature of a road scheme will mean that habitat severance will occur. However, the AES states that mobile species are unlikely to be affected. Less mobile species may be affected, but the addition of mitigation such as Dormouse underpasses will ensure this impact is mitigated to a certain extent. The revised Environmental Design contained within the ADAS includes mitigation for habitat severance.</p>		
	<p>5.6 Clear Span structures</p> <p>The incorporation of clear span structures for the Scheme has been developed through consultation with Grant Moffatt of the EA. A 2m buffer zone on either side of the watercourse has been agreed. EA currently suggest that this 2m corridor is not wide enough to ensure the ecological functionality of the valley. GH confirmed that a wider corridor would result in a larger structure, and this has implications for visual impact and landtake. A balance is therefore required.</p> <p>GH confirmed that ESCC as Scheme Promoters will not be amending the current design for clear span structures. Given this, the EA agree that the 2m corridor should be developed to the best advantage, such as through suitable planting and potential green engineering. Therefore, the AES will develop a set of principles on how to plant and manage a softbank option, with an aim of maintaining the biodiversity value along the riparian edge. These principles will consider erosion and siltation.</p> <p>The Design and Access Statement currently shows an engineering solution in regards to bank and bed options.</p> <p>GH asked if the EA would maintain their objections to the Scheme on the grounds of the clear span bridges if the green engineering options are investigated and subsequently conditioned. EA state that this would be reviewed upon receipt of the additional information.</p> <p>SC stated that works over the watercourses would have to be licensed and subject to Land Drainage Consent in any event. It is</p>	<p>NM/ MM</p>	

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	likely that a green solution would be conditioned at this stage.		
	<p>5.7 Species isolation</p> <p>It is agreed that should a green engineering solution be adopted, the concerns over barriers to movement for species such as watervoles and otters would be negated. In addition, the design should ensure that the water environment is not hostile for species.</p> <p>LH stated that a watervole strategy is currently being developed by EPR for the Scheme. This is in line with the EA's future goals of re-colonising the valley. Information about this strategy is unlikely to be available prior to submission of the AES, but GH confirmed a commitment to providing EA with a survey and mitigation review report by September 2008.</p>	MM	September 2008
	<p>5.8 PPS9 and other Planning Policy</p> <p>It is agreed that this is addressed through the additional information contained in the ADAS for habitat loss, habitat replacement and habitat management, and through the discussions held today.</p>		
	<p>5.9 FRA</p> <p>EA have received and reviewed the FRA for the Scheme.</p> <p>EA have subsequently removed their objection to the Scheme on the grounds of Flood Risk.</p> <p>CLOSED</p>		