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David Morris
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BY EMAIL

Dear Mr Morris

**Goodwin Sands Aggregate Dredging Marine Licence Application MLA/2016/00227:
DHB's 'Response to MMO Clarification Requests December 2016' 10th Aug 2017**

The Wildlife Trusts appreciate the opportunity to comment on the further information provided by Dover Harbour Board in response to MMO's requests. We maintain our **objection** to the proposal to dredge aggregate from the Goodwin Sands recommended Marine Conservation Zone (MCZ), and confine our comments to the further information report provided.

The Wildlife Trusts are pleased that Dover Harbour Board (DHB) has obtained aggregate for the first phase of the Dover development project from alternative sources, particularly utilising recycled material, and we note that the dredge volume still required is therefore reduced from 3.23 million cubic metres to 2.36.

However, we challenge DHB's claim in its summary, that the "Goodwin Sands remains *the most environmentally sound* and economically viable option for the remainder of the scheme".

We believe that an adequate assessment of the environmental impacts of alternative options is an outstanding issue which has not been satisfied, in order to meet the Marine Works (Environmental Impact Assessment) (amendment) Regulations 2017. This relates specifically to the **fauna and flora/ecological** implications of these alternatives.

Assessment of alternatives

• **Commitment under a separate licence**

We are concerned at DHB's claim that it would not be economically viable to source the remaining aggregate required from elsewhere, and that the waterfront enhancements it has undertaken to develop as part of the overall project could be rendered impossible. This should be given limited weight by the MMO, since that commitment was part of a separate licence application; indeed, this should **not** have been given approval in advance of the application to dredge at Goodwin Sands if this current dredging proposal is so crucial to the viability of this separate application. The feasibility planning and detailed costings for such a significant project should not have been built on an assumption of being able to dredge the Goodwin Sands without considering the possibility that this would not be permitted, particularly as it has been known since 2011 that the Goodwin Sands is a recommended MCZ.

• **Identification of alternative sites for consideration**

The alternative sources should not be limited to primary licenced aggregate sites, but should include recycled material. When cost of fuel (equating to distance from port) is being argued as the critical factor and the preferred site lies outside a licenced area, it is unclear why the alternatives considered have



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remained restricted to licenced areas, and other sites closer to the port lying outside the proposed MPA network do not appear to have been considered.

- **Fauna and flora/Ecology**

In previous letters to the MMO relating to this application (18th December 2015, 17th November 2016), The Wildlife Trusts have highlighted that the assessment of alternatives should be conducted against environmental impacts. Using environmental impacts as a secondary criterion does not fulfil the obligations as outlined in Regulation 12, Schedule 3 of the Marine Works (Environmental Impact Assessment) (amendment) Regulations 2017, as the applicant is not fully “taking the environmental effects of those alternatives and the project” into account. Schedule 3 2(a) specifically identifies *fauna and flora* as components of the environment to be assessed.

While emissions have been compared, the other environmental factors of ecology/fauna and flora have not. We therefore consider that this issue remains outstanding, and we suggest that MMO should make a specific request to DHB to make a comparison of the ecological/fauna and flora impacts of dredging on the Goodwin Sands with those of alternative options.

DHB identifies three main factors where impacts on alternative sites could differ from the Goodwin Sands. Although this includes ‘Specific sensitivities and values of the environmental receptors at and around the sites’ it has failed to do this site-specific comparison of impacts on ecology and fauna and flora at each site. For example, do the alternative sites also support valuable ecological features such as sandeel habitat, seal foraging and haulout sites, or designated area status?

- **Larger vessel use**

DHB notes that larger vessels which would be more economic for the greater distances would not be suitable for the later stages of work. We suggest the Board should be asked to justify why they could not be used for the earlier stages, particularly as the remaining extraction needs are already split into two phases.

Disturbance issues

We are concerned with the conclusion regarding disturbance issues (p8) “*In terms of potential effects therefore the updated dredge programme is not considered to be significantly different to that described in the ES and the outcomes of the EIA are considered to remain unchanged.*” We suggest that alterations to the timings of the dredge campaigns could result in significantly different impacts when considering seasonal differences in bird and mammal behaviour, and suggest that MMO should request a reassessment be conducted.

Dredge Footprint

We understand that DHB proposes to avoid 305 of the 314 identified sites of potential archaeological interest, and buffer around the rest. We are concerned that its proposal to limit extraction to a shallow depth across a larger footprint (in order to ensure it is only extracting recently accumulated deposits and therefore minimising archaeological disturbance) would result in maximising the impact on biodiversity, including commercially significant species (since fauna will be contained in and on the top layer of sediment).

Economics of alternative sources

The report acknowledges that that it would be ‘a technical possibility’ to source material from a combination of licensed aggregate sites, and the only argument against this is the financial viability (due to both travel distances, and the cost of recalculating technical figures which assumed the Goodwin Sands grade of aggregate would be available). The arguments in the report demonstrate that the planning was undertaken without due consideration of the potential need to source aggregate from sites other than the Goodwin Sands. We suggest it would not be appropriate for MMO to take into account those economic arguments which result from a lack of contingency planning due to an inappropriate assumption that a feature put forward for protection in a recommended MCZ would be made available.

Without absolute costs being presented, it is difficult for the MMO to determine the relative proportion of the overall project costs that are involved in transportation, to assess whether the categories of very high (less than 3 times Goodwin Sands costs) and extremely high (3 times+) are appropriate. We understand from DHB that the increase in cost from using alternative sources would be in the region of £20-£25 million, set against the potential loss of benefit to the local area of an estimated £0.5 billion if this part of the development were not to go ahead.

DHB has provided in its report information on the benefits of the wider redevelopment scheme, which (although linked to this application) has been proposed and approved separately, but it appears MMO has not been provided with the information requested on the benefits of the proposed dredge project.

Fisheries

DHB's analysis of impacts on fisheries comments that the area is of limited value due to restricted access, but we suggest that MMO should request an analysis of the impact on predators (including commercially important species) of the loss of biomass in the sediment to be removed.

Marine Mammals

DHB reiterates that the dredgers would avoid known seal haul out sites at Goodwin Sands, keeping 1km away from exposed sandbanks (increased to 1.5km in sensitive times). However, it still proposes to exclude the one intertidal site immediately adjacent to the dredge area which would impact on the dredge activity. We believe that seals having been recorded on this bank in one out of just four surveys is significant. It has been observed that seals rest in areas which still have a shallow covering of water, meaning that they can be missed in surveys and can make use of sandbanks which are still covered in a shallow layer of water. We therefore suggest that MMO should request this area to be included in the network of exclusion zones.

Subtidal Coarse Sediment

We are pleased to see a revised map which excludes the area of subtidal coarse sediment in the north east section from the proposed dredge area, following MMO's stipulation.

Sandeels

We note figure 8.1 and maintain our view that it is unacceptable to have a predicted medium significance of impact on sandeels, which represent a key species of the faunal assemblage integral to a protected feature of the rMCZ.

We hope that these comments are helpful, and we would welcome an opportunity to discuss with you the critical need for a proper comparison of the environmental impacts of alternative options, which we consider to be outstanding.

Yours sincerely



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Kent Wildlife Trust



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The Wildlife Trusts