



## A5 - Consultation Report

We are the Environment Agency. We protect and improve the environment.

Acting to reduce the impacts of a changing climate on people and wildlife is at the heart of everything we do.

We reduce the risks to people, properties and businesses from flooding and coastal erosion.

We protect and improve the quality of water, making sure there is enough for people, businesses, agriculture and the environment. Our work helps to ensure people can enjoy the water environment through angling and navigation.

We look after land quality, promote sustainable land management and help protect and enhance wildlife habitats. And we work closely with businesses to help them comply with environmental regulations.

We can't do this alone. We work with government, local councils, businesses, civil society groups and communities to make our environment a better place for people and wildlife.

Published by:

Environment Agency  
Horizon House, Deanery Road,  
Bristol BS1 5AH  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Further copies of this report are available  
from our publications catalogue:  
[www.gov.uk/government/publications](http://www.gov.uk/government/publications)

or our National Customer Contact Centre:  
T: 03708 506506

Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

© Environment Agency 2014

All rights reserved. This document may be reproduced with prior permission of the Environment Agency.

### Quality Assurance

<i>Project name</i>	<i>Boston Barrier Tidal Project</i>
<i>Project 1B1S reference</i>	<i>IMAN001472</i>
<i>Date</i>	<i>12 August 2016</i>
<i>Version number</i>	<i>1</i>
<i>Author</i>	<i>GH</i>

### Approvals

<i>Name</i>	<i>Title</i>	<i>Date</i>	<i>Version</i>
<i>NC</i>	<i>EIA Project Manager</i>	<i>12/08/2016</i>	<i>1</i>
<i>EL</i>	<i>EIA Project Director</i>	<i>12/08/2016</i>	<i>1</i>



EIA Quality Mark

This Environmental Statement, and the Environmental Impact Assessment (EIA) carried out to identify the significant environmental effects of the proposed development, was undertaken in line with the EIA Quality Mark Commitments.

The EIA Quality Mark is a voluntary scheme, operated by the Institute of Environmental Management and Assessment (IEMA), through which EIA activity is independently reviewed, on an annual basis, to ensure it delivers excellence in the following areas:

- EIA Management
- EIA Team Capabilities
- EIA Regulatory Compliance
- EIA Context & Influence
- EIA Content
- EIA Presentation
- Improving EIA practice

To find out more about the EIA Quality Mark please visit:  
[www.iema.net/qmark](http://www.iema.net/qmark)

This page has been left intentionally blank.

# Contents

<b>Chapter</b>	<b>Title</b>	<b>Page</b>
<b>1</b>	<b>Introduction</b>	<b>1</b>
1.1	Overview _____	1
1.2	Report structure _____	2
1.3	Brief description of Project _____	2
<b>2</b>	<b>Environment Agency's approach to consultation</b>	<b>5</b>
2.1	Introduction _____	5
2.2	Communications and engagement principles _____	5
2.3	Face-to-face engagement objectives _____	5
2.4	Boston Barrier Project Board _____	6
2.5	Summary of Consultation throughout the Project to date _____	6
<b>3</b>	<b>Early Project consultation</b>	<b>9</b>
3.1	Background to the Project _____	9
<b>4</b>	<b>Regulatory EIA consultation</b>	<b>11</b>
4.1	Environmental impact assessment (EIA) _____	11
4.2	Initial scoping consultation letter _____	11
4.3	Original Scoping Report _____	13
4.4	Updated Scoping Report _____	15
4.5	Draft Environmental Statement _____	16
<b>5</b>	<b>Consultation with interested parties</b>	<b>19</b>
5.1	Introduction _____	19
5.2	Black Sluice Internal Drainage Board (Black Sluice IDB) _____	19
5.3	Boston and District Fishermen's Association (BDFA) _____	20
5.4	Boston Borough Council (BBC) _____	20
5.5	Canals and Rivers Trust, East Midlands _____	21
5.6	The Crown Estate _____	21
5.7	Eastern Inshore Fisheries and Conservation Authority (EIFCA) _____	21
5.8	Environment Agency _____	22
5.9	Lincolnshire County Council (LCC) _____	23
5.10	Marine Management Organisation (MMO) _____	24
5.11	Natural England _____	25
5.12	Port of Boston (PoB) and Harbour Master _____	25
5.13	Witham Fourth Internal Drainage Board (Witham Fourth IDB) _____	26
5.14	River Users including Witham Sailing Club, Inland Waterways Association, Maritime Leisure Cruises and Boston Motor Yacht Club _____	26
<b>6</b>	<b>Public Consultation</b>	<b>29</b>

# Boston Barrier Tidal Project

## A5 - Consultation Report

6.1	Introduction	29
6.2	Public consultation January and September 2010	29
6.3	Public consultation October and November 2012	30
6.4	South Ward public meeting July 2014	30
6.5	Fishtoft Ward Public Presentation/Q&A August 2014	31
6.6	Public consultation early - mid October 2014	31
6.7	Public consultation late October – December 2014	31
6.8	Boston Christmas lights switch-on November 2014	32
6.9	Marks and Spencer tidal surge flood anniversary event December 2014	32
6.10	Public consultation November and December 2015	32
6.11	Wyberton Parish Council Q&A March 2016	32
6.12	Boston Barrier community hub - Ongoing	33
6.13	Ongoing social media profiles and dedicated email account (Ongoing)	33
6.14	Boston Barrier YouTube videos	33
6.15	Social media promotion November and December 2015	34
6.16	Internet resources	34
6.17	Regular e-newsletter updates	34

## 7 Consultation with bodies named in Schedule 5 and 6 35

<b>Appendices</b>		<b>37</b>
A.	Summary of issues raised during the Original Scoping Report Consultation	39
B.	Summary of issues raised in the Updated Scoping Opinion	55
C.	Matters raised on the draft Environmental Statement	65
D.	Consultation with statutory bodies and other interested organisations	79
E.	Letters of Support	95
F.	Consultation with bodies named in Schedules 5 and 6 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006	101

# 1 Introduction

## 1.1 Overview

- 1.1.1 The Environment Agency is seeking to manage the flood risk from the tidal River Witham (known as the Haven in this location) in Boston, Lincolnshire. To achieve this, the Environment Agency proposes to build a tidal barrier, which can be raised and lowered, within the Haven and associated flood defences along sections of both the right (south of the river) and left bank (north of the river).
- 1.1.2 The tidal barrier and associated works would offer protection against an 'extreme' tidal flood event. An 'extreme' tidal flood event is considered to be a 1 in 300 (0.33%) chance of a tidal flood event happening in one year over a 100-year time period.
- 1.1.3 The works required to achieve this are outlined in the Boston Combined Strategy (BCS) (2008), and comprise of a tidal flood barrier, to be closed during extreme tidal conditions, to reduce the risk of flooding upstream, along with flood defences along the banks of the Haven.
- 1.1.4 The Environment Agency is making an application to the Secretary of State for the Department of Environment, Food and Rural Affairs (Defra) for an Order under the Transport and Works Act Order 1992 (TWAO) and an associated request for a direction deeming planning permission pursuant to section 90(2A) of the Town and Country Planning Act 1990. The purpose of the proposed TWAO is to authorise the construction, operation and maintenance of a new flood protection barrier across the Haven in Boston, Lincolnshire together with associated flood defence walls and other works (hereinafter referred to as the Project).
- 1.1.5 This report is a summary of the consultation undertaken by the Environment Agency during the development of the Project, and is being submitted as part of the TWAO application in accordance with rule 10(2)(d) of the Transport and Works (Applications and Objections Procedures) (England and Wales) Rules 2006.
- 1.1.6 The Environment Agency has carried out consultation throughout the development of the Project. Extensive consultation on the development of the Project has been carried out since 2008, prior to which consultation was undertaken to prepare the Boston Combined Strategy, the aim of which was to provide a strategy for the management of flood risk and navigation improvements over a 100 year period.
- 1.1.7 Throughout development of the Project, from 2008 onwards, the Agency has engaged with a number of interested statutory bodies, who have assisted with the identification of key issues for inclusion in the Environmental Impact Assessment (EIA) undertaken and the development of an environmentally acceptable design. The main concerns raised by statutory bodies at the scoping stage and details of how these have been addressed can be found in the Appendix A and B of this Report.

- 1.1.8 The proposed location of the tidal barrier was selected following an options appraisal process and consultation with stakeholders and members of the public. This preferred option has been taken forward through the EIA process.
- 1.1.9 Over 50 organisations, including statutory bodies, non-governmental organisations and parish councils and the general public have been consulted at key stages of the Project's development, as further detailed within this report. This has been carried out through public exhibitions, meetings, public drop-in sessions and social media.
- 1.1.10 The views of all interested parties have been taken into account during the development of the Project.

## **1.2 Report structure**

- 1.2.1 This Consultation Report is structured as follows:
- Chapter 1 – explains the Project background and provides a brief description of the works;
  - Chapter 2 – sets out the Environment Agency's approach to consultation;
  - Chapter 3 – summarises the consultation undertaken during the early stages of the Project's development;
  - Chapter 4 – provides an account of the EIA regulatory consultation undertaken;
  - Chapter 5 – explains specific consultation with interested parties;
  - Chapter 6 - provides an account of public consultation; and
  - Chapter 7 – summarises the consultation that has been undertaken with those bodies named in Schedule 5 and 6 to the Transport and Works (Applications and Objections Procedures) (England and Wales) Rules 2006.

## **1.3 Brief description of Project**

- 1.3.1 The Project comprises the construction of a tidal flood barrier which can be raised when extreme high tides are predicted within the Haven, along with land-based flood risk management structures that tie in to the barrier structure and existing flood management structures. A building would be constructed close to the proposed barrier to enable that structure to be operated.
- 1.3.2 The barrier has a large moveable flood gate which, when not in use, would lie flat on the river bed. It will be raised occasionally to prevent flooding in Boston during extreme tides (by acting as a tidal barrier). The gate and concrete side walls will sit on a reinforced concrete base slab, supported by deep piled steel foundations.
- 1.3.3 The Wet Dock Entrance (WDE) to the Port of Boston (PoB) channel will be widened from 15.3m to 18m to allow for broader vessels to enter the Wet Dock to moor up rather than use the Haven riverside quays which will be temporarily unavailable during the construction of the Project. A new, single gate will be installed at the location of the existing WDE gates to

maintain the continuity of the flood management structures. The vertically moving or rotating gate will be approximately 12m high and 10m in radius.

**1.3.4 Water Level Management**

1.3.5 The BCS (2008) proposed that water level management (WLM) be implemented alongside the tidal barrier in order to provide improved opportunities for pleasure craft to navigate onto the South Forty Foot Drain, the first stage of the Fens Waterways Link.

1.3.6 However, in January 2015, the Executive Committee of Lincolnshire County Council (LCC) and the Environment Agency Boston Barrier Project Board confirmed removal of WLM from the scope of the Project. In making the decision, the Environment Agency, LCC and Boston Borough Council (BBC) confirmed that it remains the vision to provide WLM at a later date through a standalone project and consenting process. The Project has been designed not to compromise the introduction of WLM in the future.

**1.3.7 Further information**

1.3.8 A more detailed project description of the Project can be found in the Environmental Statement (ES) (Volume 1); Chapter 2.

This page has been left intentionally blank.

## 2 Environment Agency's approach to consultation

### 2.1 Introduction

- 2.1.1 Consultation on major projects is a matter of best practice for the Environment Agency. The Environment Agency recognises the importance of consulting and engaging with external organisations and individuals affected by or interested in, schemes and projects proposed by the Environment Agency. Consultation has therefore formed an important part of the development of the Project.
- 2.1.2 The *2006 Transport and Works Act (TWA) Guide to Procedures* (Department for Transport, 2006) clearly identifies the benefits of pre-application consultation and recommends that promoters '*consult thoroughly on their proposals with relevant statutory authorities, with statutory utilities whose services may be affected, and with all other persons likely to be affected by the proposals*'.
- 2.1.3 In addition to the TWA Guide to Procedures, the following guidance influenced the methods and approaches used to consult the proposal's stakeholders:
- Code of Practice on the Dissemination of Information during Major Infrastructure Developments (1999); and
  - Planning Act Guidance (2008) - while not applying to applications made under the Transport and Works Act 1992, this provides consultation guidance to promoters of nationally significant infrastructure projects.

### 2.2 Communications and engagement principles

- 2.2.1 The Environment Agency's communications and engagement plan for the Project is based on the following principles:
- Engaging directly with key partners and the wider local community;
  - Being honest and open and making every effort to avoid raising false expectations;
  - Being transparent about how we hope to engage with the broader community going forward and how their expectations will be managed and questions answered;
  - Making time to involve people properly;
  - Providing feedback, including clear explanations about the process and how we might work together going forward; and
  - Listening and acting upon feedback and using this to work together with our partners to shape our engagement with the broader community.

### 2.3 Face-to-face engagement objectives

- 2.3.1 The Environment Agency has developed the following engagement objectives for the Project:
- Inform interested parties, stakeholders and members of the public about the Project;
  - Engage with those concerned about the proposals and the impacts they will give rise to;
  - Listen to people's opinions and concerns;

- Consider whether changes should be made to the proposals to take account of their feedback; and
- Respond in an open, transparent manner.

## **2.4 Boston Barrier Project Board**

2.4.1 The Project Board has been in place since 2013 and is a team of senior people that is set up on all projects that the Environment Agency runs. The term “Project Board” derives from Prince 2 methodology which is the preferred method of project delivery used by the Environment Agency. The aim of the Project Board is to allow people who have something to bring to the Project (e.g. partnership funding etc.) to contribute to the direction of the Project.

2.4.2 The Project Board for the Project meets on a monthly basis and is comprised of members from the following organisations;

- Environment Agency;
- Boston Borough Council;
- Lincolnshire County Council;
- Mott MacDonald; and
- Black Sluice Integral Drainage Board (by correspondence).

## **2.5 Summary of Consultation throughout the Project to date**

2.5.1 Consultation for this Project, including the Boston Combined Strategy, has been ongoing since 2008 and has informed the development of this Project to its current design. Notable consultation includes:

- March 2008: the approval of the Boston Combined Strategy which included 5 stages, one of those stages being the provision of a multi-functional barrier (the Boston Barrier).
- November 2009 – October 2011: Six workshops were held with key stakeholders to identify a long list of option locations, a short list option locations and to identify the final preferred location.
- January 2010 – November 2011: During the stakeholder workshops above, three Public Open Forums were held to provide the public with the opportunity to review long and short option locations and to be presented with the final preferred location.
- December 2013: the Original Scoping Report was sent to Defra with a request for a Scoping Opinion.
- November 2014: following the decision to separate the flood risk management and water level management requirements, an Updated Scoping Report was submitted to Defra, along with a request for an Update Scoping Opinion.
- October – December 2014: Six weeks of Public consultation ran in parallel with the updated Scoping opinion request. The report was made available online, in the BBC’s offices at the Environment Agency’s office in Lincoln;
- November – December 2015: Six public exhibitions were held to update the public and inform and explain the decision to remove water level management from the Project; and

- January – February 2016: a draft environmental statement was sent to the consultees listed in Section 4.5 of this report and they were invited to provide comment on the reports. Engagement with these consultees is ongoing.

2.5.2 Consultation has been ongoing with the local community through the use of social media, newsletters and the Boston Community Hub which has been open to the public on Wednesday's since August 2015.

2.5.3 Ongoing consultation with consultees such as the Boston District Fisherman's Association, the Port of Boston and Witham Sailing Club will continue throughout construction of the Barrier. Further information and detail on the consultation with these and other consultees can be found within this report.

This page has been left intentionally blank.

## 3 Early Project consultation

### 3.1 Background to the Project

- 3.1.1 The proposals comprised within the TWAO application relevant to this Project form part of the wider Boston Combined Strategy (2008) (BCS). The BCS is a strategy to manage the risk from tidal flooding in Boston, whilst facilitating opportunities for regeneration of the town's waterways. The strategy was approved by the Environment Agency in March 2008. It recommends a £198 million investment in floodways and waterways management for Boston to significantly reduce flood risk to over 17,000 residential properties.
- 3.1.2 The BCS sets out 5 stages of work to address flood risk and achieve navigation benefits in Boston:
- Stage 1: a new navigation link between the Haven and South Forty Foot Drain at Black Sluice (this was completed in March 2009);
  - Stage 2: refurbishment of the Haven river walls upstream of the proposed Barrier (this was completed in 2014);
  - Stage 3: the provision of a new multi-functional barrier;
  - Stages 4 and 5: waterways facility improvements; and raising of the embankments downstream of the barrier respectively.
- 3.1.3 Extensive consultation was carried out during the development of the BCS between 2004 and 2008, when the BCS was published. Over 20 organisations including statutory and non-governmental organisations and parish councils were consulted at key stages of the BCS.
- 3.1.4 Table 3.1 provides detail of the options appraisal process, including consultation, undertaken to develop the proposals comprised within the Project following the approval of the BCS.

Table 3.1: Early consultation

Date	Event	Purpose
<b>Boston Combined Strategy</b>		
March 2008	Boston Combined Strategy approved	The strategy aims to manage the risk from tidal flooding in Boston whilst enabling opportunities for regenerating the town's waterways
<b>Boston Barrier</b>		
November 2009	Environmental Stakeholder Workshop	To identify environmental issues, constraints and opportunities, to be used in the selection of the short list of options
December 2009	Project team Barrier Location Options Selection Workshop	To consider nine strategic options for the location of the proposed barrier, in order to identify a shorter list of feasible options to be taken forward for further consideration.
January 2010	Public Open Forum 1	To present a shortlist of five location options, and seek feedback from the local community.
March 2010	Key Stakeholder Workshop	To seek feedback from key stakeholders on the shortlist of five location options. This contributed to the identification of a further shortened list of three

## Boston Barrier Tidal Project

### A5 - Consultation Report

		options.
September 2010	Public Open Forum 2	To present three options from the March 2010 key stakeholder workshop and invite comments from the local community.
Autumn 2010	Water Level Management (WLM) Report produced by Project Engineers	To identify options for consideration for the management of water levels to provide benefits in terms of improved navigation for inland boating.
November 2010	Workshop for environmental specialists in the project team	To identify the advantages and disadvantages of the three location options and a range of water level management options, in relation to a wide range of environmental topics.
November 2010	Project team Scoring and Weighting Workshop	To score each option (Location and WLM) against a range of criteria, with criteria weighted according to their importance
February 2011	Water Framework Directive Workshop	To carry out a screening exercise to consider whether the options would be likely to comply with the Water Framework Directive.
September 2011	Landscape and Visual Impact Assessment and amended Scoring and Weighting Tables	To inform and update the scoring and weighting tables with information that was not previously available on landscape and visual aspects and Water Framework Directive.
October 2011	Selection of preferred option in consultation with partner organisations	To select the preferred option to be taken forward.
October 2011	Drop in for local residents at Black Sluice Lock Cottages	This drop-in session was held especially for the local residents that would be immediately affected by the barrier's construction. 34 people attended the session
November 2011	Public Open Forum 3	To present the preferred option to the local community and invite comment.

Source: Environment Agency, 2011

## 4 Regulatory EIA consultation

### 4.1 Environmental impact assessment (EIA)

- 4.1.1 Environmental Impact Assessment (EIA) is a fundamental part of developing the Project. The findings of the EIA are presented in the Environmental Statement (ES) which is being submitted in support of the TWAO application. Consultation is a key element in the development and formulation of the EIA and is referred to here as Regulatory EIA consultation.
- 4.1.2 Regulatory EIA consultation has been carried out at key stages in the EIA process between 2011 and 2016 in order to understand the views and opinions of a number of statutory bodies and interested parties with regards to the Project and to ascertain what they consider to be key issues and priorities.
- 4.1.3 This chapter outlines the key stages of regulatory consultation undertaken for the EIA including the Original and Updated Scoping Reports and the draft Environmental Statement. Key issues raised at each of these stages are detailed below, along with an explanation of where and how they have been resolved.

### 4.2 Initial scoping consultation letter

- 4.2.1 In November 2011, a scoping consultation letter was prepared and sent to EIA consultees including internal consultees at the Environment Agency. The initial scoping consultation letter was also sent to Lincolnshire Wildlife Trust, Historic England and the RSPB. The letter was accompanied by a key issues table, which set out the issues that the Environment Agency intended to scope into and out of the EIA. Comments were invited on whether we had scoped in and out the correct issues. Consultees were asked to consider the issues identified in the key issues table, along with information provided in the letter on the Project.
- 4.2.2 Table 4.1 outlines the key issues raised by the consultees in response the initial scoping consultation letter.

Table 4.1: Environmental stakeholder key issues raised in response to the initial consultation letter

Organisation	Issues to be Addressed
Historic England (formally English Heritage)	The conservation area and listed buildings are important. Boston Borough Council's (BBC) Archaeologist should take a lead on detailed discussions relating to the archaeological impact of the footprint of the barrier. It is likely that the timbers in the mud of the Haven are from the late 20th century, and are not of historical significance. Further survey is required of the timbers. Laser survey may be the appropriate method.
Lincolnshire Wildlife Trust	The biodiversity of the Haven is relatively straightforward. The need for the Haven Works is understood. No strong views on the location of the barrier in the Haven between Black Sluice and

---

Maud Foster Drain, although the scale of loss of inter-tidal mudflat would increase as the barrier location moved downstream, and this would need to be reflected in the amount of replacement habitat required.

The Haven is used as a bird refuge area during severe weather.

Boston Horsetail (Red Data Book 1 species) is located on the right bank of The Haven, adjacent to the landfill.

The implications of the Water Framework Directive need to be addressed.

The need for fish passes for fish migration needs to be investigated.

Maximise opportunities for habitat creation.

Consider how changes in sediment type may cause changes in invertebrate communities in mud-flats.

Invertebrate surveys are needed.

Issue of disturbance of sediments during works and post-construction from dredging requirements.

---

Natural England

Need to consider impact of any changes to freshwater flows into the Wash.

Consider any change to the existing freshwater/salt water interface, which is important for some bird species.

Assess any impacts on Cut End/Tabs Head area. This is an important area for birds, and the RSPB should be consulted.

Information required on changes to nutrient inputs to the Wash and in sediment movement.

How is sedimentation in the Haven to be managed?

Any proposals for improvements to access to the countryside?

The Haven is used as a refuge for birds during stormy conditions. A proportion of turnstone, redshank, curlew and other species move in from the Wash. Need information on numbers and species.

Loss of mudflat: need to work out area lost by raised water level, and provide replacement habitat.

Haven works: check for bats in masonry walls prior to any invasive site survey or actual works.

Any impact on flooding in the Witham catchment?

Would there be any water quality issues arising from inputs from Maud Foster Drain if there is less dilution from the Witham?

Boston Horsetail is a Red Data Book 1 species, present on the right bank of The Haven, adjacent to the landfill site (one of only two sites in England).

Wintering bird surveys required between January and March between Grand Sluice and Tabs Head.

Phase 1 habitat survey required of saltmarsh area opposite the port entrance.

Bat surveys required for Haven works.

Surveys for otter, water voles and nesting birds.

The design should not prevent any opportunities to improve the status of the Lower Witham or the Witham Transitional water bodies in the future. The aspiration should be to revert to nature where possible.

Indirect impacts of WLM on bird species using the Haven should be considered, for example the submergence of foraging habitat.

Consider the impact on invertebrates and the consequential impact on bird species.

How the operational regime currently proposed for operating the barrier may need to change / differ to deliver the Project, and the implications (this relates to WLM).

Small areas of saltmarsh in the upper areas of the estuary are considered to be

---

---

important as they are rare in this region.

An HR01 form (record of assessment of likely significant effect on a European site) should be completed for the Project.

