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Our ref: 313466



Andrea Basten  
Environment Agency  
Rivers House  
Sunrise Business Park  
Higher Shaftesbury Road  
Blandford Forum  
DT11 8

[Click here to enter  
Natural England  
office address](#)

T 0300 060 3900

**BY EMAIL ONLY**

Dear Andrea

**CONSULTATION ON FINAL DRAFT HABITATS REGULATIONS ASSESSMENT (HRA) OF THE APPLICATION TO VARY THE WATER DISCHARGE ACTIVITY PERMIT FOR HINKLEY POINT C**

Thank you for your consultation of 19 October 2020 relating the final draft HRA and updated supporting technical papers.

We believe they are the product of sound scientific judgement and take into account the best and most recent science and evidence.

In reviewing these documents we have focussed on the overall approach to the assessment, together with the conclusions and supporting rationale.

We are satisfied that our previous advice and concerns have been thoroughly addressed and we consider the conclusions of the final draft HRA are appropriate, including that *it has not been possible to conclude no adverse effect on site integrity of the Severn Estuary SAC and Ramsar.*

We are of the view that there are a few areas where some clarifications might usefully be made in the documents. These are covered in the Natural Resources Wales response dated 2 November 2020 and we do not propose to duplicate their comments. We look forward to discussing these with you and NRW later this week.

There were a small number of more minor points that our reviewers picked up and these are provided in Annex 1 below.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely,

A handwritten signature in black ink that reads "David Westbrook".

David Westbrook  
Senior Adviser, Wessex  
E-mail: david.westbrook@naturalengland.org.uk  
Telephone: 02080 262316

## Annex 1 - Final draft EA HRA - specific comments and queries from Natural England

HRA document	Comment
Draft HPC HRA for consultation appropriate assessment	<ul style="list-style-type: none"> <li>Section 5 - In combination assessment: Details are provided of two (related) projects: Bristol Deep Sea Container Terminal (BDSCT) (Dredging) and Compensation habitat creation at Steart for the BDSCT (page 177). It is unclear to us whether these projects are relevant for assessment at this time?</li> </ul>
HRA Annex 1 - Plans of Natura 2000 sites - Option B - Relevant N2Ks only	<ul style="list-style-type: none"> <li>We note that this annex excludes Ramsar sites, as they do not form part of the Natura 2000 network. Given the relevance of the Severn Estuary Ramsar Site to this HRA, should this site be included here, or is it mapped elsewhere?</li> </ul>
Annex 2 Relevant site details.docx	<ul style="list-style-type: none"> <li>Under 'Sites for twaite shad identified through fish tracking for the Unlocking the Severn project' (page 8), Allis shad is listed for the Plymouth Sound and Estuaries SAC. For clarity, we would recommend amending the title to read 'Sites for shad...'</li> </ul>
TB020 Draft-05 - Summary of quantitative results	<ul style="list-style-type: none"> <li>Could add in a * to clarify why thornback ray and blue whiting were included in the tables.</li> </ul>
New Fish Assemblage selection paper, plus appendices (Also HRA Annex 4)	<ul style="list-style-type: none"> <li>Section 2 - The numbered step titles could be more concise by stating the purpose of the step and leaving the description of the criteria to the text that follows.</li> <li>Consider moving Section 3 above Section 2. Reason is that Section 2, in describing the criteria, rightly uses the functional categorisations but the significance of the terminology is not explained until the following section.</li> <li>Step 3 - Justification could be clarified although perhaps just achieved through re-ordering of paragraphs to make the explanation clearer.</li> </ul>