Mr John Macholc
Ribble Valley Borough Council
Development Control
Council Offices Church Walk
Clitheroe
Lancashire
BB7 2RA

Our ref: NO/2019/112209/01-L01
Your ref: 3/2019/0977

Date: 06 December 2019

Dear Mr Macholc

EIA SCOPING REQUEST FOR THE INSTALLATION OF TUNNELLED PIPEWORK AT THE BOWLAND SECTION OF THE HAWESWATER AQUEDUCT AND ASSOCIATED WORKS.
CONSTRUCTION SITED D ADJ BURNSIDE FARM, BACK LANE, SLAIDBURN & CONSTRUCTION SITE E ADJ FOBER FARM, DUNSOP ROAD, NEWTON.

Thank you for referring the above request for an Environmental Impact Assessment (EIA) Scoping Opinion to us for consultation.

We have reviewed the following document:-

- Haweswater Aqueduct Resilience Programme- proposed -Bowland Section EIA scoping Report, produced by Jacobs on behalf of United Utilities, referenced B27070CG and dated October 2019.

We understand that the applicant has determined that the proposal constitutes EIA development and has volunteered to submit an Environmental Statement (ES) with a subsequent planning application.

We have considered the EIA scoping report as submitted in so far as it relates to our remit. We note that the EIA will cover a range of environmental topics with potential relevance to us as a planning advisor, a regulator or as a source of information to inform the preparation of the ES.

We agree with the proposed scope of the EIA but we feel that there are some potential environmental topics that have not been scoped in. Due to their potential significance, these topics need to be assessed though the EIA process.

Chapter 2, The Proposed Programme of Works

We have reviewed the scoping document and are in general agreement with the scoping on chapter 2, but have the following additional comments:

- We assume that point 2.5 (27) should read either AMP 7/8 not 7/83.

Chapter 7, Water Environment

We have reviewed the scoping document and are in general agreement with the scoping on chapter 7, but have the following additional comments:

- The final working easement width needs to be determined with surface water management features in mind, they require a large area to be effective.

- In Table A7.1A reference is made to SPZs. It should be noted that all potable supplies, even unlicensed will have an SPZ1 as a default with a radius of 50m. We presume this is covered by residential properties in the high importance category.

- Although acknowledged that this is to be looked at during the next stage of the assessment, there are a lot of known private supplies both to the north and south of the proposed tunnel in this section. It is our view that the main issue will be any impacts from any dewatering, particularly of shafts.

- Some watercourses have been assessed as medium and low value based on a desk based aerial photography exercise alone. These low and medium value watercourses have then been scoped out for fluvial geomorphology impact assessment. We recommend that all watercourses affected are assessed for geomorphological impacts and changed to be included in the scope.

- Point 7.4.7 (259) scopes in water courses that 'interact' with the above ground construction. To be clear, this should include any water courses that are outside and downstream of the main construction easement, but still at risk from surface runoff, land drains, or other pathways that could transfer polluted waters from the easement to the wider environment.

- Table 7.7 Increase in runoff rates due to soil compaction, are stated as being scoped out. This is detailed as scoped in under 7.5.1(257) and in the Docker EIA document. Increase in runoff rates due to soil compaction, should be scoped in across the scheme. Although the ultimate design of the surface water management plans will be done at the design stage in the CEMP, the risk of silty run off will be significant across the project and the impacts of such events reaching surface waters needs to be considered.

- The submitted scoping report suggests discharging waste water into the River Hodder biological heritage site (local wildlife site). This watercourse is considered to support high water quality and fish migration routes for eels, salmonid and coarse fish. Prior to discharge water waste would need to be treated e.g. filtration, siltbuster or settlement to remove silt and contaminants before discharging into this watercourse, to prevent silt pollution and smothering of aquatic habitats.

Chapter 8, Flood Risk

We are in general agreement with the scoping of the Water Environment and Flood Risk chapters, but would wish to make the following comments:

- In section 8.4.3, it is noted that the southern extent of the proposed assessment area and location of Construction

Area E is located in close proximity to the River Hodder, which is classified as a Main River. The proposed Construction Area E is to remain in Flood Zone, 1 however the existing drain down pipe is located within Flood Zone 3. As a result of the flood risk assessment, the applicant is advised to satisfy themselves and undertake localised assessment of the potential flood risk arising from the River Hodder where there is interaction with the proposed works.

Chapter 9, Ecology

The vast majority of the route is proposed for a tunneling option, which we welcome from a fisheries, biodiversity and geomorphology perspective. However the report suggests 400m of open cut excavation is proposed, it is unclear where in the study area this could take place. The maps need to be updated to show any potential open cut sections clearly and include any impact assessment in the EIA. Our specific comments are noted below:

- Environmental net gain requirement is mentioned as a requirement of the planning process in the submitted report, however the HARP project approach to net gain and how it aims to deliver net gain is not mentioned and should be added to future submissions.