---

RSPB	<p>In the summer, the only non-WeBS species likely to be using the Haven upstream of the barrier would be the common sandpiper, kingfisher and grey wagtail.</p> <p>These species would be attracted by the sheltered and calm conditions. Redshanks are the only wader species likely to use the area upstream of the barrier.</p> <p>During the winter, bad weather conditions in the Wash and lower down the estuary could mean that many more species seek refuge in the Haven upstream of the barrier location.</p> <p>There may be opportunities to make environmental enhancements, such as creating islands in settling ponds on private land opposite the sewage works, or developing a mound in the estuary near to Wyberton Marsh for nesting terns.</p>
------	---

---

Source: Environment Agency 2011

### 4.3 Original Scoping Report

4.3.1 In the early stages of the EIA, in January 2011, a Scoping Report (hereafter the Original Scoping Report) was submitted to the Secretary of State for the Department of Environment, Food and Rural Affairs (Defra) seeking a formal Scoping Opinion for the Project. Appendix A contains a copy of the scoping opinion provided by Defra in February 2012. Table 4.2 provides a summary of the key issues identified by Defra for further consideration within the Environmental Statement as well as providing references to the sections of the Environmental Statement which deal with these issues.

4.3.2 Defra requested feedback from the following organisations on the Original Scoping Report (2011):

- Anglian Water;
- Black Sluice Internal Drainage Board;
- Boston Borough Council;
- British Waterways;
- Eastern Inshore Fisheries and Conservation Authority;
- Environment Agency;
- Historic England (formally English Heritage)
- Lincolnshire County Council
- Marine Management Organisation;
- Natural England;
- Port of Boston and Harbour Master; and
- Witham Fourth Internal Drainage Board.

4.3.3 Table A.1 contains a comprehensive list of issues by statutory consultees as well as references to the sections of the Environmental Statement which deal with these issues.

Table 4.2: Key matters stated by Defra as part of their response to the Original Scoping Report

Section of the Original Scoping report	Key Matters
Construction of the Boston Barrier	The assessment of environmental impacts of works associated with the barrier which form part of the project should be included.
Operation of the Boston Barrier	The ES should describe the effects on water level at all relevant states of the tide when the barrier will be operating, including the effects of flooding in the River Witham when the proposed barrier is raised and its likely effect on navigation.
Commercial Navigation	The impact assessment should ensure that relevant up-to-date baseline data is used so that the impacts of the scheme on the port, navigation and aspects of the environment.
Estuarine Processes and Geomorphology	<p>The ES should describe the potential impacts on sediment transport, accretion and erosion.</p> <p>The impacts of the scheme on the ecological status or potential of the water body in relation to meeting the requirements of the Water Framework Directive should be fully considered as part of the impact assessment and described in the ES.</p>
Cultural Heritage and Archaeology	<p>The key issues relating to cultural heritage and archaeology that are already scoped in to the EIA as set out in Appendix 5, Table A5.1. In addition, cultural heritage should also be scoped into the assessment of the “Wet dock lock flood gate (inside lock)” and “Downstream landing stage” to take into account potential setting impacts resulting from this work. Also, there are a number of elements where the impact of the project on the setting of the listed buildings and structures should be scoped in.</p> <p>The ES should examine the potential impacts upon all designated heritage assets and their settings, and take into account the potential impacts on non-designated features of archaeological, historic or architectural interest and value.</p>
Flora, Fauna and Biodiversity	<p><b>Ecological Assessment</b></p> <p>The ES should take into account, where the scoping report does not already, all aspects of nature conservation interest, and reference should be made to the national, regional and local planning context, where applicable, for the consideration of any impacts on nature conservation. The ES should also ensure that potential impacts on designated nature conservation sites, habitats and species subject to UK and EU legislation, UK and local BAP habitats and species and other features of importance to biodiversity (watercourses, hedgerows etc.) are properly addressed.</p> <p><b>Biodiversity</b></p> <p>As part of the mitigation of any adverse impacts of the development, the ES should consider, where appropriate, seeking ways to enhance biodiversity and contributing to green infrastructure. It should consider identifying opportunities for the creation and restoration of habitats appropriate to the locality and including plans to retain existing important landscape features such as mature trees and hedgerows. The ES should consider opportunities to implement habitat creation that contribute to local and regional biodiversity targets for example, as set out in the Biodiversity Action Plan for Lincolnshire.</p> <p>In relation to habitat creation (section 5.10.5), the ES should include calculations of the amount of habitat, for example, inter-tidal habitat (e.g. mudflat) that will be lost as a result of increased water levels in The Haven and other associated works. In using this calculation, consideration can be given to offsetting the impacts of the scheme on habitat. The ES should also consider the relevant mechanism to create and secure the habitat creation/management in the long term.</p> <p><b>Flora</b></p> <p>Boston Horsetail is mentioned, it would be useful to map its location.</p> <p><b>Protected Species</b></p>

	The ES should include details and evaluate the impacts that the proposed development might have on protected species. Details of mitigation required to prevent or minimise adverse impacts should be provided. All of the species surveys should be submitted in full in support of the ES.
Townscape and Visual Amenity	The townscape and visual amenity appraisal should include a detailed assessment that evaluates the existing landscape in terms of its sensitivity, capacity and ability to accommodate change.  Consideration should be given to the sensitive design of any lighting within the development, including lighting needed during overnight working, to ensure that light spill is reduced through down lighting or other means.
Noise and Vibration	The ES should include an assessment of the impacts of noise and vibration on marine activity. The ES should also include a prediction and a proportionate assessment of the expected operational noise of the barrier.
Traffic and Transport	The Environment Agency have undertaken an assessment of the local roads, public transport and rights of way in the vicinity of the development and have concluded that there will not be any increase in congestion or parking. The ES should set out the reasoning to show how the EA have reached this conclusion. It has been suggested that the ES should also take into account the Lincolnshire County Council's Rights of Way Improvement Plan.
Ground conditions and Contamination	Since the disturbance of low-level sediments, alluvium deposits and the underlying boulder clay may release contaminants that would otherwise be left undisturbed, the ES should scope in contamination.
Waste and Resource Efficiency	With regard to the dredged waste material, the ES should where possible identify the opportunities for re-use, recycling or recovery as first priority before disposal at sea is considered (i.e. can it be used to recreate any lost mudflat habitat?)  The ES should also consider any potential impact on the shellfish beds in the Wash from dredged material.  The ES should consider whether the project would jeopardise the port's ability to dispose of dredged materials to sea.

Source: Mott MacDonald, 2016

#### **4.4 Updated Scoping Report**

4.4.1 The Original Scoping Report was updated in October 2014 (hereafter known as the Updated Scoping Report), as there was a potential that the WLM aspect of the Project would be separated out from flood risk management proposals, with WLM to be considered at a later date. This Updated Scoping Report accompanied a request for an Updated Scoping Opinion submitted to the Secretary of State for Environment, Food and Rural Affairs in November 2014 under the Rule 8 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006.

4.4.2 An Updated Scoping Opinion was received from Defra in December 2014, which included correspondence from the following organisations:

- Anglian Water;
- Black Sluice Internal Drainage Board;
- Boston Borough Council;

- Canal and Rivers Trust, East Midlands;
- Eastern Inshore Fisheries and Conservation Authority;
- Environment Agency;
- Harbour Master;
- Historic England (formerly English Heritage);
- Lincolnshire County Council;
- Maritime and Coastguard Agency;
- Marine Management Organisation;
- Natural England;
- Port of Boston;
- Trinity House; and
- Witham Fourth Internal Drainage Board.

4.4.3 Appendix B, Table B.1 provides details of the issues raised on the Updated Scoping Report and references to the sections of the Environmental Statement which deal with these issues.

## **4.5 Draft Environmental Statement**

4.5.1 A draft of the Environmental Statement was sent to the following parties:

- Anglian Water Services Ltd.;
- Black Sluice Internal Drainage Board;
- Boston Borough Council;
- Canal and Rivers Trust;
- Crown Estate;
- Eastern Inshore Fisheries and Conservation Authority (EIFCA);
- Harbour Master;
- Historic England;
- Lincolnshire County Council;
- Marine Management Organisation;
- Natural England;
- Port of Boston;
- Trinity House;
- Witham Fourth Internal Drainage Board;
- Boston and District Fishermen's Association;
- Heritage Trust for Lincolnshire;
- Lincolnshire Rivers Trust;
- Lincolnshire Wildlife Trust;
- The Inland Waterways Association;
- The Royal Society for the Protection of Birds (RSPB);
- Sports England; and
- Witham Sailing Club.

4.5.2 Table 4.3 provides a summary of the key themes raised on the draft Environmental Statement by the consultees listed above and includes an explanation as to how they have been resolved. A full list of comments received on the draft Environmental Statement can be found at Appendix C, Table C.1.

Table 4.3: Summary of key themes raised by consultees during the draft ES consultation

Consultees	Key Issue	Resolution
Natural England; Inland Waterways; Historic England	To ensure the Project presents little impact on local visual amenity as well as on Maud Foster Sluice	The tie in of the flood wall to Maud Foster Sluice has been designed to ensure there is no impact to the structure. Local visual amenity has been considered as part of the Landscape and Visual Impact Assessment (Volume 2a). In particular, the redesign of the right bank to ensure it retains its profile and the design of the barrier to reduce visual impact, ensure the effect of the Project on visual amenity is reduced.
Lincolnshire County Council; Historic England	Concerns over the potential for the damage/removal of archaeological remains during construction	A programme of archaeological investigation and recording pre-construction for implementation pre and during construction will be put in place.
Inland Waterways; Maritime Coastguard	The safety of navigation including the turning of vessels during the construction period, and later during operation of the barrier.	The navigation of all vessel types, including low powered vessels such as the recreational craft have been considered in the Navigational Impact Assessment. (Volume 2d). Mitigation measures have been proposed. These are outlined in the Navigational Impact Assessment (Volume 2d).
Eastern Inshore Fisheries and Conservation Authority; MMO (including CEFAS)	The impact of construction on migratory/spawning fish/shell fish/benthic ecology.	A fish specialist has been consulted to offer their expertise on mitigating the impact on migratory/spawning fish. Their advice has been taken into account within the ES (Volume 1) Chapter 13 and in ES (Volume 2b): Ecology and Nature Conservation Technical Report
Inland Waterways; Witham Sailing Club	Concerns regarding the increase in current velocity and turbulence due to the cofferdam and barrier narrowing the channel width. Associated with a loss of control due to the faster current or the proximity of other craft while passing through the barrier.	The navigation of all vessel types, including low powered vessels such as the recreational craft have been considered in the Navigational Impact Assessment. Additional flow modelling has been carried out to ensure that flow conditions would not unduly compromise boat safety during construction and operation. Mitigation measures have been proposed. These are outlined in the ES (Volume 2d): Navigational Impact Assessment Technical Report. These include providing 'safe' mooring areas update downstream of the cofferdam/barrier and the relocation of the Witham Sailing Club to a downstream location during the construction period.
Inland Waterways; Lincolnshire Wildlife Trust;	Concerns that the current proposals contained limited 'enhancements'	Further consideration has been given to the inclusion of enhancements and the following measures are now proposed (1) additional planting of Boston horsetail (2) further preservation of marginal habitat along the right bank (3) additional vegetation planting on the slopes of the

---

		embankments on the right bank. Further details are outlined in the ES (Volume 1) Chapter 13 and in ES (Volume 2b): Ecology and Nature Conservation Technical Report During the detailed design process further opportunities will be considered for ecological enhancements.
Eastern Inshore Fisheries and Conservation Authority	Further clarifications are recommended relating to sound levels during construction and the potential impact on fish species,	Further details have been included in the ES (Volume 2d): Ecology and Nature Conservation Technical Report and in the ES (Volume 2a): Noise and Vibration Technical Report.

---

Source: Mott MacDonald 2016

## 5 Consultation with interested parties

### 5.1 Introduction

5.1.1 The Environment Agency is committed to ensuring that interested parties are consulted throughout the development of project. A comprehensive stakeholder mapping exercise was undertaken by the Project team in the early stages of the Project to identify and classify stakeholders based on their relationship to the Project.

5.1.2 This chapter outlines consultation carried out with key interested parties. It includes, where appropriate, information regarding key meetings and workshops.

5.1.3 Ongoing consultation through design development of the Project has involved liaison with the following interested parties:

- Black Sluice Internal Drainage Board;
- Boston and District Fishermen's Association;
- Boston Borough Council;
- Canal and Rivers Trust;
- Crown Estate;
- Eastern Inshore Fisheries and Conservation Authority (EIFCA);
- Environment Agency;
- Frontier Agricultural;
- Harbour Master;
- Lincolnshire County Council;
- Lincolnshire Wildlife Trust;
- Marine Management Organisation;
- Natural England;
- Port of Boston;
- River users (technical group), Boston Pirates Small Anglian Group and Boston Gateway Marina;
- Royal Society for the Protection of Birds;
- The Crown Estate;
- Trinity House; and
- Witham Fourth Internal Drainage Board

5.1.4 Detailed information on the consultation with the interested parties listed above is included in Appendix D, Table D.1. However, a summary of the consultation with key interested parties is presented below.

### 5.2 Black Sluice Internal Drainage Board (Black Sluice IDB)

5.2.1 Liaison with the Black Sluice IDB has been carried out throughout the development of the Project. Meetings with the Black Sluice IDB have included discussions on the design of the Project and the water flow through the cofferdam and the barrier, with specific reference to the flows from South Forty Foot drain.

- 5.2.2 The Black Sluice IDB is provided with correspondence associated with the Project Board, and as such, regular consultation and involvement has been carried out with the IDB. The IDB will continue to be involved with the Project Board and will continue to be involved in the Project as it progress into the construction phase.
- 5.2.3 Separate consultation with the Black Sluice IDB was also carried out in November 2014, prior to their response to the Updated Scoping Report. This was to inform them about the proposals and to provide them with a chance to ask questions and for any concerns to be raised prior to their formal EIA scoping response to Defra. The Witham Fourth Internal Drainage was also present at this consultation meeting.
- 5.2.4 The response received from the Black Sluice IDB during consultation on the Updated Scoping Report is included within Appendix B.
- 5.2.5 The Black Sluice IDB is also a member of the Lincolnshire Operations Management Group. This is a multi-agency group involving the IDBs, Anglian Water and District Council representatives. This group has been regularly updated on progress on the Project.

### **5.3 Boston and District Fishermen's Association (BDFA)**

- 5.3.1 Following an invitation from the spokesperson for the BDFA, members of the EA project team spent a day with members of the BDFA in August 2010 in order to better understand their existing activities and how they might be affected by the Project.
- 5.3.2 Since March 2015, regular meetings have been held with representatives of the BDFA in order to inform them about the proposals and to seek their views.
- 5.3.3 The main issues raised at these meetings are the location of the barrier and relocation of the fleet due to concern n surrounding the safety of navigating through the narrowed channel. As a result of the concern for navigation, the BDFA will be temporarily re-located on the PoB Estate at Lariage Quay during construction of the barrier.
- 5.3.4 Meetings continue with representatives from the BDFA to update them on progress and understand their concerns. Further details of the meetings held, the issued raised and how these issues have been addressed are detailed within Appendix D, Table D.1.

### **5.4 Boston Borough Council (BBC)**

- 5.4.1 At a Project-wide level, BBC has been involved with Project Board discussions throughout the development of the Project. In consultation with BBC, a preliminary design of the barrier control building and the control kiosk has been developed.

- 5.4.2 As a part of the Project Board, the BBC has been involved in regular consultation which has been carried out at monthly Project meetings with the Project Board. Through these meetings, the Board has been updated on the progress of the Project, the design and the forms of consultation.
- 5.4.3 On 26 March 2015 the Project team organised a workshop for the planning team at BBC to provide an overview of the Project and discuss any requirements that they would like including in the Project design and TWAO application. The matters raised by BBC during the Project development and how they have been taken into account can be found in Appendix D, Table D.1.
- 5.4.4 BBC were also provided with a copy of the draft ES in February 2016.
- 5.4.5 In addition, a letter of support for the Project has been received from BBC, a copy of which is included in Appendix E.

## **5.5 Canals and Rivers Trust, East Midlands**

- 5.5.1 A number of meetings have been held with the Canals and Rivers Trust, East Midlands. These meetings provided an opportunity to keep the Trust updated on project progression and the likely effects on navigation upstream of the proposed barrier location. Details of the meetings, the issues raised and how these have been address by the Project are provided within Appendix D, Table D.1.
- 5.5.2 The Canals and Rivers Trust raised no concerns or issues on the draft ES sent in January 2016.

## **5.6 The Crown Estate**

- 5.6.1 Discussions have been on going with The Crown Estate through the later parts of the Project development, specifically focusing on gaining the necessary approvals to undertake elements of the Project on land in their ownership.
- 5.6.2 The Crown Estate were also provided with a copy of the draft ES in February 2016 and confirmed they had no specific comments to make of the Project at that stage.
- 5.6.3 Details of the meetings, the issues raised and how these have been address by the Project are provided within Appendix D, Table D.1.

## **5.7 Eastern Inshore Fisheries and Conservation Authority (EIFCA)**

- 5.7.1 On 20 January 2012, a meeting took place with the EIFCA. The key issues raised by EIFCA were:

- Any sewage and arising from the fishing quay needs to be properly treated prior to discharge; and
- Access needs to be available for EIFCA to monitor the fishing fleet's activities.

5.7.2 EIFCA also offered to support any monitoring programme required for the Project.

5.7.3 A meeting with the EIFCA was held in May of 2014 to discuss the implications of water level management (now not included within the current Project) and to update the EIFCA on the Project since the Original Scoping Report was consulted upon. A presentation was also given to EIFCA on the project in July 2014 by the Environment Agency.

5.7.4 Details of the meeting with EIFCA, the issues raised and how these were addressed by the EA are located in Appendix D, Table D.1.

5.7.5 EIFCA confirmed that their comments on the Updated Scoping Report had been incorporated into the draft ES and that the Policies of the East Inshore and East Offshore Marine Plans had been adequately addressed in their response to the draft ES in January 2016.

## **5.8 Environment Agency**

5.8.1 Liaison with Environment Agency specialists has been carried out through the National Environmental Assessment Service (NEAS<sup>1</sup>) and Planning Liaison team. This has involved consultation with the following teams to understand the issues that they perceive to be the constraints to the Project:

- Fisheries, Biodiversity and Geomorphology;
- Environmental Management;
- Assets System Management;
- Mechanical, Electrical Instrumentation Control and Automation (MEICA);
- Development and Flood Risk;
- Flood Incident Management;
- Operations Delivery; and
- Geotechnical and Contaminated land.

5.8.2 The Operations Delivery team contributed to the options appraisal, and following the selection of the preferred option, fed into the development of the outline design.

5.8.3 The responses received from the internal Environment Agency specialists during consultation on the Boston Barrier Tidal Project Original Scoping Report and the Updated Scoping Report can be found in in Appendix A, Table A.1 and Appendix B, Table B.1.

---

<sup>1</sup> NEAS is a dedicated national team of around 60 environmental Project Managers, Archaeologists and Landscape Architects helping to prevent flooding. NEAS comprises of integrated project teams that develop long term flood risk and coastal management strategies and building schemes to implement these strategic solutions. Their specific role is to assess and manage the key environmental risks and opportunities involved in these strategies and schemes

5.8.4 Comments received from Environment Agency teams in November 2015, following their review of an internal draft version of the ES were considered and incorporated as necessary in the draft ES issued to statutory consultees in January 2016.

## **5.9 Lincolnshire County Council (LCC)**

5.9.1 LCC, as a member of the Project Board has attended regular monthly meetings since 2013 with the project team to develop the Project. Furthermore, consultation and communication with LCC's planning, conservation, and heritage officers have concerned numerous aspects of the scheme. Summaries of these aspects are set out below.

### **5.9.2 Health**

5.9.3 Meetings have been held with the public health officer from LCC to discuss how integrating public health into the ES would be accomplished. As a result of this meeting, it was concluded that a separate Health Impact Assessment was not required; however, health related benefits and negatives should be incorporated across the Environmental Statement.

### **5.9.4 Design**

5.9.5 Discussions and meetings have been held with the LCC's Conservation and Heritage officers, including discussions of landscape design elements, control building design elements and public access amenity. Correspondence has been used to clarify and further understand LCC's aspirations in terms of finishing details i.e. the colour of the barrier and the art work on the right bank flood wall. Key points from consultation with LCC, which comprised of meetings, presentations and site walkover include:

- New street furniture (including robust benches) along the Haven will be introduced to create a more inviting space for residents and tourists, encouraging greater use of the footpath;
- Artwork could be introduced along the new concrete flood walls lining the Macmillan way footpath to enhance the existing surrounding and create a more inviting space for residents and tourists;
- Outstanding proposed planning conditions and the consultation relating to these still required;
- Aquatic margins will be introduced along the new sheet piling along the right bank to soften views from St Nicholas Church; and
- Diversion of the Boston Public Footpath No.14 (Macmillan Way, long distance path) during construction, including permeant upgrade of the footpath surface within the Project area.

### **5.9.6 Environmental Impact Assessment**

5.9.7 Discussion and communication undertaken with LCC in relation to the EIA has included the following:

- The impact on the views from St Nicholas Church on the left bank, west of Maud Foster Sluice;
- Whether the right bank will be a river wall or an embankment;
- The impact on the views of the Boston Stump (the tower of St Botolph's Church);
- The join between the left bank flood wall and Maud Foster Sluice should be designed to minimise the impact both visually and physically on the listed structure;
- Loss of tidal mud banks which visually soften the right bank and are also a landscape/ townscape feature of Boston; and
- Concerns over level of disturbance to archaeological deposits.

5.9.8 The responses received from LCC during the Consultation on the Original and Updated Scoping Reports can be found in Appendix A, Table A.1 and Appendix B respectively. Details of meetings and issues raised are provided in Appendix D, Table D.1.

5.9.9 In addition, on 10 June 2016 a letter of support for the Project was received from LLC, a copy of which is included in Appendix E.

## **5.10 Marine Management Organisation (MMO)**

5.10.1 Meetings with the MMO have been held throughout the life of the Project to explain the design of the Project as it has developed and to understand their particular areas of interest and concerns.

5.10.2 A response to the Updated Scoping Report consultation was received from the MMO (supported by Centre for Environment, Fisheries and Aquaculture Science (CEFAS)). A summary of the key issues raised in the MMO's response can be found in Appendix B, Table B.1.

5.10.3 The MMO scoping response highlighted that modelling should consider and detail the location and predicted rates of potential sediment erosion and accretion for all stages of the proposed works and consider a realistic worst case scenario of any impacts. This has been further assessed within the ES (Volume 2b): Estuarine and Geomorphology Technical Report and the ES (Volume 2d): Navigation Impact Assessment Technical Report.

5.10.4 The MMO also confirmed that the Project is located within the area covered by the East Inshore Marine Plan, which was adopted by the Secretary of State for the Environment on 2 April 2014. The aim of marine plans is to help ensure the sustainable development of the marine area, hence the Project would need to adhere to the requirements of the relevant marine plan.

5.10.5 The responses received from the MMO during consultation on the Boston Tidal Barrier Project draft ES and how they were addressed are included in Table 4.3 and Appendix C, Table C.1.

## **5.11 Natural England**

- 5.11.1 Meetings with Natural England have been ongoing since 2009 to involve the organisation in the development of the Project. Natural England was involved with the initial workshops for the barrier location and the strategy for the barrier itself. Natural England have also provided comments on the Original Scoping Report, the Updated Scoping Report and the Habitats Regulations Assessment.
- 5.11.2 Natural England's responses to the Original Scoping Report can be found in Appendix A, Table A.1 and their responses to the Updated Scoping Report can be found in Appendix B, Table B.1.
- 5.11.3 A copy of the draft ES was provided to Natural England in January 2016. Their response confirmed that the draft ES overall provides a thorough assessment of the environmental impacts of the Project and addresses these impacts appropriately.
- 5.11.4 Details of the consultation with Natural England, the issues and concerns raised and how these were addressed can be found in Appendix D, Table D.1.

