



**PREESALL UNDERGROUND GAS STORAGE FACILITY,
LANCASHIRE**

**Infrastructure Planning Commission (IPC) Application
Reference Number: EN030001**

**STATEMENT OF COMMON GROUND BETWEEN HYDER
CONSULTING (UK) LIMITED (ON BEHALF OF HALITE ENERGY
GROUP LIMITED) AND LANCASHIRE COUNTY COUNCIL ON
THE TOPIC OF ECOLOGY**

Document Ref:	
Author:	Hyder Consulting (UK) Limited 330 Firecrest Court Centre Park Warrington WA1 1RG Telephone 01925 800700 www.hyderconsulting.com
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1 INTRODUCTION

1.1.1 This is a Statement of Common Ground (SoCG) between Hyder Consulting (UK) Limited (Hyder) (on behalf of Halite Energy Group Limited) and Lancashire County Council (LCC) on the topic of Ecology.

1.1.2 Ecology has been the subject of discussions between Hyder (on behalf of Halite Energy Group Limited) and LCC at the pre-Development Consent Order (DCO) Application stage. A telephone conversation was held with John Jones (LCC Ecologist) on 29 March 2012 at 10am to discuss the Ecology SoCG. A subsequent telephone conversation was held with John Jones of LCC and Kim Wisdom of the Lancashire Wildlife Trust (LWT) on 01 May 2012 at 10.30am to discuss quantification of permanent habitat losses and gains. The aim of these discussions were, where possible, to reach a common ground in relation to the following DCO Application Documents:

- Chapter 9: Ecology and Nature Conservation of Volume 1A of the Environmental Statement (ES) (DCO Application Document Reference 5.1)
- Appendices 9.1 to 9.19 of Volume 1B of the ES (DCO Application Document Reference 5.2)
- Figures 9.1 and 9.2 of Volume 2B of the ES (DCO Application Document Reference 5.4)
- Information to Support a Habitats Regulations Assessment – Morecambe Bay SAC, Liverpool Bay SPA, Shell Flat and Lune Deep cSAC (DCO Application Document Reference 3.2)
- Information to Support a Habitats Regulations Assessment – Morecambe Bay SPA and Ramsar (DCO Application Document Reference 3.3)
- The Landscape and Ecological Management Strategy Plan (LEMSP), which is presented on Figure 14.10 of Volume 2B of the ES (DCO Application Document Reference 5.4) and within Appendix 14.11 of Volume 1B of the ES (DCO Application Document Reference 5.2)

1.1.3 It should be noted that LCC defers to the opinion of the following organisations in relation to this SoCG:

- Natural England (NE) in relation to European Protected Species and habitats under the Conservation of Habitats and Species Regulations 2010.
- The Marine Management Organisation (MMO) in relation to the marine elements of the DCO Application Documents identified in Section 1.1.2 of this SoCG.
- The Environment Agency (EA) in relation to hydrology.

2 ENVIRONMENTAL STATEMENT

2.1 Accepted Data

Assessment Methodology

2.1.1 The methodology sets out the approach to the Ecology and Nature Conservation assessment, and is presented within Section 9.3 of Volume 1A of the ES.

2.1.2 The appropriateness of the chosen assessment methodology is not disputed by LCC.

2.1.3 Although the assessment methodology is not disputed by LCC, LCC would like to make the following points:

- LCC notes that in relation to terrestrial invertebrate surveys, the sampling points to the east of the Wyre Estuary (The Heads) lie outside of the DCO Application boundary. Hyder confirms that areas suitable to support terrestrial invertebrates were identified in 2010, at which time the sampling sites identified at The Heads were within the application boundary and were the only locations to the east of the Wyre Estuary considered as having high potential to support terrestrial invertebrates. Subsequent to the surveys being undertaken in 2010, the extent of the application boundary was reduced and therefore the areas sampled at The Heads no longer fall within the DCO Application boundary (therefore avoiding these areas considered to have the highest potential to support terrestrial invertebrates). LCC accepts this explanation.
- LCC notes that some Biological Heritage Sites (BHS) considered likely to experience potential impacts as a result of the Project have not been subject to a Phase 2 Habitat survey. LCC acknowledges that mitigation measures are proposed for such sites, but takes the view that mitigation should be informed by a more detailed habitat assessment where BHSs are affected. Hyder is of the opinion that none of the BHSs surveyed during the Phase 1 Habitat survey were suitable for Phase 2 Habitat survey. Some BHSs were not surveyed due to access restrictions. Hyder notes that to inform detailed mitigation and compensation measures, a more detailed survey of affected areas of BHSs could be agreed with LCC and undertaken once the DCO has been made. LCC agrees with this view.

Baseline Information

2.1.4 Sections 9.4 and 9.5 of Volume 1A of the ES present the existing and future baseline information, respectively, that has been considered in relation to the Ecology and Nature Conservation assessment.