- Gamble Hole Farm Pasture local wildlife site appears to be missing from the designations table 9.1. This site appears to be directly adjacent to construction area E. This site should be added to the EIA scoping report and assessed on the basis of at least county level. We recommend avoiding impacts, careful siting of construction area E could completely avoid impacts.

- Construction area B should be positioned carefully, informed by the proposed, on the ground Phase 1 habitat survey. The current suggested location appears to be within Goodber Common local wildlife site which supports rare and irreplaceable bog, swamp, fen and flush habitats. The mitigation hierarchy should be adopted and consideration given to re-siting the construction area sensitively to avoid this ecological impact.

- The proposed site of construction area D appears to be criss-crossed with small watercourses and a pond, and adjacent to woodland. Careful siting of the construction area is recommended in order to avoid impacts to these features wherever possible.

- River Jelly Lichen (UK BAP species and Red data list species) records are held by the EA on the River Hodder approx. 9km downstream of the proposed water discharge location. River Jelly Lichen should be considered for further survey work on the River Hodder and impact assessment carried out as part of the EIA. River Jelly Lichen is sensitive to siltation therefore silt prevention measures such as filtration, siltbuster or settlement are important considerations.

- Positive otter records are held by the EA for the study area, the report suggests no otter records are available. This section should be updated with the available data and the risk to otters assessed under the EIA process.

- Bullhead and lamprey should be added as fish species in the study area under table 9.4.

- Wet modified bog which is sphagnum rich should still be treated as priority habitat, please amend this in the EIA scoping report and increase the impact significance

to at least county level.

- Parkland and scattered trees would likely qualify as Habitats of Principal Importance under “wood pasture and parkland” and should likewise have their status amended in the ecology section tables.

- The Wetland Bird Survey (WeBS) data produced by the British Trust for Ornithology should be checked for the study area and used to inform the impact assessment on birds for all route sections of the aqueduct replacement project. This WeBS data should be used to supplement the data received from the completed and planned walkover transects.

Chapter 11, Soils, Geology and Land Quality

- Any ground investigation should also include soil textural analysis and settlement tests on top and sub-soils. This will help to inform the design and implementation of silt mitigation and pollution prevention methods. This should occur at any sites where soils are disturbed (compounds, haul roads, open cut pipe sections).

Chapter 12, Materials

We consider that materials and wastes aspects should be covered in the environmental information submitted with the Environmental Statement and should be scoped in the Environmental Impact Assessment. Our specific comments are noted below:

- The Environmental Impact Assessment should carefully assess the impact of the materials used and the waste arising during construction and decommissioning of all of the project’s alternative development options.

- Consideration should also be given to the cumulative effect of materials used and waste arising for the individual Sections, as well as to the cumulative effect with other significant infrastructure projects in the area that might take place at the same time.

- The effectiveness of the considered mitigating measures should also be assessed.
  Given this development’s location, it is important to have assessed, understood and mitigated the impact the management of materials and waste, arising from the following activities, might have on environment and communities, specifically including:

  - Below surface activity, boring, excavation;
  - Surface level activity at shafts, site compounds and laydown areas;
  - Dewatering of the redundant sections of the existing aqueduct.

- Attention should also be given to the potential impact on the environment and communities, of the materials brought, produced, used, and managed at the shafts, site compounds and laydown areas (i.e. construction materials, chemicals, fuels, oils). These aspects are a key driver for other effects and should be weighed in the selection of the project’s preferred development option.

- The Environmental Statement should include an estimate, by type and quantity, of expected residues and emissions resulting from the construction, operation and decommissioning of the proposed project. It should outline the main alternatives studied by the developer and give an

indication of the main reasons for their choice, taking into account the environmental effects. It should describe the likely significant effects of the proposed project on the environment, and the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

- The disposal options are currently unknown for the large amounts of waste soil that will be generated by the project. Once further information is available regarding the disposal options for this material, any reuse or disposal outside of approved landfill disposal should be assessed for ecological impact.

Further Guidance

In 2002, we produced a document to help developers understand our role in relation to the EIA process. While some parts of the document are now considerably out of date, some of the content and advice could still be applicable. The document is available at https://www.gov.uk/government/publications/handbook-for-scoping-projects-environmental-impact-assessment.

We have also attached a range of further documents to our response that may be of assistance in responding to an EIA Scoping request.

Yours sincerely

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Planning Advisor

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