## **5.12 Port of Boston (PoB) and Harbour Master**

- 5.12.1 Regular meetings have been held with the Port of Boston (PoB) since 2014, with the purpose of understanding their commercial operations, developing the proposal to permanently relocate the fishing fleet on the PoB's riverside quay, together with the associated mitigation required for the Port. There has been ongoing consultation with the PoB to ensure the Environment Agency has a good understanding of how the PoB use and operate the various areas within the port estate.
- 5.12.2 Key matters raised by PoB and included within the Project are:
- Requirement for the turning of all vessels outside of the wet dock entrance during closures of the wet dock;
  - Impact of one way traffic (i.e. it may pose a greater hazard than two vessels passing in the constricted channel at the barrier since smaller craft will have difficulty holding their position in tide or fresh water velocities);
  - The route of the flood wall through the PoB estate;
  - The length of time during which it is proposed to close the Wet Dock area during construction of the new gate; and
  - Discussions around the sequencing of the proposed construction programme.
- 5.12.3 The responses received during the Consultation on the Original and the Updated Scoping Reports can be found in Appendix A, Table A.1 and Appendix B, Table B.1 respectively. Details of the key matters raised by the PoB and Harbour Master in their responses to the draft ES issued in January 2016 can be found in Appendix C, Table C.1.

5.12.4 Details of meetings held with the PoB are located in Appendix D, Table D.1. Meetings will continue with the PoB during the TWAO application process, construction and operational phases of the Project.

### **5.13 Witham Fourth Internal Drainage Board (Witham Fourth IDB)**

5.13.1 Several meetings and workshops have been held with the Witham Fourth IDB with the purpose of:

- Providing an update on the Project and how the design has developed;
- Gathering information on the issues the Witham Fourth IDB wished to be addressed in the project appraisal process; and
- Agreeing ongoing consultation arrangements.

5.13.2 Consultation jointly with the with Witham Fourth Internal Drainage Board and the Black Sluice IDB was also carried out in November 2014, prior to their response to the Updated Scoping Report. This was to inform them about the proposals and to provide them with a chance to ask questions and for any concerns to be raised prior to their formal EIA scoping response to Defra.

5.13.3 The last meeting with the Witham Fourth IDB was held on the 1 June 2016 at the Boston Barrier Community Hub. Representatives were provided with an updated overview of the Project. No further issues were raised.

5.13.4 The Witham Fourth IDB is also a member of the Lincolnshire Operations Management Group. This is a multi-agency group involving the IDBs, Anglian Water and District Council representatives. This group has been regularly updated on progress on the Project.

### **5.14 River Users including Witham Sailing Club, Inland Waterways Association, Maritime Leisure Cruises and Boston Motor Yacht Club**

5.14.1 Since June 2014 the Environment Agency has been in regular consultation with members of Witham Sailing Club, the Inland Waterways Association, Maritime Leisure Cruises and Boston Motor Yacht Club who make up the membership of the Water Level Management Technical Group and the River Users Group.

5.14.2 Discussions with the Water Level Management Technical Group began in June 2014 regarding the removal of Water Level Management from the Project. Although this remains a long term aspiration of the Environment Agency, it is not being taken forward as part of this Project following a decision in January 2015 to look further at possible options for water level management. As such, it will require new consents and more work to understand what is achievable in terms of water level management.

- 5.14.3 The key concerns of the River users throughout the meetings which have taken place have related to navigation and the safety of recreational users of the Haven during the construction of the barrier, and navigation through the barrier once it is constructed and operational.
- 5.14.4 Details of meetings held with the River Users are located in Appendix D, Table D.1. Meetings will continue with these organisations during the TWAO application process and construction phases of the Project.

This page has been intentionally left blank.

## 6 Public Consultation

### 6.1 Introduction

- 6.1.1 The Environment Agency is committed to ensuring that all those who may have an interest in the Project have adequate opportunity to express their views. A summary of the public consultation activities including events with Parish Councils is provided in the following sections.
- 6.1.2 Public consultation was designed to inform members of the public and other interested parties about the ongoing development of the Project and to invite any comments they might have. Key public consultation events that have been carried out include:
- Project update in January and September 2010 to provide the opportunity for feedback on the long and short list of barrier location options respectively;
  - Public drop-in sessions on the preferred option in October and November 2012;
  - Public consultation and drop-in sessions regarding the preferred location and preliminary design for the barrier for 6 weeks from October to December 2014;
  - Six days of public exhibitions providing Project update information for the local community between November and December 2015; and
  - The Boston Community Hub, located on Marsh Lane, Boston, has been open on Wednesday's from 12.30pm – 7.30pm since August 2015 for members of the public and interested parties to speak to a member of the Project team should they have any questions regarding the Project.

### 6.2 Public consultation January and September 2010

- 6.2.1 As shown in Table 3.1, the first public open form (Public Open Forum 1) was held in January 2010. The purpose of the forum was to seek feedback and comments from the public on a list of five location options for the proposed barrier. The information was displayed on large A1 boards and the public were invited to complete questionnaires and comment on the options they liked and disliked. More than 300 people attended the sessions in January 2010 and over a 100 feedback forms were returned.
- 6.2.2 Public Open Forum 2 was held in September 2010. The three option locations for the barrier were still under consideration, these were presented at various drop-in events which have been grouped as the Public Open Forum 2. The public were invited to comment to help to select the preferred option. Over 150 people attended and 58 feedback forms were received.
- 6.2.3 Members of the public indicated an overall preference for the option furthest downstream. Despite the endeavours at the second Public Open Forum to highlight that all locations provided the same level of flood protection, this misconception was unable to be corrected, at least for those who had completed the feedback forms.

### 6.3 Public consultation October and November 2012

- 6.3.1 After a single preferred option for the location of the barrier was identified, four public drop-in sessions were held in October and November 2012, to give local community members an opportunity to find out more about the Project. Feedback from this event was sought in the form of a questionnaire. These questionnaires sought to determine if the level of understanding of the Project and how it could affect the community and environment before and after the events. A total of 184 members of the local community attended these sessions.
- 6.3.2 Attendees included local residents, businesses, river-users and councillors. A summary of number of attendees to each of the sessions is included in Table 6.1.

Table 6.1: Summary of attendees at the 2012 Public drop in sessions

Date and location	Number of attendees
19 October 2012 Black Sluice Cottages, Boston	34
2 November 2012, New England Hotel, Boston	45
4 November 2012, Black Sluice Cottages, Boston	66
16 November 2012, New England Hotel, Boston	39

Source: Environment Agency, 2013

- 6.3.3 During the 2012 drop-in sessions, a number of residents questioned the preferred option selected for the barrier's location, commenting that it should have been located further downstream. Residents perceived that this would keep flood water furthest way from their homes. In fact all options would provide the same level of protection from flood risk. Further engagement with local residents was undertaken in order to alleviate the concern of some residents that the location of the barrier affected their residual flood risk.
- 6.3.4 Other residents were disappointed that water levels were not planned to be maintained throughout the entire year to enable boaters to navigate all year round. Residents recognised that the Project was still in its early stages, and they looked forward to hearing future detailed proposals for the barrier's construction and work timescales.

### 6.4 South Ward public meeting July 2014

- 6.4.1 In July 2014 the Project team held a public meeting at St Thomas School for the residents of South Ward. Approximately 80 people attended and they were updated on the Project to date and had the opportunity to speak to members of the Project team.

## **6.5 Fishtoft Ward Public Presentation/Q&A August 2014**

6.5.1 In August 2014 the Project team presented and ran a question and answer session for local residents at Rochester Tower Hall, Boston. The event was attended by 58 local residents and 27 feedback forms were completed. 57% of respondents agreed they supported the proposals for the Boston Barrier. Some residents, despite reassurances to the contrary, felt they would be at increased risk of flooding unless the barrier was moved closer to the Wash.

## **6.6 Public consultation early - mid October 2014**

6.6.1 In October 2014 the Environment Agency held a series of public events to inform the community about the proposals for the Project and to seek feedback on its design.

6.6.2 In total 180 people attended the three events and feedback from 56 completed questionnaires showed that 84% of attendees agreed they supported the current proposals for the Boston Barrier.

6.6.3 Three events were held across Boston:

- 5 October 2014 - St Thomas' Church Hall, London Road, 12 - 7pm
- 6 October 2014 - St Nicholas' Church Hall, Skirbeck, 10 - 5:30pm
- 11 October 2014 - Lock Keepers Cottages, Boston, 12 - 7pm

## **6.7 Public consultation late October – December 2014**

6.7.1 From 29 October to 10 December 2014, six weeks of public events ran in parallel to the formal consultation on the EIA Updated Scoping Report undertaken by Defra with statutory consultees. The Updated Scoping Report was made available on the Environment Agency's online e-consultation tool (an online web based questionnaire); hard copies were also made available to view at Boston Borough Council offices and Environment Agency offices in Lincoln. The Environment Agency promoted the consultation in the local media and raised awareness of the consultation alongside a series of Boston Barrier public exhibitions. At the public exhibitions the Environment Agency also promoted the consultation in the e-newsletter which was sent to over 300 stakeholders and individuals.

6.7.2 The responses from the consultation provided positive feedback on the way the Project information was provided to be public, with the majority of respondents stating that they felt they had a much better understanding of the Project having attended the events from 2012 to 2014. A large majority of responses were concerned about the impact of water level management on fluvial flooding and navigation. As WLM no longer forms part of the Project, these responses, as far as they relate to WLM, are not considered further in this report.

## **6.8 Boston Christmas lights switch-on November 2014**

6.8.1 On 27 November 2014, the project team had a display about the Boston Tidal Barrier at Boston Borough Council's Christmas Light Switch-on event at the Market Square from 2-9pm. The project team was able to speak to 124 people at the event and answer questions about the Project. The feedback that was received was that the barrier location was an issue and was still perceived to be safer further downstream by members of the public and when we planned to increase the height of flood defences along the Haven. At this event, members of the public were also invited to sign up to the Environment Agency Flood Warnings system.

## **6.9 Marks and Spencer tidal surge flood anniversary event December 2014**

6.9.1 The Project team had a display in Marks and Spencer's (Boston High Street) on 3 December 2014, close to the 1 year anniversary of the tidal surge on 5 December 2013, and spoke with local residents about the Project. As a result, 45 people registered to receive postal information and e-newsletter updates about the Project.

## **6.10 Public consultation November and December 2015**

6.10.1 The Environment Agency organised a series of six public exhibitions in Boston from November 2015 to December 2015. The purpose of the public exhibitions was to inform members of the public and local community about the key environmental issues, notably around construction methods and activities but also to explain the decision to remove WLM from the Project.

6.10.2 The exhibitions were attended by 146 people. Feedback from the exhibitions showed that 84% of people supported the current proposals for the Boston Barrier. These questionnaires were designed to determine the level of understanding for the Project, before and after the consultation event.

6.10.3 Six questionnaires were returned by members of the public. The main concerns expressed related to noise impacts during the construction period. Proposed mitigation for noise impacts from construction activities and how these shall be mitigated is outlined in ES (Volume 2a): Noise and Vibration Technical Report; Chapter 6.

6.10.4 Concerns raised during the consultation have been taken into account, where appropriate, within the Environmental Statement, and appropriate mitigation adopted.

## **6.11 Wyberton Parish Council Q&A March 2016**

6.11.1 In March 2016, the Environment Agency held a question and answer session with 20 residents from the Wyberton Parish. The Environment Agency also provided residents with an update on Project progress and likely timescales for construction and operation.

6.11.2 Questions from residents were sent to the Environment Agency in advance. The questions focused on the selection of the proposed location for the barrier, how the barrier would provide protection against flood risk and the TWAO process for approval of the Project.

### **6.12 Boston Barrier community hub - Ongoing**

6.12.1 In August 2015 the Project team opened the Boston Barrier Community Hub on The Riverside Industrial Estate, Marsh Lane, Boston. The Community Hub includes a permanent Boston Barrier display, including 3D model, scheme videos and exhibition panels. The opening event was publicised in the local media as well as the Boston Barrier e-newsletter which was sent to over 300 stakeholders and members of the public. The opening event was attended by over 160 people in total including local radio and newspaper journalists.

6.12.2 The Boston Barrier Community Hub continues to be open to the public each Wednesday from 12-7pm. To date, over 150 people have visited the hub to find out more about the Project and speak to the Project team.

### **6.13 Ongoing social media profiles and dedicated email account (Ongoing)**

6.13.1 Following the tidal surge on 5 December 2013, the Project team created a dedicated email account (Boston.Barrier@environment-agency.gov.uk) so members of the public could send questions about the Project direct to the Project team. Since then, the project team has answered 255 questions from members of the public. All responses have been provided within the Environment Agency's 10 day Customer service response time limit.

6.13.2 In May 2015, the Project team created social media profiles for the Project on twitter (@BostonBarrierEA) and Facebook (www.facebook.com/BostonBarrier) to reach wider audiences using digital platforms. The Project now has over 300 followers and will continue to use these channels to enable the local community to contact the project team throughout the duration of the Project.

### **6.14 Boston Barrier YouTube videos**

6.14.1 In October 2014 the Project team created a 5 minute animation of how the Boston Barrier could look and work for use at public exhibitions. After the exhibition the video was uploaded to YouTube. It has received over 2,500 views to date. An updated scheme video was produced in November 2015 to reflect the latest scheme design changes. The videos can be via the following links:

<https://www.youtube.com/watch?v=IrmR8uFbENc>

<https://www.facebook.com/BostonBarrier>

### **6.15 Social media promotion November and December 2015**

- 6.15.1 The Project team launched a new Project animation about the Boston Barrier online through the Project's Twitter and Facebook page on Wednesday 25 November 2015. The team promoted the video to users of social media in Boston until 18 December 2015 (the animations are still available through the links mentioned above). As a result of the campaign, the video had over 1,500 views in 4 weeks and followers of the project's social media accounts grew by 125%.

### **6.16 Internet resources**

- 6.16.1 The project team has worked with Boston Borough Council and Lincolnshire County Council to create micro-sites with information for residents about the Boston Barrier Tidal Project on their websites:

<https://www.lincolnshire.gov.uk/lincolnshire-prepared/news/flooding-and-the-boston-barrier/122506.article>

### **6.17 Regular e-newsletter updates**

- 6.17.1 Since the tidal surge in December 2013, the project has issued 14 community newsletters with updates on the project to a stakeholder database of over 400 organisations and members of the public. This newsletter is in the process of being updated to an e-newsletter, however all previous issues of the newsletter have been published on the LCC's website, with only the most recent news letters to being available:

[www.lincolnshire.gov.uk/lincolnshire-prepared/news/flooding-and-the-boston-barrier](http://www.lincolnshire.gov.uk/lincolnshire-prepared/news/flooding-and-the-boston-barrier)

## 7 Consultation with bodies named in Schedule 5 and 6

- 7.1.1 Rule 10(2)(d) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 provides that an applicant for a TWAO should confirm, in the consultation report which accompanies the application, that relevant organisations identified in Schedules 5 and 6 to those Rules (who are entitled to either receive a copy of the application as made, or to be served with notice of the making of the application) have been consulted.
- 7.1.2 In addition to the consultation undertaken and described earlier within this report, all organisations named in column (2) of Schedules 5 and 6 to the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 and relevant to the Project have received a copy of the draft Order and an associated location plan and an invitation to provide comments.
- 7.1.3 A list of these organisations and details of the consultation undertaken with each of them, including (where relevant) references to relevant consultation undertaken and described within other parts of this report, is provided at Appendix F.

This page has been left intentionally blank.

## Appendices

A.	Summary of issues raised during the Original Scoping Report Consultation	39
B.	Summary of issues raised in the Updated Scoping Opinion	55
C.	Matters raised on the draft Environmental Statement	65
D.	Consultation with statutory bodies and other interested organisations	79
E.	Letters of Support	95
F.	Consultation with bodies named in Schedules 5 and 6 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006	101

This page has been left intentionally blank.

## A. Summary of issues raised during the Original Scoping Report Consultation

This page has been left intentionally blank.



**defra**

Department for Environment  
Food and Rural Affairs

**Telephone:** 0207 238 6332

**Web:** www.defra.gov.uk

Mr Paul Thompson  
Bircham Dyson Bell LLP  
50 Broadway  
London  
SW1H 0BL

**Your ref:**PHT/Y064208

**Date:** 2 February 2012

Dear Mr Thompson

**TRANSPORT AND WORKS ACT 1992.  
TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)  
(ENGLAND AND WALES) RULES 2006 ("the Applications Rules").  
PROPOSED APPLICATION FOR BOSTON BARRIER SCHEME.  
SCOPING OPINION UNDER RULE 8 OF THE APPLICATION RULES.**

1. I refer to your letter of 21 December 2011 requesting a scoping opinion under rule 8 of the Applications Rules.

2. You enclosed with your letter a Scoping Report dated December 2011, produced by the Environment Agency which describes the scope of the information that your client intends to provide in the Environmental Statement ("ES") to accompany the application for the above Order.

3. We have considered your request for an opinion on the proposed content of the ES in accordance with rule 8 of the Applications Rules. In formulating this scoping opinion, the following organisations have been consulted –

- Lincolnshire County Council
- Boston Borough Council
- Natural England
- Environment Agency
- English Heritage
- Marine Management Organisation
- Black Sluice Internal Drainage Board
- Witham Fourth Internal Drainage Board
- Port of Boston
- Harbour Master
- Anglian Water
- Eastern Inshore Fisheries and Conservation Authority
- British Waterways, East Midlands



INVESTOR IN PEOPLE



## **Scoping Opinion**

4. The Secretary of State considers that the environmental issues identified in the Scoping Report are properly ones that should be addressed in the ES to accompany the proposed application for the above proposed Order. In addition, it is considered that the matters below should also be addressed in the ES.

5. Please note that this scoping opinion is given without prejudice to our consideration of any such Order application which may be made. The giving of the opinion implies no view on the Department's part about the merits or otherwise of the Boston Tidal Barrier scheme. The chapters, sections and paragraphs referred to in this letter are those of the Scoping Report.

### Construction of the Boston Barrier

The assessment of environmental impacts of works associated with the barrier which form part of the project should be included. For example, the downstream landing stage and the proposed rock armour scour protection. It would be helpful to consider potential options for sequencing of construction and whether any alternatives could have a lesser effect.

### Operation of the Boston Barrier

The ES assessment should describe the effects on water level at all relevant states of the tide when the barrier will be operating, including the effects of flooding in the River Witham when the proposed barrier is raised and its likely effect on navigation.

We note that the EA have scoped out the long term impact of alteration of water level range on structural components of existing banks and defences, as their engineers are of the view that accelerated corrosion would not occur. The ES should provide evidence of the engineers' opinion to satisfy that this can be scoped out.

### Commercial Navigation

Representations have been made to the effect that the scoping document relies on out-dated historic data. The impact assessment should ensure that relevant up-to-date baseline data is used so that the impacts of the scheme on the port, navigation and aspects of the environment referred to in Article 5 of the EU Directive are adequately described in the ES.

### Estuarine Processes and Geomorphology

Notwithstanding the fact that the scoping report concludes that sedimentation would be relatively small, any potential impacts should be assessed. The ES should describe the potential impacts on sediment transport, accretion and erosion.

The impacts of the scheme on the ecological status or potential of the water body in relation to meeting the requirements of the Water Framework Directive should be fully considered as part of the impact assessment and described in the ES. This should include

any potential mobilisation of contaminated sediments that may be present in lower horizon deposits.

### Cultural Heritage and Archaeology

We note the key issues relating to cultural heritage and archaeology that are already scoped in to the EIA as set out in Appendix 5, Table A5.1. In addition, cultural heritage should also be scoped into the assessment of the “Wet dock lock flood gate (inside lock)” and “Downstream landing stage” to take into account potential setting impacts resulting from this work. Also, with reference to Table A5.1, there are a number of elements where the impact of the project on the setting of the listed buildings and structures should be scoped in; these are: left bank barrier tie-in works, barrier structure and associated works including fish and eel pass, and right bank tie-in works.

The ES should examine the potential impacts upon all designated heritage assets and their settings, and take into account the potential impacts on non-designated features of archaeological, historic or architectural interest and value.

### Flora, Fauna and Biodiversity

#### Ecological Assessment

The ES should take into account, where the scoping report does not already, all aspects of nature conservation interest, and reference should be made to the national, regional and local planning context, where applicable, for the consideration of any impacts on nature conservation. The ES should also ensure that potential impacts on designated nature conservation sites, habitats and species subject to UK and EU legislation, UK and local BAP habitats and species and other features of importance to biodiversity (watercourses, hedgerows etc.) are properly addressed.

#### Biodiversity

As part of the mitigation of any adverse impacts of the development, the ES should consider, where appropriate, seeking ways to enhance biodiversity and contributing to green infrastructure. It should consider identifying opportunities for the creation and restoration of habitats appropriate to the locality and including plans to retain existing important landscape features such as mature trees and hedgerows. The ES should consider opportunities to implement habitat creation that contribute to local and regional biodiversity targets for example, as set out in the Biodiversity Action Plan for Lincolnshire.

In relation to habitat creation (section 5.10.5), the ES should include calculations of the amount of habitat, for example, inter-tidal habitat (e.g. mudflat) that will be lost as a result of increased water levels in The Haven and other associated works. In using this calculation, consideration can be given to offsetting the impacts of the scheme on habitat. The ES should also consider the relevant mechanism to create and secure the habitat creation/management in the long term.

#### Flora

Boston Horsetail is mentioned on pages 25, 26 and 69 and it would be useful to identify its location on figure 5.10B.

### Protected Species – (pages 66-68)

The ES should include details and evaluate the impacts that the proposed development might have on protected species. It should demonstrate that surveys have been carried out for protected species that might be affected, including bats, great crested newts, badgers, reptiles, water vole, otter, white-clawed crayfish and breeding birds. Details of mitigation required to prevent or minimise adverse impacts should be provided. All of the species surveys should be submitted in full in support of the ES.

### Townscape and Visual Amenity

We note that the ES will base an assessment of the townscape and visual amenity in accordance with guidance provided in the Guidelines for Landscape and Visual Impact Assessment and the Countryside Agency (now Natural England) Landscape Character Assessment Guidance for England and Scotland. The appraisal should include a detailed assessment that evaluates the existing landscape in terms of its sensitivity, capacity and ability to accommodate change.

Consideration should be given to the sensitive design of any lighting within the development, including lighting needed during overnight working, to ensure that light spill is reduced through down lighting or other means.

### Noise and Vibration

The ES should include an assessment of the impacts of noise and vibration on marine activity. The ES should also include a prediction and a proportionate assessment of the expected operational noise of the barrier.

### Traffic and Transport

We note that the Environment Agency have undertaken an assessment of the local roads, public transport and rights of way in the vicinity of the development and have concluded that there will not be any increase in congestion or parking. The ES should set out the reasoning to show how the EA have reached this conclusion. It has been suggested that the ES should also take into account the Lincolnshire County Council's Rights of Way Improvement Plan.

### Ground conditions and Contamination

#### **Section 5.13.5**

Since the disturbance of low-level sediments, alluvium deposits and the underlying boulder clay may release contaminants that would otherwise be left undisturbed, the ES should scope in contamination.

### Waste and Resource Efficiency (section

With regard to the dredged waste material, the ES should identify the opportunities for re-use, recycling or recovery as first priority before disposal at sea is considered (i.e. can it be used to recreate any lost mudflat habitat?)

The ES should also consider any potential impact on the shellfish beds in the Wash from dredged material.

The ES should consider whether the project would jeopardise the port's ability to dispose of dredged materials to sea.

Table 10 (page 77, 78, 79)

Since all of the in-channel activities have the potential to have a direct impact on land-use at the port, and the associated industrial processes in the adjacent land areas, the ES should give further consideration to this. The ES should also consider land use under the operation – in channel works.

Appendix 6 – Indicative Landscape Plan

The ES should demonstrate an appropriate range of design configurations have been taken into account in relation to environmental impact.

**Distribution**

6. Copies of this letter are being distributed as set out below.

Yours faithfully,



Carol Tidmarsh  
Flood Management Team.