2.1.5 The baseline information is considered appropriate, and LCC does not currently have any reason to dispute the field survey results presented.

2.1.6 Although the baseline information is considered appropriate and is not disputed by LCC, LCC would like to make the following points:

- LCC accepts that as a result of access restrictions, it was not possible to undertake field surveys across the whole DCO Application area and desktop data were relied upon in such instances. LCC considers the access restrictions may have had implications in terms of the accuracy of predicted impacts of the Project, but LCC does not dispute the assessment findings based on the survey results submitted (refer to Section 2.1.11 of this SoCG).
- LCC considers that some surveys may require updating prior to the commencement of construction or associated preparatory works. Hyder confirms that specific pre-construction surveys are proposed within Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES (also refer to Draft DCO Requirement 7). LCC agrees with this approach.
- LCC notes that birds associated with Morecambe Bay Special Protection Area (SPA) / Ramsar use land a good distance from these sites. For example, both Pilling Moss – Head Dyke BHS and the Pilling Moss – Eagland Hill BHS are designated for pink-footed geese (a qualifying species of Morecambe Bay SPA). LCC suggests that it is important that such land is considered as being associated with these European designated sites. Hyder confirms that such land is considered within the ES and the 'Information to Support a Habitats Regulations Assessment – Morecambe Bay SPA and Ramsar' (DCO Application Document Reference 3.3) as functionally linked land. LCC accepts this confirmation.
- LCC notes inconsistencies in relation to the valuation of the Wyre Estuary Site of Special Scientific Interest (SSSI). Paragraph 9.4.44 of Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES states that the Wyre Estuary SSSI is considered to be of 'National' value for nature conservation, yet within Table 9-6 it is considered to be of 'International' value. LCC considers that the Wyre Estuary SSSI should be consistently considered to be of 'International' value for nature conservation, as it is also designated as a Special Area of Conservation (SAC). Hyder confirms that within Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES, where the Wyre Estuary SSSI is considered to be of 'National' value, this specifically relates to the SSSI not the SAC, but accepts it should be clearer that the SSSI and the SAC cover the same area. LCC defers to NE in relation to the assessment of impacts on the SSSI and any need for mitigation or compensation measures.
- LCC notes that BHSs are considered within Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES to be of 'County' value for nature conservation. LCC therefore considers that some BHSs may have been undervalued as they could, in some cases, qualify as SSSIs. LCC takes the view that the evaluation of BHSs should have been based on their ecological interest and not on their current level of designation. LCC considers that it should have been acknowledged within Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES that BHSs are of at least County importance and may in some cases be of higher value. LCC acknowledges that if full datasets had been available, and access restrictions had not been an issue, the BHSs could have been assessed against the SSSI criteria. However, LCC accepts that as long as the proposed mitigation and compensation measures would offset any potential impacts on such sites, then even if the assigned values were

altered, the identified potential and residual effects as a result of the Project would not change.

- LCC considers that the predicted future baseline identified in Section 9.5 of Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES is too general and should have referred to relevant points in time, with and without the Project, for example immediately prior to construction / operation and throughout the lifetime of the Project. However, LCC accepts that the absence of such information does not significantly influence the findings of the assessment.

Mitigation and Enhancement Measures

- 2.1.7 Mitigation and enhancement measures are identified within Section 9.8 of Volume 1A of the ES.
- 2.1.8 The principles of the proposed mitigation and enhancement measures are not disputed by LCC. LCC takes the view that, subject to agreement of detailed proposals, adequate mitigation, compensation and enhancement measures can be accommodated within the land made available for this purpose.
- 2.1.9 Although the principles of mitigation and enhancement measures (subject to detailed proposals) are not disputed by LCC, LCC would like to make the following points:
- Although LCC defers to NE in relation to European Protected sites, functionally linked land and associated species populations, LCC notes that Method Statements would be required before construction commences to ensure that any land within BHSs used by SPA qualifying species is restored appropriately, where it is to be affected by construction works. Hyder confirms that Method Statements will be produced and agreed with LCC once the DCO has been made. LCC agrees with this approach.
 - LCC considers that in relation to the proposed barn owl mitigation (presented in Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES), the standard guidance endorsed by NE and the Barn Owl Trust should be considered when producing Method Statements once the DCO has been made. Hyder confirms this will be done.

Assessment Findings

- 2.1.10 Section 9.7 of Volume 1A of the ES presents the Potential Effects on Ecology and Nature Conservation as a result of the Project without consideration of the proposed mitigation and enhancement measures. Section 9.9 of Volume 1A of the ES presents the Residual Effects, i.e. with incorporation of the proposed mitigation and enhancement measures.
- 2.1.11 LCC does not dispute the findings of the assessment.
- 2.1.12 Although the findings of the assessment are not disputed by LCC, LCC commented that Chapter 9: Ecology and Nature Conservation of Volume 1A of the ES did not clearly demonstrate whether the Project would generate an overall permanent loss (or gain) of habitat. LCC requested clarification on the total permanent habitat loss and gain as a result of the Project. Hyder

subsequently provided this information, which is presented in full within Appendix A of this SoCG.