Copies to – Lincolnshire County Council – Mr P Fender  
Boston Borough Council – Mr S Lumb  
Natural England – Mr R Bavin  
English Heritage – Mr J Williams  
Marine Management Organisation – S Stray  
Black Sluice Internal Drainage Board – Mr S Hemmings  
Witham Fourth Internal Drainage Board – Mr A Carrot  
Port of Boston – Mr N Harris and Mr A Lawrence  
Harbour Master – Captain R Walker  
Anglian Water – Ms S Bull  
Eastern Inshore Fisheries and Conservation Authority – Ms J Stoutt  
Environment Agency – Mr M Dugher  
British Waterways, East Midlands – Mr S McGinley

This page has been left intentionally left.

## Boston Barrier Tidal Project

### A5 - Consultation Report

Table A.1: Key issues raised during the Original Scoping Report Consultation

Body / Organisation	Key matters raised	Location of response
Anglian Water	Heightened surface water levels impacting on surface water outfalls and sewer overflows.	See ES (Volume 2c): Flood Risk Assessment Report.
Black Sluice IDB	Project influence on drainage of the Witham Catchment, including the South Forty Foot Catchment.	The barrier will not significantly alter water levels; no consideration has been given to the influence on drainage elsewhere.
	Barrier structure affecting levels of fluvial protection along the River Witham.	ES (Volume 2c): Flood Risk Assessment Report.
	Construction of cofferdam in the Haven causing increase flood levels upstream of Grand Sluice and in South Forty Foot Flood Catchment.	ES (Volume 2c): Flood Risk Assessment Report.
	The flow of water through the temporary by-pass channel could undermine temporary works	Engineering design has looked at scour potential and temporary works designed with these considerations in mind see ES (Volume 1): Chapter 2; Project Description.
	Size of the by-pass channel should be dictated by Flood Risk Management requirements.	Engineering design has looked at scour potential and temporary works designed with these considerations in mind.
Boston Borough Council	Potential impact on shellfish beds in The Wash from dredged material	See ES (Volume 2b): Surface Water and Flood Risk Technical Report; Appendix B Preliminary Water Framework Directive Assessment.
	Potential lighting nuisance issues during night-time construction.	See ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report; Appendix B – Lighting Statement.
Eastern Inshore Fisheries and Conservation Authority	Consideration of effects on water and hydrodynamics on downstream environmental receptors including intertidal and sub tidal habitats and communities in The Wash.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report and ES (Volume 2b): Surface Water and Flood Risk Technical Report.
	Confirm area affected by the Project works (19ha) refers to the 'direct footprint' of construction works or estimated overall affected area, including potential downstream effects.	See Appendix A; Maps and Figures: Figure 1.1: Site Application Boundary for the Project Footprint.
	The EIA to include an assessment of potential impacts relating to water quality and receptor habitats, as a result of capital and maintenance dredging and associated spoil disposal.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report and ES (Volume 2b): Surface Water and Flood Risk Technical Report
	Possible additional receptors under 'navigation' in the EIA could include recreational fishing vessels	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
	Consideration of impacts on environmental receptors resulting from changes to physical processes in The Haven and downstream into The Wash.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report.

## Boston Barrier Tidal Project

### A5 - Consultation Report

	Socio-economic and environmental importance of shellfish beds in The Wash.	See ES (Volume 2a): Cultural Heritage Technical Report.
	The release of contaminants is considered for Wash receptors, not just for habitats and species in The Haven.	See ES (Volume 2b): Surface Water and Flood Risk Technical Report; Appendix B Preliminary Water Framework Directive Assessment.
Eastern Inshore Fisheries and Conservation Authority (Conti...)	Local recreational anglers to be consulted on potential loss of recreational resource (obstruction of access to the Haven).	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
	Commercial fishermen are an important component of the local community and potential impact pathways to be identified in the EIA	See ES (Volume 2a): Cultural Heritage Technical Report and ES (Volume 2d): Navigational Impact Assessment Technical Report.
	Cultural heritage of the town's fishing fleet should be considered	See ES (Volume 2a): Cultural Heritage Technical Report.
	Downstream receptors could be impacted by disturbance of certain chemical and physico-chemical elements, leading to effects on water quality and ecological status. Potential for impacts on environmental receptors in the south west Wash.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report and ES (Volume 2b): Surface Water and Flood Risk Technical Report.
	Waste and Resource Efficiency Clarification needed on which aspects of waste and resource efficiency are being scoped out of the EIA.	See ES (Volume 1): Chapter 2; Project Description.
	The Wash shellfish beds have been highlighted as key sensitive locations.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	The Authority would expect the Agency to undertake long-term dialogue with commercial and recreational fishing representatives before and during construction, and during operation of the project to minimise impacts on these communities.	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
Historic England (formally English Heritage)	We would expect that the EIA examines the potential impacts upon all designated heritage assets and their settings together with potential impacts on non-designated features of historic or architectural interest and value, since these make an important contribution to the local distinctiveness of an area and its sense of place. This covers buildings, historic open spaces, historic features and the wider historic landscape including below-ground archaeology. English Heritage strongly advises that the local authority's conservation and archaeology advisors are closely involved throughout the preparation of the EIA. They are best placed to advise on: local historic environment issues and priorities; how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets. A full version of the response from English Heritage can be provided on request.	See ES (Volume 2a): Cultural Heritage Technical Report.
	Particular attention is drawn to:	
	The impact of the proposed left bank flood wall on the Maud Foster Sluice The impact of the scheme (flood walls and the barrier itself) on the setting of listed buildings	See ES (Volume 2a): Cultural Heritage Technical Report and ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.

## Boston Barrier Tidal Project

### A5 - Consultation Report

	(including the listed Maud Foster Sluice, Church of St Nicholas, and the Skirbeck Road conservation area). The impact of changes to the tidal regime in The Haven on the historic character of the town.	
Historic England (formally English Heritage) (Conti...)	Impacts associated with the use of the new flood barrier once operational There will be a negative impact on the historic character and appearance of the town centre, including the conservation area and listed buildings from the reduced tidal range in the summer months; the changing tide which exposes the mud banks is a key part of the town's historic character.	See ES (Volume 2a): Cultural Heritage Technical Report.
	The heritage assets and their settings (usually historic buildings, monuments, areas, landscapes, archaeological remains) that may be affected, whether designated or not. This should include reference to the anticipated geographical extent of the impacts	See ES (Volume 2a): Cultural Heritage Technical Report.
	At some stage in the EIA process we would expect to see details of proposed viewpoints for photomontages to be created so that setting impact on heritage assets can be properly assessed	See ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.
	The anticipated broad approach to mitigation and enhancement	Mitigation, where required, is incorporated across the entire ES.
	The proposed structure of the historic environment component of the Environmental Statement and its relationship to other topics.	See ES (Volume 2a): Cultural Heritage Technical Report.
Environment Agency: Fisheries, Biodiversity and Geomorphology	The main issues for F&B revolve around fish access both up and down stream and the relationship of water levels and fish access through the South Forty Foot lock/control gates.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report, provision for a fish pass has also been included.
Environment Agency: Environmental Management	Surface Water Impact of water quality on surface water only mentions the Haven and should include downstream impact on The Wash and potential impact on Shellfish bed industry within The Wash.	See ES (Volume 2b): Surface Water and Flood Risk Technical Report.
Environment Agency: Environmental Monitoring, Analysis and Research	Reference should be made to the study commissioned by the NRA, 1989-1991 (Dyer, Grist and Barnett, 1993. Welland and Witham Estuaries - Ecological Study - including a series of samples from a site next to Boston Stump) in addition to the work already undertaken on the project. There are no records of any protected, exceptionally rare, or unusual species in these results.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	It is difficult to predict how benthic invertebrates "upstream" of the barrier will be affected by the barrier operations. Some species may flourish, while others will be knocked back. The altered tidal cycle, flow regimes, salinity etc. during summer will almost certainly affect the invertebrate communities in some way, either enriching them or reducing them further. It is an inevitable consequence of the project, which will hopefully be assessed and monitored once the barrier is operational.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report and ES (Volume 2b): Surface Water and Flood Risk Technical Report Appendix B: Water Framework Directive.

## Boston Barrier Tidal Project

### A5 - Consultation Report

Environment Agency: Development and Flood Risk	Flood Defence Consent will be needed for the barrier, the application for which will need to include a WFD assessment and details of the proposed fish / eel pass to ensure the Flood Defence Consent application complies with the relevant legislation.	The project does not contain a fish pass as part of the design. Please see ES (Volume 2b): Surface Water and Flood Risk Technical Report; Appendix A.
	As part of the EIA, there should be a section on flood risk. It is clear that the proposed barrier will be an improvement to the current situation for Boston, but you also need to consider the residual risk. Where there is an increase in defence heights etc., the residual risk may also increase so further assessment on the impacts of a failure of the structure and a breach in the raised defences must be discussed and in particular the new flood gate crossing the wet dock. As part of the study it would be useful to consider overtopping as well as a breach both pre and post barrier. The Flood Risk section would also need to consider the operation of the barrier in flood conditions, especially the susceptibility of the control room.	See ES (Volume 2b): Surface Water and Flood Risk Technical Report.
Environment Agency: Environment and Performance Team	Long term impact of alteration of water level range on structural components of existing banks and defences e.g. accelerated corrosion of steel sheet piling should be considered.	See ES (Volume 2b): Surface Water and Flood Risk Technical Report.
	Changes in silt erosion and deposition rates may be rapid (i.e. immediate rather than short, medium or long term) following commissioning and monitoring/contingency arrangements should be assumed as required rather than considered a risk.	See ES (Volume 2b): Estuarine and Geomorphology Processes Technical Report.
	Generally, clear agreements on the long term funding of maintenance requirements are as essential as the design standards of the structure on both operational and environmental impacts.	See ES (Volume 1): Chapter 2; Project Description.
	This section should consider the long term impact of climate change associated with the reference to the steadily increasing usage described in your consultation letter.	See ES (Volume 2c): Flood Risk Assessment Report.
	The long term impacts on and the responsibilities of riparian ownership should be clearly understood. Changes in natural processes could lead to structures becoming difficult to maintain leading to dereliction leading to environmental impacts.	See ES (Volume 2b): Surface Water and Flood Risk Technical Report.
	Flora, Fauna and Biodiversity Meeting WFD standards is a priority for us and this should be emphasised as a requirement and an opportunity.	See ES (Volume 2b): Ecology and Nature Conservation Technical Report and ES (Volume 2b): Surface Water and Flood Risk Technical Report Appendix B: Water Framework Directive.
	Land Use The area protected will still be low lying and at flood risk and therefore not preferable under PPS25 for future development. It is essential that the residual flood risk is clearly understood from a holistic approach towards flooding from all sources.	See ES (Volume 2b): Land Use Technical Report.
Environment Agency: Waterways	Navigation receptors and pathways	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
	In-channel obstructions within The Haven etc. will also affect leisure craft including Boston Motor Yacht Club, Witham Sailing Club and other craft e.g. those registered with British Waterways and Environment Agency (cruisers, narrow boats etc.).	See ES (Volume 2d): Navigational Impact Assessment Technical Report.

## Boston Barrier Tidal Project

### A5 - Consultation Report

	<p>Would be helpful to differentiate between navigation on The Haven upstream of the barrier versus navigation downstream of the barrier out to The Wash, as the effects on each will differ.</p>	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
	<p>It is likely that the barrier will change siltation patterns in The Haven both upstream and downstream of the barrier (possibly also upstream of Black Sluice and Grand Sluice). It is important to understand this in some detail as it will affect navigation and long-term maintenance requirements/costs, dredging requirements etc.</p>	See ES (Volume 2b): Estuarine and Geomorphology Processes Technical Report.
	<p>Archaeology and heritage assets receptors and pathways: Wrecks may be removed from The Haven upstream of the barrier to clear the navigation and improve visual amenity; this would have various effects/risks which must be considered.</p>	See ES (Volume 2a): Cultural Heritage Technical Report.
	<p>Potential Opportunities identified include: There is an opportunity to create attractive facilities around/in association with the barrier, e.g. for boaters, cyclists, local residents, tourists etc.</p>	See ES (Volume 2a): Landscape and Visual Amenity Technical Report.
	<p>Waste and resource efficiency: There is an opportunity to incorporate energy efficient technologies into the barrier and its control facilities, as well as to install renewable energy sources such as wind turbines, solar panels and hydroelectric generation. This could reduce long-term management costs</p>	The provision of such devices was scoped out of the assessment on the basis of feasibility and practicality.
	<p>General points Need to look in detail at how the 3 sites will be manned and coordinated (Grand Sluice, Black Sluice &amp; Barrier). Different management approaches/arrangements will have differing impacts (e.g. size and location of control facilities, costs, navigation safety etc.) Need to address the safety of boats in different phases of barrier operation (water level management underway, barrier closed against tidal surge, barrier not in operation, barrier moving etc.) and how boaters are notified (e.g. strong stream advice system, lights on structure etc.).</p>	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
Environment Agency Water Quality	<p>The two main issues (set out below) have already been picked up in the scope of work.</p> <ol style="list-style-type: none"> <li>1. Reduced effectiveness of drainage (outfalls/Combined Sewers Overflows) upstream of the barrier.</li> <li>2 - Increased concentration of nutrients and eutrophication upstream of the barrier caused by in-channel obstructions within The Haven.</li> </ol>	See ES (Volume 2b): Surface Water and Flood Risk Technical Report and the Estuarine and Geomorphological Processes Technical Report.
	<p>For water resources there does not appear to be any issues however, it will be important to account for the impact raised water levels may have on abstraction licence holders and any other protected rights both upstream and downstream of the barrier (i.e. any lawful but unlicensed use of water). Although the impact may not be negative the users should be aware of any changes that could take place</p>	Water Level Management is no longer a consideration for the Project.
Lincolnshire Wildlife Trust	<p>We believe you have identified the major issues and we have no others to add at this stage, although further investigation may lead to other concerns being raised, e.g. in the context of effects upstream due to changes in salinity, sediment, etc. Of particular concern are impacts on The Wash and the need to identify a suitable site(s) for the establishment of replacement habitat, which must function in advance of the construction works.</p>	See ES (Volume 2b): Ecology and Nature Conservation Technical Report and ES (Volume 2b): Surface Water and Flood Risk Technical Report: Appendix B; Preliminary Water Framework Directive Assessment.

## Boston Barrier Tidal Project

### A5 - Consultation Report

Natural England	<p>The ES should take into account all aspects of nature conservation interest. Reference to the national, regional and local planning context should be made, where applicable, for the consideration of any impacts on nature conservation. Potential impacts on designated nature conservation sites, habitats and species subject to UK and EU legislation, UK and local BAP habitats and species, and other features of importance to biodiversity need to be properly addressed.</p>	See ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>The ES should seek ways to enhance biodiversity and contribute to green infrastructure as part of the project. Where applicable, it should identify opportunities for the creation and restoration of habitats appropriate to the locality and include plans to retain existing important landscape features such as mature trees and hedgerows. In particular, the scheme should seek opportunities to implement habitat creation that contribute to local and regional biodiversity targets as set out in the Biodiversity Action Plan for Lincolnshire.</p>	See ES (Volume 2a): Landscape and Visual Amenity Technical Report and ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>Protected species are a material consideration in planning matters. The ES should detail the impacts that the proposed development might have on protected species. Surveys should be carried out for all protected species that might be affected. Details of mitigation required to prevent or minimise adverse impacts should be provided.</p>	See ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>A visual and landscape character appraisal should be undertaken, based on good practice guidelines. The detailed proposals for the development should reflect this work.</p>	See ES (Volume 2a): Landscape and Visual Amenity Technical Report.
	<p>A traffic and Access Assessment should be undertaken which identifies any existing roads, public transport, rights of way, cycle routes and pedestrian provisions in the vicinity of the development. This should take account of any negative and positive impacts upon these facilities and highlight improvements that will be included as part of the development. It should also take into account the Lincolnshire County Council's Rights of Way Improvement Plan.</p>	See ES (Volume 2d): Traffic and Transport Technical Report.
	<p>We expect applications to identify and maximise opportunities to add to multifunctional green infrastructure.</p>	See ES (Volume 2a): Landscape and Visual Amenity Technical Report.
Port of Boston	<p>The scale of capital dredging associated with the works, and how this can be minimised, due to increased dredging and the possible need for a new licensed dump site within the EMS, SAC, SPA, and SSSI.</p>	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
	<p>The likely change to sediment accretion, leading to a future increase in maintenance dredging requirements, not only in the immediate vicinity of the barrier, but also further afield down river (up river issues dependent upon who ends up with navigational jurisdiction).</p>	See ES (Volume 2b): Estuarine and Geomorphological Processes Technical Report
	<p>The separation of the fishing fleet from commercial shipping traffic in order to reduce the risk of collisions (thereby reducing the risk of accidental spillage of oils, etc. into the watercourse).</p>	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
Port of Boston	<p>Given that The Haven is already a highly managed and modified water course, and that the barrier works are effectively located within an urban semi-industrial zone, I suggest that your assessment needs to give much greater weight to the impacts on 'navigation' and 'estuarine processes and geomorphology'.</p>	See ES (Volume 2d): Navigational Impact Assessment Technical Report.
	<p>The position of the barrier structure within the channel is influential on the scale of dredging (capital and maintenance). We believe that locating the barrier structure adjacent to the right bank would minimise the scale of dredging required for the temporary by-pass channel, and</p>	See ES (Volume 2d): Navigational Impact Assessment Technical Report.

## Boston Barrier Tidal Project

### A5 - Consultation Report

	once completed might reduce the accretion of materials immediately downstream of Black Sluice Lock (currently a problem).	
	Indicative Timescale - you show in your letter all of the construction occurring within the 2016 - 2018 period. In fact, I think it has already been acknowledged that we would be seeking completion of the wet dock crossing prior to any in-channel works commencing on the barrier. This is likely to require some advanced works, which would at the very least commence during 2015. I suggest that future descriptions of timescale incorporate an appropriate caveat to this possibility.	See Table 2.1 and Chapter 2 of this Report.
Witham Fourth Internal Drainage Board	The proposed barrier should present no increased fluvial flood risk to our District. The barrier and bank raising works are upstream of both any Witham Fourth IDB discharges and the outfall of the Maud Foster. Therefore the only remaining risk is presented by the project's impact on the River Witham.	See ES (Volume 2b): Estuarine and Geomorphological Processes Technical Report.
	A failure to allow the fluvial Witham to function correctly has the potential to increase flood risk to a vast area, creating a significant environmental threat. Therefore, the project should be shown to make no increase in the fluvial flood risk posed by the River Witham (both from temporary works or the finished project).	ES (Volume 2c): Flood Risk Assessment Report.
	The proposals to incorporate a fish and eel pass seem ill-founded as the structure is intended to provide normal flow for much of the day.	The fish and eel pass is no longer included within this design; the sheet piled provisions have been included.
	Dredged materials, once dry, could provide a valuable resource for future bank raising; therefore a practical location near to existing defences should be considered for disposal.	See ES (Volume 1): Chapter 2; Project Description.
	Of concern would be changes to the sediment deposition / erosion regime in The Haven, in particular adjacent to the Board's Hobhole Pumping Station. Is this likely to change at this location? If so, in what way?	See ES (Volume 2b): Estuarine and Geomorphological Processes Technical Report.



## B. Summary of issues raised in the Updated Scoping Opinion

Table B.1: Summary of issues raised in the Updated Scoping Opinion and location of response in ES

Organisation	Summary of Matters Raised	Location of response within the ES
Black Sluice IDB	Page 74, Conclusion; temporary navigation and flow channel information is required.	See ES (Volume 1): Chapter 14 and (Volume 2d) Navigational Risk Assessment Technical Report.
Canal and River Trust	The Canal and River Trust is owner and operator of the River Witham north of the Grand Sluice. It does not appear likely that the proposed works to deliver the barrier will have any direct impact on our assets. However, it will be important to ensure that the scheme does not prevent the continued navigation of boats at the Grand Sluice in either direction, and would ask that this is taken into account when considering any changes in water levels which may occur as a result of the proposed works.	See ES (Volume 1): Chapter 14 and (Volume 2d) Navigational Risk Assessment Technical Report
Eastern Inshore Fisheries and Conservation Authority	The non-inclusion of any reference to the Boston Pirates Small Boat Angling Club in the scoping report and the extent to which their operations will be affected by the potential works. The Authority has previously provided the contact details of representative but the updated scoping document does not refer to any consultation with this group.	The Boston Pirates Small Boat Angling Club were consulted and it was determined that no further mitigation was required than what is currently proposed.
Environment Agency	A statutory EIA should, according to the EIA Directive (and of course, the various EIA Regulations that have been transposed from it into UK law), only cover those topics that are considered to have a significant impact/effect on the environment. As explained in the body of the scoping report for the Boston Barrier, we do not consider that air quality effects, either on the structure and WLM, or resulting from the structure and WLM during both during construction and operation, to be significant. We are therefore of the opinion that this topic should not be considered further for this particular scheme.	Due to changes in the construction of the Barrier, please see the ES (Volume 2d): Air Quality Technical Note, (Volume 2d): and the ES (Volume 1): Chapter 16.
Historic England	The impact of the proposed barrier and associated structures including the proposed new moorings (and secondary effects such as wash) should be examined in detail in respect of sediments likely to contain archaeological and palaeo-environmental remains. Such remains are of importance in both the understanding of the port of Boston and the wider context of Coastal, North Sea and Baltic commerce. This matter should be treated through the detailed specification of an intrusive sampling and analysis strategy.  Also requiring detailed treatment (section 5.4.3 of the scoping report) are issues of the setting impacts of the proposed flood walls and gates upon the significance of the Grade II* listed Church of St Nicholas, the Conservation Area and the Grade II listed Maud Foster Sluice. English Heritage have published guidance on the analysis of heritage setting issues which should be referenced and used in this context. <a href="https://www.english-heritage.org.uk/publications/setting-heritage-assets/">https://www.english-heritage.org.uk/publications/setting-heritage-assets/</a> .  Work on setting impacts should inform options assessment for the design, detailing and finishing of the new structures.	See ES (Volume 1): Chapter 6 and the ES (Volume 2a): Cultural Heritage Technical Report  See ES (Volume 1): Chapter 6 and 7 and the ES (Volume 2a): Cultural Heritage Technical Report and Landscape and Visual Impact Assessment Technical Report.  See ES (Volume 1): Chapter 6 and 7 and the ES (Volume 2a): Cultural Heritage Technical Report and Landscape and Visual Impact Assessment Technical Report

**Boston Barrier Tidal Project**  
**A5 - Consultation Report**

Lincolnshire CC	<p>This Authority would recommend that the work is updated by use of the County Historic Environment Record to reflect the state of current knowledge. This is the first occasion on which officers in our conservation and heritage teams have been consulted and given the unusually large amount of information to review officers felt that the time available was insufficient. Officers have noted numerous references to the County Archaeologist annotated "to be consulted" and anticipate a higher level of engagement going forward.</p>	<p>See ES (Volume 1): Chapter 6 and 7 and the ES (Volume 2a): Cultural Heritage Technical Report and Landscape and Visual Impact Assessment Technical Report</p>
	<p>Recommends that the work is updated by use of the County Historic Environment Record to reflect the state of current knowledge</p>	
MCGA	<p>A navigation risk assessment should be undertaken to supply detail on possible impacts to commercial and recreational craft, namely collision risk, risk management, emergency response, lighting and marking of the site and information to mariners. It may also have affect the Class V passenger vessels that work out of the Port of Boston and leave the port by the river for maintenance and out of water surveys at Fosdyke.</p>	<p>See ES (Volume 1): Chapter 14 and (Volume 2d) Navigational Risk Assessment Technical Report (Volume 2d).</p>
	<p>The EA should therefore consult, and liaise with, with the Port of Boston harbourmaster, (harbourmaster@portofboston.co.uk). He may be able to provide contact details for fishermen using the river who should also be consulted for their collective views.</p>	<p>See ES (Volume 1): Chapter 14 and (Volume 2d) Navigational Risk Assessment Technical Report.</p>
MMO	<p>The applicant is seeking a deemed marine licence through the TWAO for those applicable activities in the marine environment. Therefore, the MMO is not making a regulatory decision that will require a consent under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). [Note: it is no longer proposed to seek a deemed marine licence through the TWAO application in light of correspondence received from Defra requesting that a separate marine licence application is made to the MMO and accordingly the MMO will require to make a regulatory decision.]</p>	<p>See ES (Volume 1): Section 1.4.</p>
	<p>The MMO advise that due to the location of the proposed works, the ES will need to have regard to the Eastern Inshore Marine Plan Area.</p>	<p>See ES (Volume 1): Chapter 4.</p>
	<p>The report highlights that the Boston Barrier scheme also has the potential to increase tourism opportunities (for example, linked to boating and the town's maritime history). However, the report makes no mention of any intention to assess or quantify the effects that the Project could potentially have.</p>	<p>See ES (Volume 1): Chapter 17.</p>
	<p>MMO recommend that the ES includes a detailed assessment of the potential tourism-related socio-economic impacts of the development both for the town of Boston and the immediate surrounding area.</p>	<p>See Section ES (Volume 1): Chapter 17.</p>
	<p>Recommendation that, in addition to the local harbour authority, EA consult both the Maritime and Coastguard Agency and the Corporation of Trinity House regarding the preparation and content of the proposed Navigational Risk Assessment. This assessment should inform and be included within ES.</p>	<p>See ES (Volume 1) Chapter 14 and (Volume 2d) Navigational Risk Assessment Technical Report.</p>

**Boston Barrier Tidal Project**  
A5 - Consultation Report

MMO	<p>MMO identified the following activities which would require consent under the Marine and Coastal Access Act 2009:</p> <p>Construction and installation of the tidal barrier plus fish and eel passes; installation of scour protection; dredging and disposal of dredge material to sea; piling works; installation of a new gate at the Wet Dock Lock; temporary and permanent moorings; construction of a new quay facilities; and cofferdam and temporary bypass channel construction. It is possible that other aspects of the land-based works will require a marine licence. For example, it is not clear from the scoping report whether any of the new or upgraded flood defence structures will require access through or works below MHWS.</p>	See ES (Volume 1): Section 1.3.
	<p>The MMO notes EA's intention to transport materials and machinery for the Project primarily by barge and to liaise closely with interested parties (such as Boston Sailing Club) in relation to any potential effects and possible mitigation measures arising from the Barrier scheme.</p>	See ES (Volume 1): Chapter 5.
	<p>The commercial navigational impacts are included separately under the Commercial Navigation section of the report and we welcome EA's intention to prepare a detailed Navigational Risk Assessment for inclusion with the ES. The Assessment should include any prospective implications for recreational navigation.</p>	See ES (Volume 1): Chapter 14 and ES (Volume 2d): Navigational Risk Assessment Technical Report.
	<p>The MMO would also recommend that EA consult the RYA, as the national body for all forms of recreational boating, on that aspect.</p>	See ES (Volume 1): Chapter 5.
	<p>MMO welcome EA's plans to further assess the noise and vibration impacts of the proposed scheme within the EIA – including the impacts on sensitive marine receptors from the construction activities. The ES will need to include details of proposed pile diameters, pile depths and piling methodology. We also recommend that the ES includes an assessment of ongoing impacts on sensitive marine receptors and possible mitigation measures arising from the ongoing operation of the barrier structure.</p>	See ES (Volume 1): Chapter 9 and the ES (Volume 2a): Noise and Vibration Technical Report.
	<p>The MMO notes that EA has undertaken previous hydrodynamic sediment modelling in relation to the Project and their intention to undertake further flow and sediment modelling as part of the EIA. The ES will need to include all relevant technical reports to enable the MMO to determine their appropriateness and to review the validation and calibration techniques.</p>	See ES (Volume 1): Chapter 12 and the Estuarine Process and the ES (Volume 2b) Geomorphology Technical Report.
	<p>If the design of the project has changed since the 2011 modelling was undertaken, a new modelling exercise should be performed to inform of potential changes to the hydrodynamics and sediment dynamics. Modelling should be undertaken for all aspects of the construction and possible stages of the Barrier throughout its operation to provide a realistic scenario of the potential impacts which may occur. Where the design and construction methodology is still to be determined, the modelling will need to be based on a worst case scenario.</p>	See ES (Volume 1): Chapter 12 and the ES (Volume 2b): Estuarine Process and Geomorphology Technical Report.
	<p>Section 5.9.1 of the report indicates that some accretion may occur in small, localised areas (such as the river quay wall opposite Black Sluice) as a result of the Project. However, the Project may also have implications for erosion (which is not mentioned in the report). The ES will need to include full details of any potential accretion and erosion impacts - including both anticipated rates and locations.</p>	See ES (Volume 1): Chapter 12 and the ES (Volume 2b) Estuarine Process and Geomorphology Technical Report.

MMO	<p>The MMO notes and agrees with the potential impacts identified. The ES should include an assessment of the potential impacts on physical processes from dredging the channel as well as any impacts from dredge material disposal to a designated disposal site and the potential increase in maintenance dredging from the presence of the barrier.</p>	<p>See ES (volume 1): Chapter 12 and the ES (Volume 2b): Estuarine Process and Geomorphology Technical Report.</p>
	<p>The ES should also detail the amount, type and location of the scour protection and include an assessment of how the Project will impact channel width and the potential impacts on the physical processes of the area.</p>	<p>See ES (Volume 1): Chapter 14 and the ES (Volume 2d): Navigational Risk Assessment Technical Report.</p>
	<p>The report presents some basic maps of the nature of the habitats that fall within the region of potential impacts (e.g., saltmarsh, mud-flats) and is appropriate to provide a basic framework for the work and survey approaches that will need to be undertaken in greater depth for inclusion in the ES. The ES will, therefore, need to provide a more detailed assessment of the benthic ecology.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>The report acknowledges the limitations of the fisheries surveys that have been carried out between 2011 and 2014 in that they can only provide a snapshot of habitat and species in the study area. We recommend that EA use other potential sources of information to supplement the survey data to support any impact assessment in the ES.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>We note that smelt are present in all the surveys carried out and these are a UK BAP priority species. There are other UK BAP priority species that also need to be highlighted for their conservation status (specifically, eels) within the ES along with an appropriate impact assessment.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>We note also that Flora and Fauna Biodiversity is scoped out of the temporary piled cell for alterations within the Wet Dock to create additional berth and navigation and flow channel. However, it is not clear why the effect of noise produced from these activities is thought to have no effect on aquatic animal communities in surrounding areas. This location is likely to be a herring nursery area and herring are sensitive to the impacts of noise. This will need to be assessed and considered as part of the impact assessment.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>Although there are no mollusc fisheries within the immediate vicinity of the Project, there are several substantial stocks in the western area of the Wash. The impacts from the scheme on these beds should be assessed. There is scope for potential impacts from the initial capital and ongoing maintenance dredging that will be required to maintain the channel. These will need to be fully assessed within the ES once the volumes, frequency and duration of such dredging are known.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>We recommend that the ES includes a separate Habitats Regulations Assessment Chapter detailing and/or signposting to the supporting evidence and information (including any plans/projects that could have an in-combination effect on the designated sites) that will enable the MMO to undertake that assessment.</p>	<p>See the ES (Volume 2b): Ecology and Nature Conservation Technical Report</p>
	<p>The MMO notes that some of the information with regards to the potential impacts from the construction and operational works are included within the Water Framework Directive (WFD) appraisal and this is referenced throughout the report. We would recommend that the ES includes a WFD appraisal as a separate chapter along with details of all potential impacts.</p>	<p>See the ES (Volume 2b): Surface Water and Flood Risk Technical Report (volume 2b): Appendix B: Water Framework Directive.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

---

MMO	<p>The MMO also recommends that the ES identifies the likely level of sediment accumulation that may occur on the barrier and suspended sediment concentration levels from the regular disturbance and redistribution of sediment arising from its operation. These should be assessed, in particular, against those fish species highlighted above as well as any wider impacts.</p>	<p>See ES (Volume 2b): Ecology and Nature Conservation Technical Report and the Estuarine and Geomorphology Technical Report.</p>
	<p>The report acknowledges that the removal of sediment material needs to be treated as waste and, as such, needs to be handled, transported, treated and/or disposed of in line with the Environmental Permitting Regulations 2010 and the Environmental Protection (Duty of Care) Regulations 1991 (as amended). The removal of dredged sediment material is also classified as waste under the Waste Framework Directive (Directive 2008/98/EC) (WaFD) and its disposal within the marine environment is also governed by the London and OSPAR conventions, both of which are concerned with protecting the marine environment from human activities, notably the pollution arising from those activities.</p>	<p>See the ES (Volume 1): Chapter 2. It is to be noted that the composition of the material to be dredged from the Haven is not yet confirmed; therefore, the end use of the dredged sediment is still unknown.</p>
	<p>There is a presumption in the report that dredged material will be disposed of either to sea or landfill. However, no consideration has currently been given to the alternatives to disposal. Whilst such consideration will be dependent on the results of any sample analysis, EA will need to fully consider and assess within the ES the full range of waste hierarchy options that may be available for dealing with this material.</p>	<p>See the ES (Volume 1): Chapter 2. It is to be noted that the composition of the material to be dredged from the Haven is not yet confirmed; therefore the end use of the dredged sediment is still unknown. However, disposal to sea is not an option and has not been considered in the ES.</p>
	<p>The EA will also need to consider whether this scheme will require a formal Site Waste Management Plan</p>	<p>See the ES (Volume 2d): Outline Site Waste Management Plan.</p>
	<p>The MMO recommends that, in addition to considering the impacts of the Project in combination with the impacts of other projects that have been granted planning consent by Boston Borough Council, EA also investigate the potential cumulative and in-combination effects of other marine schemes within the vicinity. In particular, for example, the ES should take account of the Port of Boston's regular maintenance dredging campaigns.</p>	<p>See ES (Volume 1): Chapter 19.</p>
	<p>We would also recommend that EA regularly review the MMO's Public Register (<a href="https://marinelicensing.marinemanagement.org.uk/mmo/fox/live/MMO_PUBLIC_REGISTER/">https://marinelicensing.marinemanagement.org.uk/mmo/fox/live/MMO_PUBLIC_REGISTER/</a>) for any other developments/licence applications within the vicinity of the Barrier scheme whose impact may additionally need to be considered.</p>	<p>See ES (Volume 1): Chapter 19.</p>
	<p>The MMO advise that due to the location of the proposed works, the ES will need to have regard to the Eastern Inshore Marine Plan Area. There is no reference in the Report to these plans and, therefore, it is not clear to what extent, if any, these have been considered. This will need to be made explicit in the proposed ES. The Eastern Inshore Marine Plan was originally published in April 2014 and is available on the MMO website at <a href="https://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans">https://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans</a>.</p>	<p>See Section ES (Volume 1): Chapter 4.</p>

---

**Boston Barrier Tidal Project**  
**A5 - Consultation Report**

Natural England	<p>Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case DEFRA and the Marine Management Organisation) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.</p>	<p>See ES (volume 1): Chapter 10 and the Ecology and Nature Conservation Technical Report (volume 2b).</p>
	<p>The development site is approximately 4 kilometres upstream from the following designated nature conservation sites:</p> <ul style="list-style-type: none"> <li>- The Wash and North Norfolk Coast Special Area of Conservation (SAC)</li> <li>- The Wash Special Protection Area (SPA)</li> <li>- The Wash Ramsar</li> <li>- The Wash Site of Special Scientific Interest (SSSI)</li> </ul> <p>Further information on The Wash SSSI and its special interest features can be found at <a href="http://www.magic.gov">www.magic.gov</a> . The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within this site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>
	<p>Natural England has already provided advice on Habitats Regulations Assessment (HRA) to the Environment Agency which has resulted in the identification of no likely significant effect on The Wash and North Norfolk Coast SAC, The Wash SPA and The Wash Ramsar. This is on the basis of the information currently available to Natural England and this assessment is documented within Appendix 7 of the scoping report consultation document.</p>	<p>See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.</p>

Natural England	<p>In order to assist DEFRA and the Marine Management Organisation with Habitats Regulations Assessments, we provide the following advice.</p> <p>The proposal is not directly connected with, or necessary to, the management of a European site. In our view there is potential for the proposal to have a significant effect on internationally designated sites and therefore will require assessment under the Conservation of Habitats and Species Regulations 2010. We recommend that there should be a separate section of the Environmental Statement to address impacts upon European and Ramsar sites entitled 'Information for Habitats Regulations Assessment'. This will allow a Habitats Regulations Assessment to be undertaken easily by both competent authorities.</p>	See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. The Lincolnshire Wildlife Trust and Greater Lincolnshire Nature Partnership can be contacted for further information.</p>	See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats).</p>	See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006.</p>	See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>Natural England advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.</p>	See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.
	<p>Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:</p> <p>Any historical data for the site affected by the proposal (e.g. from previous surveys);</p> <p>Additional surveys carried out as part of this proposal;</p> <ul style="list-style-type: none"> <li>- The habitats and species present;</li> <li>- The status of these habitats and species (e.g. whether priority species or habitat);</li> <li>- The direct and indirect effects of the development upon those habitats and species</li> <li>- Full details of any mitigation or compensation that might be required</li> </ul>	See ES (volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report.

**Boston Barrier Tidal Project**  
**A5 - Consultation Report**

Natural England	Need to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area.	See the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.
	EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.	See the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.
	The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies.	See the ES (Volume 1): Chapter 7 and the Landscape and Visual Impact Assessment Technical Report (volume 2a).
	All new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness.	See the ES (Volume 1): Chapter 7 and Es (Volume 2a): Landscape and Visual Impact Assessment Technical Report.
	EIA to detail the measures to ensure building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.	See the ES (Volume 1): Chapter 2.
	Cumulative effect of the development with other relevant existing or proposed developments in the area. This should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.	See the ES (Volume 1): Chapter 19.
	Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.	See the ES (Volume 1): Chapter 7 and ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.
	The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.	See the ES (Volume 1): Chapter 2, 7, 15 and 17.
The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained.	See ES (Volume 1): Chapter 10 and ES (Volume 2b): Ecology and Nature Conservation Technical Report.	

Natural England	<p>The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):</p> <ul style="list-style-type: none"> <li>a. existing completed projects;</li> <li>b. approved but uncompleted projects;</li> <li>c. ongoing activities;</li> <li>d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and</li> <li>e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.</li> </ul>	See ES (Volume 1): Chapter 19.
Port of Boston	<p>Relating to Project Objectives</p> <p>We note that WLM has been separated out from the works associated with flood risk management, and the descriptions of the scheme 'softened' to imply that WLM may be dropped from the scheme e.g. the description of the project in 2.4.2, or alternatively delivered at a later date as noted in 3.1. However, the site selection for the barrier (and the associated Public and statutory consultation) was based on the delivery of a combined scheme serving both WLM and flood risk management. The Port of Boston's views on site selection could change if the WLM aspect of the scheme were to be dropped.</p> <p>If the operation of WLM were to be deferred, but all the infrastructure put in place, then the assessment is on the full scheme regardless of delivery timetable, however, if elements of the scheme might be dropped altogether, then it seems that the Environment Agency are seeking Scoping consultation on two schemes, not one. The Environmental Scoping for the EIA therefore needs to fully appraise the situation of the delivery of a structure that would be intended solely for flood risk management, including all the consequential impacts. The 'segregation' described needs to be more robust.</p>	See ES (Volume 1): Section 2.5.
	<p>Scour protection is described in 3.1.1 - The Port of Boston believes that this might have the potential to impact on the safety of navigation and so the scope of the EIA should properly consider how this introduction of scour protection (and importantly how it might degrade over time) could impact on river users. We note that the justification for the introduction of scour protection should be made on the basis of robust and extensive analysis/modelling, since there is currently no other scour protection provide elsewhere in the Haven. We further note in support of this that commercial shipping arriving at the port are generally required to be NAABSA (Not Always Afloat But Safe Aground) rated, and consequently the placing of 'hard' infrastructure on the river bed might have the potential to jeopardise the safety of vessels.</p>	See ES (Volume 1): Chapter 14 and the ES (Volume 2d): Navigational Risk Assessment Technical Report
	<p>Section 6.2, Key Issues Scoped in to EIA - we believe that Commercial Navigation should be scoped in for 'Scour Protection'.</p>	See ES (Volume 1): Chapter 14 and (Volume 2d): Navigational Risk Assessment Technical Report

## Boston Barrier Tidal Project

### A5 - Consultation Report

---

Witham Forth IDB	<p>The Board remains concerned that the project is limited to the barrier and short lengths of the Haven Banks downstream. On December 5th 2013 significant lengths of the banks on the west side of the Wash were subject to overtopping at the peak of the tide. Sections of these banks are at or around +6.00m ODN some 1.3m lower than the proposed barrier, leaving large areas of agricultural land, numerous villages (Fishtoft, Frieston, Butterwick, Benington, Leverton, Old Leake, Wrangle and Friskney) and parts of Boston at risk of tidal flooding if the banks are not brought up to the same standard as the proposed barrier. The Board wishes that these defences are raised in conjunction with the Barrier and Haven defence works.</p>	<p>The Project will not increase the potential for flooding downstream and further works to the Haven are part of the Boston Combined Strategy (2008).</p>
---------------------	---	--

---

## C. Matters raised on the draft Environmental Statement

This page has been left intentionally blank.

## Boston Barrier Tidal Project

### A5 - Consultation Report

Table C.1: Matters raised by consultees during the draft Environmental Statement review (January, 2016)

Stakeholder	Comment:	Where has this been addressed?
Anglian Water	Heightened surface water levels impacting on surface water outfalls and sewer overflows.	See ES (Volume 2c): Flood Risk Assessment.
Boston Borough Council	The ES appears to cover all the issues well and within the technical documents I see no items in these documents that cause me concern.	-
Canal and Rivers Trust	A further concern is the barrier's predicted width of 25 metres. Working on a figure of 60 metres of Haven width at that point, reducing the width of the flow of water to 25 metres will reduce the water flow to 40% of the original flow; less than half, not a desirable situation in times of fresh water run off! The addition of a lock of a suggested 10mts width would increase the width of flow to 60% of the original. However this still results in a much greater rate of current at that point as it is on the outer bend of the flow especially every fortnight when we experience the 'spring tides' some with tidal heights in the region of 8 metres. Twin screw motor boats with powerful engines may not be compromised but many yachts have far less power and only one engine coupled with far more windage aloft to contend with in a cross wind when under power. Other vessels that could be compromised are the long narrow boats. Competent boat owners who navigate tidal flows will know that control of their vessel is far easier when stemming the flow as opposed to going in the same direction as the flow. These flows will be at their worst when both the Witham and South Forty Foot are being run off together. That situation is made worse when you factor in the fact that the water can only flow out to sea for about 8 hours before the next tide stops that flow for a further 4 hours. Add the above restricted flow figures due to the presence of the barrier's fixed wall across the river to the limited time when excess fresh water can flow and common sense would indicate a definite argument for the installation of the lock. Historically in my lifetime I recall 3 times when the Witham has nearly breached its bank further upstream and when the sluice gates were unable to cope and the lock had to also be opened.	See ES (Volume 1): Chapter 14 and the ES (Volume 2d): Navigational Impact Assessment outline in greater detail the nature of the vessel safety measures employed to reduce the impact of the increased flow velocity through the barrier.
The Crown Estate	Raised no specific concerns.	-
Eastern Inshore Fisheries and Conservation Authority	The ES should provide further detail about the presence of estuarine fish spawning areas downstream of the project and potential for in-direct construction effects to all estuarine species that move within and outside the Zol.  We suggest that the ES highlights that mitigation measures like soft-start piling apply to all estuarine fish likely to occur in the project area and beyond the Zol.  It is recommended that the ES provides further information about the presence of estuarine fish spawning areas downstream of the project and potential for in-direct construction effects to all estuarine species. Also, the ES should emphasise that the mitigation measures proposed for fish receptors apply to all estuarine fish species (not just Sea Trout, Lamprey and Smelt).	Specialist input has been acquired to assess the impact of the construction activities on fish. Please see ES (Volume 1): Chapter 10 and the ES (Volume 2b): Ecology and Nature Conservation Technical Report  Specialist input has been acquired to assess the impact of the construction activities on fish. Please see ES (Volume 1): Chapter 10 and ES (Volume 2b): Ecology and Nature Conservation Technical Report  Specialist input has been acquired to assess the impact of the construction activities on fish. Please see ES (Volume 1): Chapter 10 and ES (Volume 2b): Ecology and Nature Conservation Technical Report.

## Boston Barrier Tidal Project

### A5 - Consultation Report

Historic England	We advise that the cap of the proposed wall and the cladding on the south side should be designed to reduce the visual impact of the wall as much as possible.	This is the intention of the proposed works. Please see ES (Volume 1): Chapter 7 and ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.
	We also advise that the proposed public benefits to the historic environment due to the reduced need for flood defences in the centre of Boston, and for individual buildings, should be more clearly defined in conjunction with Boston Borough Council.	Please see ES (Volume 1): Chapter 6 and ES (Volume 2a): Cultural Heritage Technical Report.
Inland Waterways	Section 2.3.5 describes in outline systems for warning navigators of operation of the barrier, and to manage traffic through the barrier space. Without more detail it is not possible to ascertain whether this safety critical system is adequate for current navigators	ES (Volume 1): Chapter 14 and ES (Volume 2d): Navigational Impact Assessment Technical Report outline in greater detail the nature of the vessel safety measures employed.
	Section 2.4 discusses provision of Control building and WDL kiosk. It will be important that these units are both designed with very conservative levels of flood protection, given both the outcomes of some of the modelling downstream of the barrier, and other recent experiences where barriers have been lowered due to imminent risk of loss of control (e.g. the Foss in York).	The ES (Volume 2c): Flood Risk Assessment assesses the flooding risk present post barrier construction. The barrier and flood risk management structures have been built to a 1 in 300 standard of protection.
	Section 2.10.2 warns of scour protection work and its impact on navigation. Obviously all work of this nature will require early, clear and comprehensive warning of impact on navigation, both in the Port of Boston, upstream and in other coastal locations. Provision of local 'safe harbour' for vessels still arriving without awareness of any stoppage is necessary	ES (Volume 1): Chapter 14 and ES (Volume 2d): Navigational Impact Assessment Technical Report outline in greater detail the nature of the vessel safety measures employed. In particular, safe mooring areas are suggested to be introduced.
	Section 7.4.6 notes visual impact for navigators as a significant impact. Given the height of the construction activities compared to the height of most leisure craft, this is rather underplaying the visual effect of a 7m high barrier across over half of the water space. More accurately it should note "... visual impact for navigators is a very high impact".	ES (Volume 1): Chapter 7 and EA (Volume 2a) Landscape and Visual Impact Assessment Technical Report assess the impact of the scheme on visual receptors and have used standardised methods to assess the severity of impacts.
	Section 7.4.13 notes a continuing effect once the operational barrier is in place, again, given the height of the infrastructure in place on the Haven this will be equally as impactful as the construction activities, compared with the existing situation.	ES (Volume 1): Chapter 7 and EA (Volume 2a) Landscape and Visual Impact Assessment Technical Report assess the impact of the scheme on visual receptors and have used standardised methods to assess the severity of impacts.
	Section 10.5.4 discusses mitigation of dredging impacts creating algal blooms by moving the work into the cooler period October- March. This needs to also be balanced with the needs of navigation.	ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report outline the case behind moving the dredging phases to the winter months.
	The main mitigation is given as a system of traffic management to ensure one-way traffic. This is not detailed, so it is difficult to understand how effective a system will be in allowing existing navigational patterns, and any likely to develop over the lifetime of the project. For navigation users, the essential requirement is to safely stop, carry on, manoeuvre, and get to the Haven and Grand Sluice above the barrier location, or lock onto the South Forty Foot Drain, or move down the Haven and get past the sand bar within the tide range necessary for all these actions. The EA has not provided any detail which gives any assurance that the traffic management system will be adequate to provide certainty that navigational objectives can be achieved, without running significant risk of collision, loss of control	The Project is not at the detailed design stage, therefore the implementation of the traffic system is envisaged, but detailed planning has not yet been carried out. Once the Project reaches the detailed design stage, this will take place.