- 2.1.13 In light of the information presented in Appendix A of this SoCG, LCC considers that, on balance, the area of proposed re-established habitat is adequate to compensate for the permanent loss of habitat as a result of the Project. Further detail of habitat creation and enhancement will be approved through the discharge of the DCO Requirements.

3 INFORMATION TO SUPPORT A HABITATS REGULATIONS ASSESSMENT – MORECAMBE BAY SAC, LIVERPOOL BAY SPA, SHELL FLAT AND LUNE DEEP CSAC (DCO APPLICATION DOCUMENT REFERENCE 3.2)

3.1 Accepted Data

- 3.1.1 LCC defers to the opinion of NE in relation to the 'Information to Support a Habitats Regulations Assessment – Morecambe Bay SAC, Liverpool Bay SPA, Shell Flat and Lune Deep cSAC'.

4 INFORMATION TO SUPPORT A HABITATS REGULATIONS ASSESSMENT – MORECAMBE BAY SPA AND RAMSAR (DCO APPLICATION DOCUMENT REFERENCE 3.3)

4.1 Accepted Data

- 4.1.1 LCC defers to the opinion of NE in relation to the 'Information to Support a Habitats Regulations Assessment – Morecambe Bay SPA and Ramsar'.

5 LANDSCAPE AND ECOLOGICAL MANAGEMENT STRATEGY PLAN

5.1 Accepted Data

- 5.1.1 The LEMSP has been submitted as part of the DCO Application. The principles underlying the LEMSP are not disputed by LCC.
- 5.1.2 Since the DCO Application was submitted, further discussions with LCC on the LEMSP have taken place. Following the conclusion of these discussions, a modified LEMSP has been produced. This is presented in the SoCG between Hyder (on behalf of Halite Energy Group Limited) and LCC on the topic of the Landscape and Ecological Management Strategy Plan.

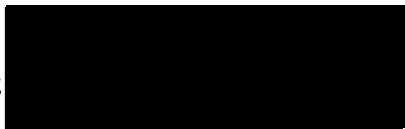
6 DATA NOT ACCEPTED

- 6.1.1 Notwithstanding the points raised by LCC in this SoCG above, the findings of the documents identified within Section 1.1.2 of this SoCG are not disputed by LCC.

STATEMENT OF COMMON GROUND

This Statement of Common Ground on the topic of Ecology has been prepared by Hyder Consulting (UK) Limited, on behalf of Halite Energy Group Limited, and agreed by Lancashire County Council.

Signed: _____

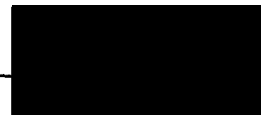


David Hoare

on behalf of Hyder Consulting (UK) Limited

Date: 1-6-2012

Signed: _____



Michael Green

Cabinet Member for Economic
Development, Environment and
Planning

Date: 1st June 2012

Appendix A

Approximate Areas of Habitat Permanently Lost and Created

Approximate Areas of Habitats Permanently Lost and Created as a Result of the Project

Habitat	Approximate Area Permanently Lost (Hectares (Ha) or Linear Metres)	Approximate Area Created (Hectares (Ha) or Linear Metres)
Arable land	6.2 ha	4,000 linear metres of arable field margins / wildflower strip
Improved grassland	7.7 ha	0 ha
Open ditch	507 linear metres	90 linear metres*
Gorse, scrub	181 linear metres of gorse, scrub field boundary	<ul style="list-style-type: none"> ▪ 1.5 ha of screen mounding (grassland and scrub mosaic) ▪ 2.3 ha of native species scrub / grassland mosaic ▪ 0.5 ha of native species dense scrub ▪ 0.2 ha of terrestrial habitat links to ponds (grassland and scrub mosaic)
Hedgerows	121 linear metres of boundary hedgerow	750 linear metres of native species hedgerow**
Marshy grassland	0.03 ha	0 ha
Trees / Woodland	0.02 ha	0.8 ha
Reed beds	N/A	0.6 ha
Pasture field scrapes	N/A	Scrapes would be provided, each scrape at a minimum size of 20m ²
Ponds	N/A	One new pond would be created***
Alder/ willow wet woodland copse	N/A	0.3 ha

* In addition, approximately 1,670 linear metres of existing watercourse / ditch habitat would be improved under the provisions of the Landscape and Ecological Management Strategy Plan

** In addition, approximately 1,690 linear metres of existing hedgerow would be planted up / reinstated under the provisions of the Landscape and Ecological Management Strategy Plan

*** In addition, 11 existing ponds would be improved under the provisions of the Landscape and Ecological Management Strategy Plan