## Boston Barrier Tidal Project

### A5 - Consultation Report

---

and grounding, or becoming isolated due to inability to complete the journey. The ES needs to include real practical examples which navigators can see and understand if this project is to meet TWAO criteria for impact on navigation.

---

Collision mitigation measures in need to be firmed up in location and length, to ensure they can be confirmed by local experience as workable under all tides and other circumstances, and to indicate their length compared with likely need. As stated in these need to be in place before the traffic management system is needed, which also means before any work starts in the Haven which requires the safety system including one- way traffic. These moorings should be available for safe mooring at all times following construction of the barrier to enable safe haven for vessels when there is significant traffic through the barrier.

As outlined in ES (Volume 1): Chapter 5 the Environment Agency held ongoing consultation events with local river users and has used their experience to shape the ES (Volume 2d): Navigational Impact Assessment Technical Report.

---

IWA is not questioning that a barrier should be built to protect Boston. However, the degree of safety preparation undertaken by the promoter is inadequate given the hazards involved for navigators. We want to see more and quicker preparation, modelling and effective mitigation to be worked on now, in preparation for submission of the TWAO.

As outlined in ES (Volume 1): Chapter 5 the Environment Agency held ongoing consultation events with local river users and has used their experience to shape the ES (Volume 2d): Navigational Impact Assessment Technical Report.

---

Section 6.4.26 described experiments to determine impact of increased velocities around the coffer dam and barrier on migrating fish. Sea trout, eels and smelt were considered. It is not clear whether the work was a desk study using SWIMIT or similar modelling data. The results showed increased lengths of time when fish would not be able to pass either the coffer dam or the barrier, due to increased velocities past the structures. Data shows eels have an endurance speed of around 0.5ms<sup>-1</sup> and trout around 1.3ms<sup>-1</sup> whereas smelt have a Critical Burst Swimming Speed (CBSS) of around 1.11ms<sup>-1</sup>, and trout 1.6ms<sup>-1</sup>. (Reference EA Swimming Speeds for fish Phase 1 W2-026/TR1, and EA Swimming Speeds for fish R&D Technical Report W2-049/TR1). It would be useful to use the same data for water velocities to determine the effect of them on slow moving leisure craft.

Specialist input has been acquired to assess the impact of the construction activities on fish. Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.

---

Plate 6.3 shows the results of modelling a high 10 year fluvial flow, where an increase of 3.9-5.8 knots results, giving total flows of 4.9-7.3 knots across the bypass. This will be a significant hazard to navigation, and well above the 3 knots suggested elsewhere.

Please see ES (Volume 2b): Estuarine Processes and Geomorphology Technical Report; Appendix B; Modelling Report – Non-Technical Summary for an outline of the predicted channel flow velocities. Regarding safety, please see ES (Volume 2d): Navigational Impact Assessment Technical Report for an outline of how the effects of the modelling flow rates will be mitigated against.

---

The summary statement in 6.3.7 that the increases in flow modelled at 'normal flow' conditions will have a low impact magnitude is not correct for navigation. Here flows above 3 knots exceed the PIANC Approach Channel criterion of 3 knots being 'strong' for longitudinal current velocity; and are certainly at a level where recreational traffic will find navigation difficult if not hazardous (and potentially impossible with safety).

Please see ES (Volume 2b): Estuarine Processes and Geomorphology Technical Report; Appendix B; Modelling Report – Non-Technical Summary and ES (Volume 2d): Navigational Impact Assessment Technical Report for an outline of how the modelling scenarios have assessed the potential impacts upon vessels to be.

---

The overview mentions the contribution this report makes to the ES for the Boston Barrier. It makes no reference to the requirement for a Navigational Risk Assessment (NRA) to inform the TWAO

A navigational risk assessment has been conducted to inform the ES (Volume 2d): Navigational Impact

## Boston Barrier Tidal Project

### A5 - Consultation Report

	<p>Application, and the comments made in the MMO letter of May 2015 to Mott MacDonald. Does the EA regard this report as its NRA, or is it expecting to produce another report for that purpose? Section 3.1 later refers to MMO's letter as guidance.</p>	Assessment Technical Report.
	<p>A successful Traffic Management System will also need to accommodate the time needed to get through the section and Grand Sluice, how much time is available before navigators' tide windows close and a number of other criteria. The Harbour Authority and Port of Boston will need to satisfy themselves, as the responsible body, of the effectiveness and safety of the system and the navigation before it is brought into use.</p>	The precise nature of the traffic management system is to be agreed between the Harbour Authority and PoB. The traffic management system outlined in the ES (Volume 2d): Navigational Impact Assessment Technical Report is to be agreed upon by the same parties.
	<p>There is an overriding need to provide for the safety of navigators. This may be the responsibility of the Harbour Authority; however EA will need to provide a TWAO submission which addresses the safety of affected users, particularly navigators. This will presumably be tested through the TWAO hearings before the HA is required to take over responsibility.</p>	The safety of navigators is paramount to the Environment Agency and has been considered in depth within the ES (Volume 2d): Navigational Impact Assessment Technical Report and outlined in ES (Volume 1): Chapter 14.
	<p>Regrettably the claim that impacts could be reduced to non- significant by more modelling, simulation and provision of a one-way traffic control system look a long way from being proven. At the present time, even the limited and invalidated modelling appears to show it is likely that water velocities at the cofferdam and the barrier will exceed PIANC's 3 knot 'strong' for longitudinal, and possibly 1.5 knots cross channel. These impacts will get worse over the life of the barrier, as climate change predictions are factored in and predictions get better with time and measurement.</p>	The ES (Volume 2d): Navigational Impact Assessment Technical Report assessed impacts compared to standardised guidance.
Lincolnshire County Council	<p>Another concern which should be addressed in the ES is regarding the permanent effect of reducing the channel from 55m to 25m as this will increase the risk of scouring and has the potential to impact on underlying remains in the future.</p>	As described in ES (Volume 1): Chapter 2 temporary and permanent scour protection will be provided to ensure the effects of increased scour potential are reduced.
	<p>A strategy for recording early nineteenth and twentieth century Port buildings should be devised and approved prior to demolition. A strategy for recording any hulks that are to be removed should also be devised and approved prior to destruction.</p>	A strategy upon which the recording of remains has been outlined in ES (Volume 1): Chapter 6 and ES (Volume 2a): Cultural Heritage Technical Report.
	<p>While we recognise that the construction of the PoB will have destroyed any underlying archaeological remains they may still survive in the wet dock area. It is noted that during the construction of the wet dock that four mills were demolished and there may still be surviving post-medieval, medieval and Saxon material that could be disturbed during the widening of this lock.</p>	A strategy upon which the recording of remains has been outlined in ES (Volume 1): Chapter 6 and ES (Volume 2a): Cultural Heritage Technical Report.
	<p>We recognise that the design option chosen is the most effective to reduce impacts on historic assets; however it is evident that there will be some permanent disruption to settings of some historic assets. One of which is the visual nature of the barrier façade, we would recommend as at 5.2.5 in the non-technical summary, that the façade should be painted to blend in with the PoB however the paint scheme should be agreed with the Boston Borough Council Conservation Officer.</p>	As outlined in ES (Volume 1): Chapter 7 and ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report the intention is to finish the barrier in a colour scheme which will reduce its visual impact. However, it is noted that the colour is to be agreed with BBC during detailed design.
Lincolnshire County Council: Department of Public Health	<p>The ES sets out how the site for the Barrier downstream of Black Sluice was arrived at in part due to the low negative impact on health and safety. However, it highlights that a site was preferred by the majority of local people downstream of Maud Foster Sluice due to it being further away from their homes. Could this siting decision be made clearer in Section 2.32.8 to alleviate the public's concerns?</p>	The appraisal of alternative section of the ES (Volume 1) has been reworded to show this and is now found in ES (Volume 1): Section 2.5.
Lincolnshire Wildlife Trust	<p>We are disappointed with the lack of enhancements proposed in the ES. It is acknowledged within the ES and supporting technical reports that the development will lead to a loss of habitats ranging from semi improved grassland, ruderal vegetation and scrub on the banks, to mudflat within The Haven. Whilst we appreciate that the loss of each habitat type is relatively small there will</p>	Remediation works will be carried out to ensure the environment is restored to a level no worse than that at present and ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report outlines the actions

## Boston Barrier Tidal Project

### A5 - Consultation Report

---

	<p>nevertheless be a loss of habitat and we would therefore expect enhancement measures to ensure that the development provides a net biodiversity gain. The need to enhance biodiversity is supported by the Environment Agency's Flood and Coastal Risk Management Position Statement relating to conserving, enhancing and restoring biodiversity (July 2013) which states that 'Our Flood and Coastal Risk Management (FCRM) work, whilst primarily undertaken to manage flood risk, must include measures to conserve, restore and enhance biodiversity where feasible.</p>	<p>that will be carried out. As part of the remediation, the introduction of Boston horsetail (a protected species of plant) is being added in to the Project strategy.</p>
Natural England	<p>After reviewing the ES we consider that overall it provides a thorough assessment of the environmental impacts of the Project and addresses these impacts appropriately. We have set out the following comments on the individual chapters of the Environmental Statement (ES) which are particularly relevant to our interests on the natural environment as follows:</p> <ol style="list-style-type: none"><li>1) Townscape and Visual - We are satisfied that any changes to the townscape and visual amenity have been considered and agree with the findings that the barrier will be an additional industrial feature in a pre-existing industrial landscape. We welcome the proposed mitigation measures to reinstate and landscape the right bank and Macmillan Way which will offer opportunities to enhance biodiversity and recreational use.</li><li>2) Land Use - We note that whilst no likely significant effects were identified on land use by the EIA We note that these have been assessed in the technical accompanying technical report. We particularly note that the Macmillan Way has been considered as open space and an important community resource.</li><li>3) Ecology and Nature Conservation Natural England advises that the potential impact of proposals upon features of nature conservation interest and opportunities for habitat creation/enhancement should be assessed in accordance with appropriate guidance.</li></ol> <p>We are therefore pleased to note the following:</p> <p>that the Guidelines for Ecological Impact Assessment (the EclA) have been followed within this ES. the ES correctly identifies Statutory and Non-Statutory nature conservation sites and has thoroughly assessed the potential for the Project to affect these sites.</p> <p>The ES includes evidence that assessment has been carried out of the impact of all phases of the Project on protected species (including great crested newts, reptiles, birds, water voles, badgers, bats and fish). It also assesses the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006.</p> <p>We accept that the survey methods that have been employed have gathered an appropriate level of evidence. From the evidence provided both within chapter 10 and the accompanying technical reports Natural England concurs with the findings of the surveys.</p> <p>The ES has made recommendations for appropriate mitigation for water birds, breeding birds, hedgehog, reptiles and aquatic habitats and species during the construction phase of the Project. The mitigation measures proposed such as avoiding vegetation removal, rehoming of vulnerable species and hand searches of potentially vulnerable habitats are reasonable and should appear as conditions on any future planning permission.</p> <p>We note that surveys carried out have identified that there will be significant adverse effects on Fish species during operation and construction. However we acknowledge that with the recommended mitigation implemented the effects described would be reduced to a level which is not significant.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>

---

## Boston Barrier Tidal Project

### A5 - Consultation Report

MMO	<p>MMO believe any mitigation to ensure the impacts to the sensitive receptors are minimised, should be secured by conditioning the use of soft-start procedures. This will result in an incremental increase in pile power over a set time period until full operational power is achieved and allow mobile sensitive receptors to move away from the source of acoustic disturbance, in order to reduce the risk of injury.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report. This would be secured through the implementation of an ecological management plan.</p>
	<p>During the summer months, and occasionally lasting towards the end of the year, there is an important cockle fishery within the Wash. Many Boston vessels participate and it is important that navigation is not hampered during this period. Possible impacts and necessary mitigation (if required) should be explored within the ES to ensure the document has fully considered the potential effects that these works could have on this fishery.</p>	<p>This comment has now been addressed and an update to mitigation to local fishermen can be found in ES (Volume 2d): Navigational Impact Assessment Technical Report and ES (Volume 1): Chapter 14.</p>
	<p>The mitigation explored within the ES that relates to navigational impacts is considered appropriate but the MMO suggests that additional mitigation is also incorporated in the DML such as, the need for a Notice to Mariners to be issued regularly during construction as well as Coastguard and UK Hydrographic Office notification.</p>	<p>This comment has now been addressed and an update to mitigation to local fishermen can be found in ES (Volume 2d): Navigational Impact Assessment Technical Report and ES (Volume 1): Chapter 14. [Note: it is no longer proposed to seek a deemed marine licence through the TWAO application in light of correspondence received from Defra requesting that a separate marine licence application is made to the MMO and accordingly the MMO will require to make a regulatory decision.]</p>
	<p>The MMO considers that assurances should be included in the ES and method statements to ensure appropriate steps are taken to minimise damage to the shoreline and intertidal area resulting from the works in addition to navigational aids being returned to the original profile, or as close as reasonably practicable, following the completion of the works.</p>	<p>Method statements are outlined within ES (Volume 1): Chapter 20</p>
	<p>The ES appropriately considers the potential cumulative effects from the projects listed within section 19. However, the MMO believe that the ES should also assess the possible cumulative impacts that may arise from the ongoing dredging activities carried out by the Port of Boston.</p>	<p>See ES (Volume 1): Chapter 19.</p>
	<p>Reference is made in section 6.4.51 to Popper et al. (2006): Please note that the reference provided in the footer is wrong. This reference should be: Popper, A. N., Carlson, T. J., Hawkins, A. D., and Gentry, R. L. 2006. Interim Criteria for Injury of Fish Exposed to Pile Driving Operations : A White Paper: 1–15. Reference should be made here to the Fisheries Hydroacoustic Working Group (FHWG) (2008) as it provides the values of 187 dB (accumulated SEL) for fish &gt; 2g and 183 dB (accumulated SEL) for fish &lt;2g.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>The sections 6.4.52 – 6.4.56 are vague and require clarification. i). Section 6.4.52: it is not clear how the criteria have 'been amended for impact driven piling'. The text refers to a non-auditory tissue damage cumulative criterion of 183 dB SEL to 213 dB, sliding scale</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report. Text currently presented considered to be sufficient for the purposes of the report.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

MMO	<p>corresponding to fish mass between 0.5 and 200g. This should read 2g and not 200g.</p> <p>ii). Secondly, it is not clear how this 'sliding scale' has been derived. For example, where has the value of 185 dB (accumulated SEL) for Temporary Threshold Shift (TTS) been derived from?</p> <p>iii). Sections 6.4.54-55: similarly, it is not clear where the thresholds for vibratory pile driving (187 to 220 dB accumulated SEL) or behavioural thresholds (150 dB RMS) have come from. This should be clarified so that it is possible to see where these values have been obtained and whether they are appropriate.</p> <p>iv). The physical unit for the behavioural threshold is root mean square (RMS). This is not appropriate in this instance since we are concerned primarily with the impact of pile driving, which is a pulsed sound. RMS is only appropriate for continuous sounds and pulsed sound should be characterised using peak-to-peak SPL or single-pulse SEL.</p> <p>In terms of injury criteria, the more recent Popper et al. (2014) guidelines would have been more appropriate to use as this guidance is more up to date, and provides quantitative thresholds for recoverable injury, mortality and potential mortal injury in fish in response to pile driving (among other sources).</p> <p>Section 6.4.56 states 'the results of the noise assessment show that during construction typical sound levels within the channel of between 190 dB and 200 dB re 1 <math>\mu</math>Pa'. Please provide details or cross referencing to this 'noise assessment' being referred to. Please include references to where these values have been derived from. Please clarify what is meant by 'during construction' (Is this specific to impact piling? ) and what are the physical units of these sound levels? The units should be given (i.e. RMS, peak-to-peak, peak).</p> <p>Section 6.4.57 concludes that by comparing these values with criteria in previous sections, injury to fish is unlikely (with the exception of the immediate vicinity) but behavioural effects would occur. In order to make this assumption, the physical units of the sound levels specified need to be stated, so that a comparison can be made with the necessary criteria. In order for a comparison to be made, the units need to be the same.</p> <p>Table 5.6 states that sea trout (adults) migrate all year. Thus, as a worst case scenario, it would be more appropriate to assume that all of the adult migration would be affected and not just part of it.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report. Guidance used considered to be relevant and appropriate.</p> <p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p> <p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p> <p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report. A worst case assessment has been undertaken.</p>
MMO	<p>The report highlights that there is smelt spawning habitat at the barrier footprint and section 6.4.60 identifies that there could be a potential impact on developing fish embryos, despite no in-depth studies on smelt egg sensitivity. As a mitigation measure, it is proposed that the avoidance of the smelt spawning period would help to avoid impacts on spawning beds. This appears to be suitable.</p> <p>Table 5.6 states that sea trout (adults) migrate all year. Thus, as a worst case scenario, it would be more appropriate to assume that all of the adult migration would be affected and not just part of it.</p> <p>The MMO consider that mitigation measures to ensure the impacts to the sensitive receptors are minimised, should be secured by conditions within the DML including the use of soft-start procedures. This will result in an incremental increase in pile power over a set time period until full operational power is achieved and allow mobile sensitive receptors to move away from the source of acoustic disturbance, in order to reduce the risk of injury.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p> <p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report. A worst case assessment has been undertaken.</p> <p>[Note: it is no longer proposed to seek a deemed marine licence through the TWAO application in light of correspondence received from Defra requesting that a separate marine licence application is made to the MMO and accordingly the MMO will require to make a regulatory decision.]</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

MMO	<p>The method that was used to gather information for the assessment of the proposed methodology appears to be thorough and informative. The methodology used to assess the significance of impacts for the geomorphological assessment follows an industry standard approach, described in Table 3.1 and Table 3.2 of Report 12, which follows Mott MacDonald practices (2015), although no detailed reference was provided in the reference list. Please refer to quality standards that were used in order to collect the data.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>Vol. 2b presents impact assessment based on the ecological conditions. In section 6.2.1, it is stated that "Potential effects on The Wash SPA, Ramsar site and the Wash and North Norfolk Coast SAC have been assessed by the Environment Agency in the Stage 2 Screening Assessment (Environment Agency, Form HR01 (2015))". Details of this Assessment are not provided so no comments are made in consideration of whether impacts to these designations have been dealt with suitably.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>Section 5.3.3, Vol. 2b indicates that the Preliminary Ecological Appraisal states that the mudflats present in the Zone of Influence (Zol) are of national conservation value and are habitats of principle importance, while in Table 7.1 under the impact assessment, mudflats are indicated as county level conservation value. This affects the significance of impact and, therefore should be addressed and amended as appropriate.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>It is difficult to provide an assessment regarding whether the assessment of potential impacts during either the construction or operation phases have been undertaken in an appropriate manner. This is primarily because there is no map of the spatial variability of the habitats or biotopes in the Zol, together with limited information regarding exactly where certain activities or physical changes are expected. Without a better understanding of the location of the various ecological features are (together with a better understanding of how this information has been acquired, (see earlier comment), it is only possible to accept the assessment of impacts presented.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>The impacts on fish from underwater noise have been considered on a general scale. It is noted that herring were caught at every site during the fisheries surveys, it is therefore likely that the Haven area is a herring nursery area. As herring are sensitive to the impacts of noise this should have been considered in the impact assessment. This was also recommended in MMO comments of November 2014.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>The list of source material used is comprehensive. However, one omission is the Eel Management Plan for the river basin district within which the works are planned.</p>	<p>References that are used are considered suitable for the purposes of the ES. Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>The list of source material used for desk based studies is appropriate. The sub-tidal fisheries surveys were carried out using a 2m scientific beam trawl. This method may underestimate occurrence and abundance of larger demersal or pelagic marine and migratory fishes. This point was made in the MMO comments of November 2014 (also detailed below). This needs to be highlighted and other potential sources of information used to support the impact assessment.</p>	<p>Sources of information used are considered to suitable for the impact assessment. Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
	<p>It appears that an appropriate evidence base has been used within the ES, however, it is not possible to fully assess the suitability of the modelling without a more detailed description being provided and therefore confirm that this aspect of the application is sufficient.</p>	<p>Please see ES (Volume 2b): Estuarine Processes and Geomorphology Technical Report; Appendix B; Modelling Report - Non-Technical Summary for an outline of the predicted channel flow velocities.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

MMO	<p>Table 6.1 is difficult to interpret as no units are available for the data, and the title refers to 'duration of velocities' (i.e. unit time) whereas the column headings refer to speed (i.e. distance per unit time).</p> <p>The migratory period of juvenile sea trout (Table 6) specified as Aug-Oct may not be appropriate if it refers to downstream migrating smolts, which we would expect to occur in the zone of influence in April and May.</p> <p>There aren't any mollusc fisheries within the immediate vicinity of the works but there are several substantial stocks in the western area of the Wash. Cockle and mussel beds are present on Roger Sand, Butterwick Low, Freiston Low and Gut Sand (the largest mussel bed in this area of the Wash being located here).</p> <p>The MMO don't expect any major impacts upon these beds, the most likely impact pathway would be the dredge works prior to construction and the subsequent silt dredge works which are indicated to be carried out on a routine basis to keep the channel clear. As per the advice on the scoping report, more detail of volumes; frequency and duration of these dredge events is required in the ES to enable further assessment.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p> <p>Migration periods considered accurate for this assessment. Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p> <p>Please see ES (Volume 1): Chapter 2 and ES (Volume 2d): Navigational Impact Assessment Technical Report; ES (Volume 2b) Ecology and Nature Conservation Technical Report, and see ES (Volume 2b): Estuarine Processes and Geomorphology Technical Report for the quantities, timings and impacts of dredging.</p>
Port of Boston	<p><b>General Safety of Navigation</b> – The Harbour Authority view is that overall statements carried through to the Non-Technical Summary are grossly simplistic, and appear to misunderstand the potential impact of this scheme to the safety of navigation, both in the temporary and permanent condition. There are issues associated with a potential increased risk to traffic from vessel collision, collision with structures, increased flow velocities (longitudinal and cross river), eddies and changes to siltation, that are not fully appreciated within the ES.</p> <p>We do not expect all these issues to be fully resolved at this stage but we do expect them to be recognised.</p> <p><b>Turning of Vessels at Port Entrance During Construction</b> – The ES and the NIA do not adequately describe and identify the impact on turning and or the significance of the impact. During the closure of the wet dock all commercial shipping will turn in the tidal channel with the assistance of tugs. This increases this activity from perhaps up to 10 vessels annually, to perhaps 300 vessels in a nine month period. This impact is not mentioned in the summary, nor adequately described within the Navigational Impact Assessment.</p> <p><b>Traffic manoeuvring through the barrier and the temporary by-pass channel</b> – The ES has assumed the imposition of one-way traffic. We believe that one-way traffic may pose a greater hazard than two vessels passing in the constricted channel at the barrier (and through the temporary by-pass channel) since smaller craft will have difficulty holding their position in tidal or fresh water velocities. This issue is to be further discussed with the EA's consultants, and so we would suggest that the ES describes the potential alternatives of two-way or one-way traffic, subject to approval by the Harbour Authority and other mitigation, if not resolved prior to submission of the TWAO.</p> <p><b>Navigation Authority</b> - The PoB is the SHA and navigation authority in The Haven and these needs to be appropriately recognised within the ES. Further that since the SHA has the navigational jurisdiction in the area of the works and barrier, detailed design proposals to mitigate impact must be subject to the approval of the SHA.</p> <p>Given the foregoing, the Harbour Authority requires the EA to liaise further with them on the development of the ES, and the NIA in particular.</p>	<p>This comment has now been addressed and an update to navigational safety can be found in ES (Volume 2d): Navigational Impact Assessment Technical Report.</p> <p>The use of tugs for the turning circles and the impacts of these have been assessed in the ES (Volume 2d): Navigational Impact Assessment Technical Report in Table 6.1.</p> <p>New guidance in the ES (Volume 2d): Navigational Impact Assessment Technical Report, Section 7.2 outlines that 2 way traffic movements for sailing boats, motor boats and canoe (non-powered vessel) would be acceptable with the appropriate traffic management in place.</p> <p>this has since been made clearer in the ES (Volume 2d): Navigational Impact Assessment Technical Report; Section 3.2</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

RSPB	<p>In summary, we have no objections in principle to this proposal, but want to make sure that it does not result in any net loss of intertidal habitats, or refuge areas that may be used by birds as a tributary of the Wash estuary during periods of extreme weather.</p>	<p>Please see ES (Volume 1): Chapter 10 and ES (Volume 2b) Ecology and Nature Conservation Technical Report.</p>
Trinity House	<p>Trinity House has no objections to the above project. Any requirements for aids to navigation to be agreed between Trinity House and the Port of Boston once specific details have been provided.</p>	<p>Please see the ES (Volume 2d): Navigational Impact Assessment Technical Report.</p>
Witham Sailing Club	<p>The modelling carried out by Mott Macdonald was not for a large spring tide. There are many days during the year when the high tide is more than 7.8m above the dock cill (4.1m AOD I think), and we often sail on these tides. Our experience suggests that flow velocities are much higher on these big tides and may well exceed 3 knots at the barrier position. It is essential that safe navigation is possible on these big tides. Once these tides have been correctly modelled we will need to have further discussions with you about the consequences of the revised flow rates</p> <hr/> <p>We note that nowhere in the technical documents do we find a mention of our requirements for facilities at Hob hole to avoid the issues of taking dinghies and children through the barrier or bypass channel. We consider the risks of doing this to be unacceptable and that this is a major issue for us. During our discussions with you we indicated that we felt that provision of these facilities was a necessity which must be included as a mitigation feature in the environmental impact statement.</p> <hr/> <p>It is essential that the pontoons for temporary mooring upstream and downstream of the barrier should be suitably dredged and that boats can be left on them safely over a full tidal cycle. They must be sufficiently large to allow several boats to moor in safety with enough room for yachts lowering masts which overhang the stern by several metres. As this is an essential feature for safety during both construction and operation we expect to be consulted regarding the finalisation of these plans before they are submitted for approval.</p> <hr/> <p>We note that traffic management options are being considered. It should be noted that the use of radio (even marine VHF), mobile phone, internet etc. can be very difficult within the river channel at low and mid tides as these short wavelength signals require line of site between transmitter and receiver. This is made even more difficult since many boats (and especially sailing yachts) must lower radio antennas in the river to navigate through the town bridges</p> <hr/> <p>We note that there may be a period of "several days or weeks" while the barrier is being installed. Can you assure us that the moorings downstream of the barrier will be safe and available for us to use during this period?</p>	<p>Please see ES (Volume 2b): Estuarine Processes and Geomorphology Technical Report; Appendix B; Modelling Report - Non-Technical Summary for an outline of the predicted channel flow velocities. Regarding safety, please see ES (Volume 2d): Navigational Impact Assessment Technical Report for an outline of how the effects of the modelling flow rates will be mitigated against.</p> <hr/> <p>The Witham Sailing Club is due to be relocated as part of the mitigation strategy to ensure safe navigation of the waterways. See ES (Volume 1): Chapter 14 and ES (Volume 2d): Navigational Impact Assessment Technical Report for further details.</p> <hr/> <p>As outlined in the ES (Volume 2d): Navigational Impact Assessment Technical Report and ES (Volume 1): Chapter 2 and 14, safe mooring areas will be put in place for river users. To count as being safe, these areas will be deemed suitable for berthing multiple types of vessels.</p> <hr/> <p>As outlined in the ES (Volume 2d): Navigational Impact Assessment Technical Report and ES (Volume 1): Chapter 14, the traffic management system will be designed to ensure constant contact is being maintained at all times with vessels. Additionally, notices to mariners and other pieces of information will be relayed to river users to ensure they are aware of the safety procedures involved.</p> <hr/> <p>The Witham Sailing Club is due to be relocated as part of the mitigation strategy to ensure safe navigation of the waterways. See ES (Volume 1): Chapter 14 and ES (Volume 2d): Navigational Impact Assessment Technical Report for further details.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

---

We also note from the construction schedule that the times of closure are during a part of the season when we (as a recognised RYA training centre) are very likely to be running coastal dinghy and powerboat courses which are important for our club both for generating revenue but also for maintaining a development process which started several years ago and has been supported by a number of grant awarding bodies. Running these courses involves towing dinghies and their crews, including children, downstream of the barrier to rig their boats before sailing on the tidal waters of the lower Haven and Wash and we believe that this will pose an unacceptable hazard. Provision of the facilities at Hobhole is therefore an essential mitigation measure for us

---

The Witham Sailing Club is due to be relocated as part of the mitigation strategy to ensure safe navigation of the waterways. See ES (Volume 1): Chapter 14 and ES (Volume 2d): Navigational Impact Assessment Technical Report for further details.

This page has been left intentionally blank.

## D. Consultation with statutory bodies and other interested organisations

This page has been left intentionally blank.

## Boston Barrier Tidal Project

### A5 - Consultation Report

Table D.1: Consultation undertaken with statutory bodies and other interested parties

Unique identifier	Organisations present	Date	Key matters raised	Resolution
<b>Port of Boston (PoB)</b>				
1	Environment Agency Mott MacDonald PoB	November 2014	<p><b>Meeting to discuss the key design components of the Project</b></p> <p>The knuckle:</p> <p>Widening of the WDE channel at the knuckle so the Wet Dock and the PoB can accommodate the wider ships in the wet dock.</p> <p>Flood wall positioning:</p> <p>The PoB would like to make sure the design and location of the floodwall won't impact on day-to-day activities of the port and any future changes to use of buildings and infrastructure. The PoB would like route of wall to be fixed before detailed design phase.</p> <p>Construction programme:</p> <p>The PoB would like to have a better understanding of sequencing of construction. The PoB is prepared to see longer closures as long as they are planned and managed.</p> <p>MEICA:</p> <p>The PoB would like the EA to consider time constraints and risk to be considered in terms of construction methodology.</p>	<p>The knuckle:</p> <p>The WDE entrance will now be widened to 18m to accommodate larger ships for the PoB.</p> <p>Flood wall positioning:</p> <p>Flood wall design and location is now fixed and agreed. The details can be seen in the plans that accompany this TWAO.</p> <p>Construction programme:</p> <p>Construction sequencing in principle has been discussed with the PoB however it will not be formalised until the Contractor has been appointed.</p> <p>MEICA:</p> <p>The construction programme has been developed so that the wet dock works do not take place at the same time as the works to the quay frontage. Thus, reducing the impact of the construction of the Project on the operation of the PoB.</p>
2	Environment Agency Mott MacDonald PoB	March 2015	<p><b>Design discussion</b></p> <p>Flood Wall Route:</p> <p>There is a need to move the crane as close as possible to the quay edge for day-to-day operation.</p> <p>Possible issue of vertical conflict between flood wall and crane counter weights identified.</p> <p>Fendering to Barrier:</p> <p>There is a requirement to minimise length of grain conveyor extension in order to minimise impact on berths downstream of barrier.</p>	<p>Flood Wall Route:</p> <p>Assessment undertaken to identify and detail crane outriggers and counter weight/cab envelopes in relation to the flood wall.</p> <p>Fendering to Barrier:</p> <p>Assessment undertaken to identify and detail potential berthing arrangements / lengths downstream of barrier.</p> <p>Key findings included in the ES.</p>
3	Environment Agency Mott MacDonald PoB	April 2015	<p><b>Design and construction sequencing discussion</b></p> <p>Flood wall:</p> <p>Two options for the floodwall were presented;</p> <p>Option 1: 2.5m set back from the flood wall; and</p>	<p>Flood wall:</p> <p>Option 1 most agreeable option to both parties and has been taken through the outline design stage.</p> <p>Wet dock lock closure:</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

			<p>Option 2: on the key edge.</p> <p>Wet dock lock closure:</p> <p>The PoB stated that a 9 month closure would be too long. The PoB asked if it was possible to constructed barrier and WD at same time.</p> <p>Working simultaneously on the Barrier and WD may create problems as lose upstream area.</p>	<p>The barrier will be constructed first to enable the EA to meet its 2019 requirement. Work on the WDE will then be carried out 24/7 to minimise the length of closure time as much as possible.</p>
4	Environment Agency Mott MacDonald PoB	June 2015	<p><b>Construction access</b></p> <p>The PoB would prefer that the construction traffic only use the current entrances into the Port Estate as this will allow for better control of access and security for the whole site.</p>	<p>All construction traffic entering the PoB will use current entrances and roads. These will be improved during enabling works to allow for the HGV loads.</p>
5	Environment Agency Mott MacDonald PoB	January 2016	<p><b>Further design discussion</b></p> <p>Turning of Vessels during wet dock closure:</p> <p>The PoB raised concerns regard the risk relating to the turning circle for the vessels during the wet dock closure period.</p> <p>Relocation of the Buoy Shed:</p> <p>The PoB asked how the permanent removal of the Buoy shed would be mitigated.</p>	<p>Turning of Vessels during wet dock closure:</p> <p>The ES (Volume 2d): Navigational Risk Assessment Technical Report assesses the risk around the turning circle and outlines the requirement for additional tug(s) for turning vessels within a tight turning circle and to assist with holding waiting vessels and appropriate safety measure.</p> <p>Relocation of the Buoy Shed:</p> <p>The EA will mitigate the removal of the buoy shed through financial compensation to the PoB.</p>
6	Environment Agency Mott MacDonald Frontier PoB	January 2016	<p><b>Project development and option discussion</b></p> <p>The PoB and Frontier discussed with the Environment Agency the sequencing of the proposed construction programme, the floodwall location and impacts of agreement between Frontier and PoB</p>	<p>The construction sequencing in principle has been discussed with the PoB however it will not be formalised until the Environment Agency's Contractor has been appointed – further discussions will need to be facilitated.</p> <p>The flood wall has been realigned after this meeting and the location has been agreed with the PoB and Frontier.</p>
<b>Boston District Fisheries Association</b>				
7	Environment Agency Representatives of the BDFA	March 2015	<p><b>Informal discussion between representatives of the BDFA and EA</b></p> <p>BDFA Staying at London Road Quay:</p> <p>The BDFA wanted to understand the water flows through the narrowed channel with the cofferdam in place during both construction and post construction with the Barrier.</p> <p>The BDFA requested further information as to how access to their London Road Quay will be affected during construction. They would like to know specifically how the flows through the bypass channel might change.</p> <p>Post Construction flows:</p>	<p>BDFA Staying at London Road Quay:</p> <p>Discussions are ongoing with the BDFA in relation to the temporary relocation to the PoB estate for the duration of the main barrier works. The PoB have agreed in principle to this temporary relocation of the PoB estate. This will overcome the NDFA's concerns as to whether they would still be able to safely navigation past eth cofferdam during construction, as the PoB temporary mooring is downstream of the cofferdam.</p> <p>Post Construction flows:</p> <p>The Environment Agency agreed to provide more detailed flow modelling through the barrier. This in the form of the 'River</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

			<p>The BDFA raised concerns that following construction, flows through the barrier needed to enable safe navigation and not impact on their daily movements.</p> <p>The BDFA identified some of their boats have a top speed of 7 knots.</p>	<p>Users Addendum Report' which is an Appendix to the Environmental Statement.</p> <p>Discussions are ongoing with the BDFA in relation to the temporary relocation to the PoB estate for the duration of the main barrier works. The PoB have agreed in principle to this temporary relocation of the PoB estate.</p> <p>Further modelling and simulations are being carried out as part of the detailed design phase to further inform this.</p>
8	Environment Agency Representatives of the BDFA	August 2015	<p><b>BDFA meeting to discuss flow modelling</b></p> <p>The BDFA relayed that despite the evidence provided through modelling they believe the fluvial flows through the Barrier will be too high to enable them to pass (during times of high flows).</p> <p>The BDFA would like reassurance as to what will happen if the flow modelling incorrect.</p>	<p>The BDFA (and the PoB) have agreed to temporary relocation during the construction of the barrier onto the Port Quayside.</p>
9	Environment Agency Representatives of the BDFA and an interested local party	September 2015	<p><b>Meeting with BDFA</b></p> <p>The BDFA doesn't support the current location of the barrier because they will be unable to get through a 25metre opening during high fluvial flows.</p> <p>The BDFA requested to be relocated in order to service its existing clients.</p> <p>The BDFA raised concerns over the removal of WLM from the current Project as they would not be able to pass along the river (without the normal practice of a parallel lock.</p>	<p>The BDFA (and the PoB) have agreed to temporary relocation during the construction of the barrier onto the Port Quayside.</p> <p>At the time of including WLM in the Project design – there was limited consideration of a 'parallel lock'. Instead a number of options were being considered to relocate the vessels to a location which would continue to allow the BDFA to operate. The removal of WLM means that there will be no change in the tidal cycle within the Haven. Vessels will still be able to pass the Barrier as identified in the ES (Volume 2d): Navigational Impact Assessment Technical Report; Chapter 6.</p>
10	Environment Agency Representatives of the BDFA	October 2015	<p><b>Meeting to discuss the current lease on the London Road Quay and existing facilities</b></p> <p>Replacing existing flood gates</p> <p>The BDFA suggested that the replacement of existing flood gates should be widen to accommodate HGV access to the quay frontage (subject to appropriate loading criteria being complied with).</p>	<p>The Environment Agency would look into possible width of 6-8m (similar to PoB estate proposed works). The Project is providing flood gates with a total opening width of up to 10m in some instances.</p>
11	Environment Agency Representatives of the BDFA, BAM Nuttal , PoB and Mott MacDonald	March 2016	<p><b>Update to construction programme and possible relocation of the BDFA</b></p> <p>The Environment Agency provided an updated on flow conditions, swing bridge, temp construction proposals, relocation options, fishing quay structure inspection.</p> <p>Workshop and discussion with the fisherman to discuss the option of temporary relocation during the barrier construction to enable them to continue their day-today activities.</p>	<p>The BDFA (and the PoB) have agreed to temporary relocation during the construction of the barrier onto the Port Quayside.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

<b>Witham Fourth Internal Drainage Board (WFIDB)</b>				
12	Witham Fourth Internal Drainage Board Environment Agency Mott MacDonald	June 2016	An update of the Project was provided.	No resolution required.
<b>River Users</b>				
13	Witham Sailing Club Fosdyke Yacht Haven Lincolnshire County Council Maritime Leisure Cruises / Boston Motor Yacht Club Witham Sailing Club Environment Agency Mott MacDonald Halcrow/Jacobs Alliance	June 2014	<p><b>Water level management technical group meeting</b></p> <p>Barrier operation: navigational safety, problems and scenarios The technical group requested that the Environment Agency consider the requirement for navigation traffic light signals on the bend near Skirbeck Church (near Maude Foster outfall).</p> <p>The provision of deep water moorings downstream of the barrier entrance needs to be considered for craft that have broken down or are stranded. The technical group also requested that the channel near this temporary mooring is made as flat as possible.</p> <p>The issue of the velocities of the water being discharged/released either over the barrier, or the bypass or both, and the interface with vessels in the immediate downstream vicinity were discussed. The use of bypass culverts within the barrier abutments enabling the downstream outflows to be directed so as to minimise any impact was raised.</p> <p>A lock at the barrier would remove the need for any temporary moorings, and would negate the need for a controlled release of the water impounded upstream.</p> <p>Removal of WLM issues.</p>	Through the removal of WLM, from the current scope in January 2015, issues surrounding safety of navigation have been resolved. These have been through additional modelling that has been carried out to better define the various flow conditions. As well as the including mitigation measures into the Project, such as providing a temporary relocation of the Witham Sailing Club downstream of Maud Foster Sluice and providing of temporary moorings up and downstream.
14	Witham Sailing Club Environment Agency Maritime Leisure Cruises / Boston Motor Yacht Club, Boston Borough Council	February 2015	<p><b>Meeting with the WLM technical group to discuss the removal of Water Level Management from the Project</b></p> <p>The WLM technical group outlined that they felt a lock should be included next to the barrier.</p> <p>The group raised concerns about maintaining navigation during construction of the barrier. The group also raised concerns regarding the increase in velocity/flow through a temporary navigation channel through use of a cofferdam</p>	<p>The Environment Agency explained that because the Projects objectives are to solely manage flood risk, the lock is not a consideration for this Project as is related to improving waterways – however provision would be made so a lock could be included in the future.</p> <p>The Environment Agency agreed to provide more detailed flow modelling through the barrier. See the ES (Volume 2d): Navigational Impact Assessment Technical Report for further</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

			during construction.	information on the additional modelling.
15	<p>Maritime Leisure Cruises / Boston Motor Yacht Club Witham Sailing Club – representing boats downstream of Grand Sluice</p> <p>Boston Borough Council</p> <p>Fosdyke Yacht Haven</p> <p>Lincolnshire County Council</p> <p>Boston Resident</p> <p>Environment Agency</p>	May 2015	<p><b>Meeting with the WLM technical group to provide update to the Project</b></p> <p>The Environment Agency provided an update on the progress of the Project/Update on the project so far.</p> <p>The technical group raised concerns about maintaining navigation during construction of the barrier. Potential concerns were also around the use of a cofferdam during construction – would it cause an increase in velocity/flow through a temporary navigation channel?</p>	<p>The Environment Agency agreed to provide more detailed flow modelling through the barrier.</p> <p>Further assessment and consideration of navigational safety through the barrier has been included in the ES (Volume 2d): Navigational Impact Assessment Technical Report.</p>
16	<p>Lincolnshire County Council</p> <p>Witham Sailing Club</p> <p>Inland Waterways Association</p> <p>Environment Agency</p> <p>Maritime Leisure Cruises &amp; Witham Sailing Club</p> <p>Fosdyke Yacht Haven</p> <p>Mott MacDonald</p>	September 2005	<p><b>Meeting with the river users</b></p> <p>Concerns were raised by the river users that the ships for the PoB mooring on the riverside quays may prevent access upstream during construction as the tidal conditions are fast so there could be a risk for small craft going through the temporary by pass channel. As there is a blind bend and a narrow channel to navigate there is a heightened risk of collision.</p>	<p>The Environment Agency agreed to provide more detailed flow modelling through the barrier.</p> <p>Further assessment and consideration of navigational safety through the barrier has been included in the ES (Volume 2d): Navigational Impact Assessment Technical Report.</p>
17	<p>Lincolnshire County Council</p> <p>Environment Agency</p> <p>Mott Macdonald</p> <p>Witham Sailing Club</p> <p>Representative for boaters mooring downstream of Grand Sluice</p> <p>Inland Waterways Association</p> <p>Inland Waterways Association</p> <p>Boston Borough Council</p>	November 2015	<p><b>Meeting with the river users</b></p> <p>The river users stated that a lock at the barrier would help to reduce the fast flows in the Haven</p> <p>As the River users will be navigating at the times of maximum accelerated flow, it was highlighted that it would be essential to examine the accelerated flows for these big tides to gain a true representation of the impact of the barrier construction on navigation.</p> <p>The effects of the accelerated flow on navigating craft</p> <p>The users highlighted that the passage through Boston currently requires care and can be challenging if things do not go well. The acceleration and deceleration of the flow at</p>	<p>The Environment Agency agreed to provide more detailed flow modelling through the barrier.</p> <p>Further assessment and consideration of navigational safety through the barrier has been included in the ES (Volume 2d): Navigational Impact Assessment Technical Report</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

			<p>the site of the restriction will create additional hazards for navigation in several ways. Turning round in a current is dangerous, and it is very probable that craft will not be able to prevent themselves being carried through the channel by the flow. They will not be able to stop even if safety demands it.</p> <p>The concerns for reduced visibility through the narrow channel were raised.</p>	
18	<p>Environment Agency Mott Macdonald Witham Sailing Club Representing boaters mooring downstream of Grand Sluice Inland Waterways Association Boston Borough Council</p>	<p>December 2015</p>	<p><b>Meeting with the river users</b> Need to assess flows for MHWS tide</p> <p>The river users stated that they use the river on a high spring tide so requested to run this through the model. They also stated that the highest tide happened on 29th September 2015. Steering may be lost when entering the channel:</p> <p>The river users would like to have an installation of leading guides buoys upstream and downstream the cofferdam to avoid collision of vessels with the structure.</p> <p>Mitigation measures The river users requested the reinstatement of WSC slipway of Hobhole. There would be a requirement for a building with teaching room to accommodate 8 people, tea and coffee facilities, women and men toilets and container for boats and compound for rig.</p>	<p>The Environment Agency agreed to provide more detailed flow modelling through the barrier.</p> <p>Further assessment and consideration of navigational safety through the barrier has been included in the ES (Volume 2d): Navigational Impact Assessment Technical Report.</p> <p>The temporary relocation of the Witham Sailing Club downstream of Maud Foster Sluice has been included in the Project design. The works consist of temporary mooring, a slipway, storage, welfare facilities and parking.</p>
19	<p>Environment Agency Mott MacDonald Witham Sailing Club Representing boaters mooring downstream of Grand Sluice Inland Waterways Association</p>	<p>February 2016</p>	<p><b>Meeting with the river users</b></p> <p>This meeting was to discuss the discharge management of water level, management rights, and river navigation rights. Concerns were raised again round the navigational safety through the barrier.</p> <p>Mitigation measures: The river users requested the reinstatement of WSC slipway of Hobhole. There would be a requirement for a building with teaching room to accommodate 8 people, tea and coffee facilities, women and men toilets and container for boats and compound for rig.</p>	<p>Further assessment and consideration of navigational safety through the barrier has been included in the ES.</p> <p>The re-instatement of the slipway at Hobhole was rejected, however an alternative temporary location, 1.5km downstream of the barrier has been agreed.</p>
<b>Frontier Agriculture</b>				
20	<p>Environment Agency Mott MacDonald</p>	<p>June 2015</p>	<p>Meeting with Frontier Agriculture</p> <p>This meeting was to discuss the Environment Agency's requirements for construction and any concerns that</p>	<p>Outcome is that Frontier intend to instruct a process designer to understand their operational requirements if they were to stay at the PoB and have a fixed conveyor.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

	Frontier		Frontier may have as a result of the Project	
21	Environment Agency Mott MacDonald Frontier	November 2015	Meeting with Frontier Agriculture Meeting to discuss the stability of a mobile of fixed grain conveyer. Here the PoB and Frontier met with the EA, the PoB wish to use mobile conveyer while the Frontier wanted fixed. The outcome was PoB to provide examples of mobile conveyer and organise a visit	Conclusion from the above has been Frontier do not want mobile conveyer and as a permanent solution. During construction would use mobile conveyer only. This has been incorporated into the Project design.
<b>Heritage and landscape stakeholder</b>				
22	Environment Agency Boston Borough Council Lincolnshire County Council Historic England Mott MacDonald	May 2015	<b>Heritage and Landscape stakeholder site walkover meeting</b> Design issues: During the site walkover, the heritage and landscape stakeholders raised the various concerns over the design of the Project. A full list of these issues is documented in the ES (Volume 2a): Cultural Heritage Technical Report and the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report. Below lists the main issues arising from the initial site walk over: Concerns raised over visual impact of hard engineering solution to right bank flood defences. Particular concern over appearance of sheet piling along both banks. Question as to colour it might be painted. Concerns raised as to how the softening of the transition between soft and hard landscape might best be implemented. Altered views from St Nicholas Church upstream with loss of soft landscaping and sweeping corners to right bank. How will the difference in levels between the new path on the right bank and the rest of the path will be dealt with so that there is no sudden change in levels/landscape character. How much of the right hand bank can be reinstated with grass? How will public art/street furniture etc. be incorporated into the design on the inside of the right bank flood wall. Improve the ability to use the path incorporating seats and making path accessible, including punchier/wheelchair accessible. Could the surface provide disabled access? No requirement to reinstate as DDA compliant but would benefit local people with wheelchairs could use the	These concerns and issues have been fully assessed in the ES (Volume 2a): Cultural Heritage Technical Report and the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.

footpath along the top of the bank.

Construction issues:

During the site walkover, the heritage and landscape stakeholders raised the various concerns over the construction of the Project. A full list of these issues is documented in the ES (Volume 2a): Cultural Heritage Technical Report and the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report.

Below lists the main issues arising from the initial site walk over:

What is the extent of dredging proposed and depth of excavation proposed?

Will wet or dry dredging be used? Requirement to remove mud and silt under watching brief to monitor and record findings in various zones through the mud (as per consultation response included in Scoping Opinion received from Defra). Not all archaeological consultants would be able to do this sort of work; it may be necessary to get specialists involved.

How will the methodology for the archaeological recording be built into the construction programme for the scheme?

How will the sheet piling be installed, what amount of groundwork will this involve? Concerns over level of disturbance to archaeological deposits.

23	Environment Agency, Boston Borough Council  Lincolnshire County Council  Historic England  Mott MacDonald	November 2015	<b>Heritage and Landscape stakeholder meeting</b>	Embedded sheet piling and embankment crest width: Discussions are ongoing regarding the crest width and EA access and maintenance requirements. Maud Foster Sluice/flood wall junction: Designs detailing how this will be achieved are being prepared for the listed building application.	Through the design of the Project, all of these concerns have been resolved. Please see the ES (Volume 2a): Cultural Heritage Technical Report and the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report for further information.
24	Environment Agency Boston Borough Council  Lincolnshire County Council  Historic England	March 2015	<b>Heritage and Landscape stakeholder meeting</b>	The following concerns were raised by the heritage stakeholders around the design and the effects this would have on the landscape and heritage character areas: Whether the bridges will be affected by the project. Whether the right bank will be a river wall or embankment.	All works to river walls and embankments are down stream of the barrier and do not affect the bridges. The right bank has been designed with an embedded sheet pile wall so that the green embankment remains the dominant character. The most desirable location for the flood wall in terms of flood protection is to the river side of the PoB.

**Boston Barrier Tidal Project**  
A5 - Consultation Report

	Mott MacDonald		<p>Whether flood walls to the rear of the PoB is an option.</p> <p>Whether the arms of the barrier will screen important views.</p> <p>What effect the reduction in width of the channel will have on buried archaeology and the character of the river.</p> <p>Views of the Boston Stump (the tower of St Botolph's Church) should not be compromised.</p> <p>The junction between the flood defences and Maud Foster Sluice should be considered to minimise the impact both visually and physically on the listed structure.</p> <p>Opportunities should be taken to tell the history of Boston as a port as part of the works.</p>	<p>The barrier arms and increased width of the path will result in a change to views, although there will still be a framed view of St Nicholas Church through the barrier arms.</p> <p>The reduction in width of the channel is localised around the barrier structure so will not remove the dominant character of the river channel in this location. An archaeological written scheme of investigation, will be developed up at detailed design stage to ensure that appropriate mitigation and recording is undertaken.</p> <p>The Project will not interrupt the views of the Boston Stump from the Project site.</p> <p>The flood wall has been designed to reduce to the height of the parapet wall at the Maud Foster Sluice.</p> <p>Historic interpretation will be built into the project with information boards and the opportunity for art work on the right bank flood wall.</p>
25	<p>Environment Agency</p> <p>Boston Borough Council</p> <p>Heritage Lincolnshire</p> <p>Lincolnshire County Council</p> <p>Historic England</p> <p>Mott MacDonald</p>	May 2015	<p><b>Design mitigation meeting with the heritage and landscape stakeholders</b></p> <p>The following concerns were raised of the effect of the Project design on the heritage and landscape character of the area:</p> <p>Concerns raised over visual impact of hard engineering solution to right bank flood defences. Particular concern over appearance of sheet piling.</p> <p>Obscuring/change of views moving downstream towards St Nicholas Church with the removal of the hoists which currently frame the view.</p> <p>Altered views from St Nicholas Church upstream with loss of soft landscaping and sweeping corners to right bank.</p> <p>How will the difference in levels between the new path on the right bank and the rest of the path will be dealt with?</p> <p>Loss of tidal mud banks which visually soften the right bank and are also a landscape/ townscape feature of Boston.</p> <p>How will public art/street furniture etc. be incorporated into the design on the inside of the right bank flood wall?</p> <p>What is the extent of dredging proposed and depth of excavation proposed?</p> <p>Will wet or dry dredging be used?</p> <p>How will the methodology for the archaeological recording be built into the construction programme for the scheme?</p> <p>Concerns over level of disturbance to archaeological</p>	<p>The right bank has been designed with an embedded sheet piled wall so that the green embankment remains the dominant character.</p> <p>The barrier arms, the sheet piling and increased width of the path will result in a change to views, although there will still be a framed view of St Nicholas Church through the barrier arms.</p> <p>The embedded sheet pile design of the right bank will retain much of the soft landscaping.</p> <p>The height of the path has been graded to ensure that there is flat transition between the path on the new flood defences and existing path.</p> <p>The reduction in width of the channel/loss of tidal mud banks is localised around the barrier structure so is unlikely to become the dominant character of the river channel in this location.</p> <p>During detailed design and discussion with BBC consideration will be given to including historic interpretation will be built into the project. Information boards and the opportunity for art work on the right bank flood wall will be considered.</p> <p>The dredging details are provided in the ES (Volume 2d): Navigational Impact Assessment Technical Report.</p> <p>The dredged materials will be in both wet and dry form. Their reuse as part of the Project will be considered during the detailed design stage of the Project.</p> <p>Methodology for the archaeological recording will be agreed with the LPA and will where ever possible limit the disturbance to archaeological deposits. Please see the ES (Volume 2a):</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

			deposits.	Cultural Heritage Technical Report for further information.
<b>Black Sluice Internal Drainage Board (BSIDB)</b>				
26		November 2014	The BSIDB provided comment on the Updated Scoping Report (2014).	Comments have been incorporated into the ES.
27		January 2016	The BSIDB were sent a copy of the draft Environmental Statement for comment.	No concerns or issues were raised with regard to the draft ES.
<b>Eastern Inshore Fisheries and Conservation Authority (EIFCA)</b>				
28	Environment Agency, CH2M	January 2012	<b>Meeting to introduce EIFCA to the Project</b> The Environment Agency provided details of the Project background to EIFCA	No resolution required.
29	Environment Agency, Eastern IFCA	May 2014	<b>Meeting to provide EIFCA with an update since the Original Scoping Report</b> The Environment Agency provided details of the Project background to EIFCA and how WLM might be implemented. EIFCA were sent a version of the Updated Scoping Report (2014) and the draft Environmental Statement (2016)	No resolution required. EIFCA had no objections to the construction of the Barrier.
30	Environment Agency	July 2014	<b>Meeting to update on Project progress</b> The Environment Agency explained the Project and the benefits of WLM and introduced them to the EIA process.	No resolution required.
<b>Boston Borough Council</b>				
31	Boston Borough Council, Environment Agency Mott MacDonald	March 2015	<b>Project development workshop</b> As a part of the draft ES consultation, proposed planning conditions have been developed to form at part of the TWAO application. BBC provided inputs and comments for the types and wording of the conditions. Request consideration be given to the introduction of new street furniture (including robust benches) along the Haven to create a more inviting space for residents and tourists, encouraging greater use of the footpath. Request consideration be given to the introduction of artwork along the new concrete flood walls lining the Boston Public Footpath No.14 (Macmillan Way) to enhance the existing surrounding and create a more inviting space for residents and tourists. Request that consideration be given to including opportunities to keep any of the softer, natural aquatic margins along the new sheet piling along the right bank to	These have been taken forward and addressed within the Planning Statement that is being submitted as a part of the TWAO. These have been proposed as mitigation measures within the ES (Volume 2a): Landscape and Visual Impact Assessment Technical Report. This is subject to further discussion between the Environment Agency, the BBC and key stakeholders. The design of the flood wall on the right bank now retains the existing embankment sweep as the sheet piling is being driven directly into the embankment. Further information on the views from St Nicolas Church can be found in the ES (Volume 2a): Cultural Heritage Technical Report and the Landscape and Visual Impact Assessment Technical Report. The footpath will be temporarily diverted along Marsh Lane for the duration of the construction period. Further details of the diversion can be found in the ES (Volume 2d): Traffic and

## Boston Barrier Tidal Project

### A5 - Consultation Report

			soften views from St Nicholas Church. Requested greater understanding of the diversion of the Boston Public Footpath No.14 (Macmillan Way, long distance path) during construction, including the permeant upgrade of the footpath surface within the Project area.	Transport Technical Report.
32	Boston Borough Council, Environment Agency Mott MacDonald	August 2015	<b>Meeting to update on the Project</b> Environment Agency provided an update to the Project progress to date. Discussion around aspiration percentage of the workforce to be sourced locally – Boston Borough Council advised a supply of short term accommodation (eg HMOs) in anticipation of likely construction workforce requirements for the Project Dates for draft ES review were discussed. Boston Borough Council review the draft ES (2016)	No resolution required.
<b>Marine Management Organisation</b>				
33	MMO	2013 – 2014	The MMO provided comment on the Original and Updated Scoping Reports.	Comments have been incorporated into the ES.
34	MMO, Environment Agency,	June 2014	<b>Meeting with MMO to provide a Project update</b> The EA provided an update on the Project and the likely timeframes for the EIA. Specific discussion on the EA's proposed sampling of the Haven to inform any subsequent marine licence for disposal of dredged materials at sea.	MMO confirmed the licencing requirements and the testing and analysis that they would require to inform a marine licence.
35	MMO, Environment Agency, Mott MacDonald, BDB	September 2015	<b>Meeting with MMO to discuss the Project in more detail.</b>  The different types of licencing routes were discussed and the MMO stated they would prefer a deemed marine licence as it would provide more control for the MMO on site during construction.	No resolution required.
36	MMO	January 2016	The MMO were sent a copy of the draft ES to provide comment.	Comments from the MMO and their resolution locations can be found in Appendix C, Table C.1.
<b>Lincolnshire County Council</b>				
37	Lincolnshire County Council, Environment Agency, Mott MacDonald	November 2014	<b>Meeting to discuss inclusion of public health</b> LCC and Environment Agency met to discuss how best to integrate public health issues into the Environmental Statement.  LCC received a copy of the draft Environmental Statement in January 2016 for comment.	It was agreed that public health issues would be integrated into the Environmental Statement rather than providing a separate Technical Report or specific Heath Impact Assessment.

## Boston Barrier Tidal Project

### A5 - Consultation Report

<b>Natural England</b>				
38		2009 - 2016	<p>Natural England was involved in the original workshops in 2010 when the barrier location was discussed. Since then, they have provided comment on the Original Scoping Report (2013), the Updated Scoping Report (2014) and the draft Environmental Statement (2016)</p> <p>Natural England also reviewed and agreed the screening assessment - Habitat Regulations Assessment in 2015</p>	Comments have been incorporated into the ES.
<b>Canals and Rivers Trust, East Midlands</b>				
39	Environment Agency, Canals and Rivers Trust	May 2013	<p><b>Meeting to provide an update on the Project</b></p> <p>The Environment Agency provided an update on the current stage of the Project, including the TWAO consenting approach for the project. The Canals and Rivers Trust raised the following points for consideration by the Project team:</p> <ol style="list-style-type: none"> <li>1) Mitigation for the fishing fleet and Witham sailing club.</li> <li>2) How the WLM would operate and the changes to the current navigational regime of the Haven and connected waterways.</li> </ol>	<p>Mitigation for both the fishing fleet and Witham sailing club have been included in the Project design and incorporated into the ES.</p> <p>WLM no longer forms part of this Project.</p>
40	Environment Agency, Canals and Rivers Trust	March 2014	Meeting to provide a general update on the Project.	No resolution required.
41		2014	Canals and Rivers Trust have provided comment on the Updated Scoping Report (2014)	Comments have been incorporated into the ES.
42		January 2016	The Canals and Rivers Trust were sent a copy of the draft Environmental Statement for comment.	No concerns or issues were raised with regard to the draft ES.
<b>Royal Society for the Protection of Birds</b>				
43		2009 - 2016	RSPB have provided comment on the Original Scoping Report (2013), the Updated Scoping Report (2014) and the draft Environmental Statement (2016).	Comments have been incorporated into the ES.
<b>Lincolnshire Wildlife Trust</b>				
44		2009 - 2016	<p>Consulted because of general interest in the area both for the SFFD and downstream on the Haven (RAMSAR site) for wildlife.</p> <p>Lincolnshire Wildlife Trust have provided comment on the Original Scoping Report (2013), the Updated Scoping Report (2014) and the draft Environmental Statement (2016).</p>	Comments have been incorporated into the ES.

## Boston Barrier Tidal Project

### A5 - Consultation Report

<b>Trinity House</b>				
45			Trinity House has provided comment on the Original Scoping Report (2011), the Updated Scoping Report (2014) and the draft Environmental Statement (2016).	Comments have been incorporated into the ES. A meeting was held with PoB on the 18 <sup>th</sup> August 2015.
<b>Sport England</b>				
46		2016	Sport England were sent a copy of the ES but the EA have not received a response.	No resolution required.
<b>Boston Pirates Small Anglian Boats</b>				
47	Environment Agency, Mott MacDonald, Representative for Boston Pirates Small Anglian Boats	June 2016	Update meeting  The Environment Agency provided an update of the Project and discussed the changes since the removal of WLM.  The Project is unlikely to affect the Boston Pirates Small Anglian Boats as they launch from Skegness and the Fosdyke.	No resolution required.
<b>Boston Gateway Marina</b>				
48	Environment Agency, Mott MacDonald, Representatives for Boston Gateway Marina	December 2014	Meeting to outline the Project  The Environment Agency met with Boston Gateway Marina to provide an overview of the Project.	No resolution required.
49	Environment Agency, Mott MacDonald, Representatives for Boston Gateway Marina	June 2016	Follow up meeting  An update of the Project design was provided to the representatives to Boston Gateway Marina.  Boston Gateway Marina required information to further understand the reason for WLM was removed. They were satisfied that WLM still remains a future objective of the Environment Agency's, although not included as a part of the current Project.	No resolution required.
<b>The Crown Estate</b>				
50	The Crown Estate	January 2016	The Crown Estate was sent a copy of the draft Environmental Statement for comment.	The Crown Estate confirmed they had no comments to make at this stage. No resolution required.
51	The Crown Estate Carta Jonas The Environment Agency	June 2016	<b>Correspondence regarding sediment sampling</b>  Email correspondence has been carried out with the Crown Estate Prior to sediment sampling in the Haven taking place. Site investigation licence agreed with the Crown Estate.	No resolution required.
52	The Crown Estate	July 2016	<b>Continued correspondence and discussion</b>	This is being considered by the Crown, who ordinarily grants

## Boston Barrier Tidal Project

### A5 - Consultation Report

---

Carta Jonas Fisher German LLP	and ongoing	<p>Ownership of land following works – It is proposed that certain areas be transferred to the Agency freehold in respect of sheet pile walling and associated works.</p> <p>Old grain silo – It is proposed that these old structures be removed as part of the barrier scheme and it is the Agency's understanding that the tenant was declared insolvent some years ago.</p> <p>Moorings on Crown Estate land – The Crown are to investigate whether there is any existing arrangement with either the Port of Boston or the Boston fishing fleet in respect of mooring on Crown owned river bed. This is being investigated by the Crown.</p>	<p>only leasehold interests in their land.</p> <p>The Crown is investigating.</p> <p>The Crown is investigating.</p>
----------------------------------	-------------	---	--

---

# E. Letters of Support

This page has been left intentionally blank.

Our Ref: SW/JR  
10 June 2016

Phil Younge  
Yorkshire Major Incident Recovery Manager  
Environment Agency  
Waterside House  
Waterside North  
Lincoln  
LN2 5HA

Steve Willis  
Chief Operating Officer, Development Services  
Lincolnshire County Council  
Witham Park House  
Waterside South  
LINCOLN  
LN5 7JN

Tel: 01522 782070

E-Mail: [steve.willis@lincolnshire.gov.uk](mailto:steve.willis@lincolnshire.gov.uk)

Email: [phil.younge@environment-agency.gov.uk](mailto:phil.younge@environment-agency.gov.uk)

Dear Phil

### **BOSTON BARRIER PROJECT**

I refer to your letter dated 4 May 2016 and am pleased to be able to provide a letter of support for this project.

The scheme forms part of the Boston Combined Strategy of which one of its aims is to reduce the risk to people and the environment from tidal flooding. The events of December 2013 brought home the need for this project to be completed as soon as possible.

This authority also supports the principles of water level management associated with the Fens Waterways Link and has £11m earmarked for opportunities related to this that will assist in the future development of Boston.

The Project Board set up to deliver this project is effective and all board members, including Lincolnshire County Council, are working towards completion of the project by December 2019. It has also produced a 'Common Vision Statement' that demonstrates that there is a holistic view being taken with regard to the barrier, water level management, Black Sluice pumping station and the South Forty Foot Catchment.

The project is crucial to both the protection of Boston and its potential for future development therefore this authority is keen to be both involved and supportive.

Yours sincerely



**STEVE WILLIS**  
**CHIEF OPERATING OFFICER, DEVELOPMENT SERVICES**

This page has been left intentionally blank.



This page has been left intentionally blank.

## F. Consultation with bodies named in Schedules 5 and 6 of the Transport

Table F.1: Consultation with bodies named in Schedules 5 and 6 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006

Statutory Consultee	Rule 13 and/or Schedule 5 category reference	Rule 14(4), Schedule 6 category reference	Consultation
Boston Borough Council	Rule 13(1)		Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.  Details of further consultation can be found at: Paragraphs 4.3 - 4.5; Paragraph 5.4; Appendix A, Table A.1; Appendix C, Table C.1; and Appendix D, Table D.1.
Trinity House	Rule 13(2), 1		Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.  Details of further consultation can be found at: Paragraphs 4.4 and 4.5; Appendix C, Table C.1 and Appendix D, Table D.1.
Lincolnshire County Council	Rule 13(1), 9	6	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.  Details of further consultation can be found at: Paragraphs 4.3 - 4.5; Table 4.3; Paragraph 5.9; Appendix C, Table C.1; and Appendix D, Table D.1.
The Crown Estate Commissioners	1, 27	2	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.  Details of further consultation can be found at Paragraphs 4.5 and 5.6; Appendix C, Table C.1; and Appendix D, Table D.1.
The Environment Agency	1, 2, 3, 4, 5, 6, 20	4, 5	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.  Details of further consultation can be found at: Paragraphs 4.2 - 4.5 and 5.8; Appendix A, Table A.1; and Appendix B, Table B.1.
Marine Management Organisation	1, 5		Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. Comments were received in response. These comments were taken into account in finalising the TWAO application. Most notably, a separate application for a marine licence is now proposed as opposed to the earlier proposal to seek a deemed marine licence through the TWAO application.  Details of further consultation can be found at: Paragraphs 4.3 - 4.5 and 5.10; Table 4.3; Appendix B, Table B.1; Appendix C, Table C.1 and Appendix D, Table D.1.
The Secretary of State for Transport c/o The Maritime and Coastguard Agency	1		Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.  Details of further consultation can be found at: Table 4.3

## Boston Barrier Tidal Project

### A5 - Consultation Report

			and Appendix B, Table B.1.
Harbour Master, Port of Boston Ltd	2, 7, 9		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. Comments have been received and the draft Order revised to take account of those comments.</p> <p>Details of further consultation can be found at: Paragraphs 4.3-4.5 and 5.12; Appendix A, Table A.1; Appendix B, Table B.1; Appendix C, Table C.1 and Appendix D.1.</p>
Canal & River Trust	2, 3	4	<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p> <p>Details of further consultation can be found at: Paragraphs 4.4, 4.5, 5.5; Appendix B, Table B.1; and Appendix C, Table C.1; and Appendix D, Table D.1.</p>
The Inland Waterways Association	3, 4		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. Comments were received in response and considered but no amendments to the draft Order were deemed necessary as a result.</p> <p>Details of further consultation can be found at: Paragraphs 4.5, 5.14; Table 4.3, Appendix C, Table C.1; and Appendix D, Table D.1.</p>
The National Association of Boat Owners	3, 4		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p>
Black Sluice Internal Drainage Board	4	4	<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p> <p>Details of further consultation can be found at: Paragraphs 4.3 - 4.5, 5.2; Appendix A, Table A.1; Appendix B, Table B.1; and Appendix D, Table D.1.</p>
Witham Fourth District Internal Drainage Board	4	4	<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. Comments were received and taken into account but no amendments to the draft Order were considered necessary.</p> <p>Details of further consultation can be found at: Paragraphs 4.3, 4.4, 4.5 and 5.13; Appendix A, Table A.1; Appendix B, Table B.1; and Appendix D, Table D.1.</p>
Wyberton Parish Council	10		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p>
Kirton Parish Council	10		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p>
Sutterton Parish Council	10		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p>
Fosdyke Parish Council	10		<p>Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.</p>

## Boston Barrier Tidal Project

### A5 - Consultation Report

Freiston Parish Council	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Frampton Parish Council	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Auto-Cycle Union Ltd	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
The British Horse Society	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Byways & Bridleway Trust	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Open Spaces Society	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Ramblers Association	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
British Driving Society	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Cyclists' Touring Club	10	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Anglian Water Services Limited	12	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response. Details of further consultation can be found at: Paragraphs 4.3, 4.4, and 4.5; Appendix A, Table A.1 and Appendix C, Table C.1.
Western Power Distribution (East Midlands) plc	12	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. Comments were provided in response and the parties continue to discuss the terms of a draft agreement between them.
WPD	12	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
National Grid plc	12	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
British Telecommunications Plc	12	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response.
Airwave Solutions Limited	12	Issued with copies of the Draft Order and Location Plan on 22 July 2016 and invited to comment. No comments were provided in response.
Vodafone Limited	12	Issued with copies of the Draft Order and Location Plan on 22 July 2016 and invited to comment. No comments

**Boston Barrier Tidal Project**  
**A5 - Consultation Report**

			were provided in response.
EE Limited	12		Issued with copies of the Draft Order and Location Plan on 22 July 2016 and invited to comment. No comments were provided in response.
Hutchison 3G UK Limited	12		Issued with copies of the Draft Order and Location Plan on 22 July 2016 and invited to comment. No comments were provided in response.
Virgin Media Limited	12		Notified that the application for the Order was being made on 11 August 2016.
Historic England	14, 15		Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response. Details of further consultation can be found at: Paragraphs 4.2, 4.3, 4.4, 4.5, Tables 4.1 & 4.3; Appendix A, Table A.1; Appendix B, Table B.1; Appendix C, Table C.1; and Appendix D, Table D.1.
Natural England		1, 2, 3	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. No comments were provided in response. Details of further consultation can be found at: Paragraphs 4.2, 4.3, 4.4, 4.5 and 5.11; Table 4.1 and Table 4.3; Appendix A, Table A.1; Appendix B, Table B.1; Appendix C, Table C.1; and Appendix D, Table D.1.
Royal Mail		13	Issued with copies of the Draft Order and Location Plan on 31 May 2016 and invited to comment. Comments were provided in response and taken into account but no amendments to the draft Order were considered necessary.



**Would you like to find out more about us  
or about your environment?**

**Then call us on**

**03708 506 506** (Monday to Friday, 8am to 6pm)

**email**

**enquiries@environment-agency.gov.uk**

**or visit our website**

**www.gov.uk/environment-agency**

**incident hotline 0800 807060** (24 hours)

**floodline 0345 988 1188** (24 hours)

Find out about call charges ([www.gov.uk/call-charges](http://www.gov.uk/call-charges))



Environment first: Are you viewing this on screen? Please consider the environment and only print if absolutely necessary. If you are reading a paper copy, please don't forget to reuse and recycle if possible.