

9th March 2005

S D Eades
Marinet
Allington House
Allington
Chippenham
Wiltshire SN14 6LN

Dear Mr Eades

Aggregate dredging licence application for Area 458/464, West Bassurelle

I am writing on behalf of United Marine Dredging and RMC Marine in connection with the above. We refer to your letter of 22nd July 2004 addressed to Nigel Bayliss of ODPM, regarding the above application and your comments on the December 2003 Status Review. Although not required to respond at this stage, we wish to clarify a number of issues that you raise. In particular, as you have entered the consultation process late in the GV procedure for this application, there are a number of misunderstandings apparent in your letter requiring correction.

The reason for the relatively late response is because we have been awaiting responses to the Status Review from other stakeholders. Due to backlogs with workloads, some of these have only recently been received.

In the discussion below we refer to certain parts of your letter, citing the page number for ease of reference.

Page 1, 2nd Paragraph

We note that you welcome the precautionary approach to extraction tonnage and would further point out that we have reduced the application area from 141 km² to approximately 26 km² with two areas available for dredging totalling 4.8 km². The area dredged may change in shape but the amount of area dredged will not exceed 4.8 km² at any one time.

Page 1, Last Paragraph

Regarding your comment that you have not seen the June 2000 ES and supporting technical documents, you should note that the Status Review is a supplement to the Area 458/464 ES, the 458/464 Consultation Report, the HR Wallingford Reports (EX 4106 and EX 4131) and the Regional Environmental Assessment (REA) including its associated technical reports. The Status Review should therefore be read in conjunction with these, not in isolation. Many of your concerns expressed in the subsequent sections of your letter would have been addressed if you had seen these documents.

Our records indicate that you were sent an ES and Consultation Report in September 2003 by our consultant, Oakwood Environmental, but in your letter you say you have not seen these documents.

Page 2, 1st Paragraph

It is difficult to know how to answer this point as it may have been phrased differently had you been in possession of all the relevant documents. However, please be assured that JNCC and DEFRA *are* in possession of all the relevant documents and we have responded to them regarding any outstanding benthic issues as and when these have been raised.

Page 2 Last Paragraph; Page 3, 1st Paragraph

We reiterate that the Status Report should be read in conjunction with the documents listed above. Taken together, these assess the impact of dredging.

Page 3, 3rd Paragraph to Page 4 Last Paragraph

JNCC and DEFRA have raised the issue of sediment dispersion, which would include the smothering issue you raise. In part, the issues have been addressed by the HR studies but also by the precautionary measures arising from the REA. This predicts dispersion of sand and silt in a model whose predictions will be tested by detailed monitoring on a 'type' area in the region. The area dredged will be minimised over the region whilst the model is being tested to militate against larger than predicted effects.

On the issue of the Northern Palaeovalley, the ES clearly demonstrated that this feature is naturally infilled with thick sand deposits (eg Figures 3.2 to 3.4) and therefore any sand released by dredging in Area 458/464 will, given the tidal residual, gradually merge with the sands infilling the palaeovalley. The ecological characteristics of this feature and adjacent areas are dealt with thoroughly in the ES (eg Fig 3.5) and supporting benthic survey report by Marine Ecological Surveys (1999).

Page 5, 1st Paragraph:

Please be assured that JNCC are assessing the application in terms of the species mentioned and we have been supplying them with detailed benthic and geological information as required.

Page 5 3rd Paragraph to Page 5 last Paragraph

Scallops are fished across a wide area of the Eastern Channel and the main mitigation measures are the reduction in area and tonnage dredged, combined with close fisheries liaison and monitoring. We refer also to section 5.3.2 of the Status Review that quotes from the REA on this issue.

Page 6, 1st Paragraph to Page 8

With regard to thresholds, these form part of the methodology of the wider regional monitoring program currently being formulated by applicants in the region in consultation with JNCC, CEFAS and DEFRA.

With regard to the other issues (Your references b to h) all the surveys and assessments *have been undertaken* and are summarised in the ES and/or its supplements/ Status Review.

There is a distinct difference between a survey to determine ecological status (already undertaken and summarised in the ES) and a 'baseline monitoring' survey conducted as close in time as possible to the start of dredging (typically less than 5 years) in order to assess the effects of dredging and test specific benthic hypotheses on a formal, scientific, statistical basis using techniques consistent across the region. It is the latter that is currently being formulated as part of the advanced stages of the Government View Procedure.

For the avoidance of doubt, benthic, bathymetric, side scan sonar, seismic and archaeological surveys *have already been undertaken as part of the ES*. The draft Schedule of Conditions refers to additional surveys to be conducted as close in time as possible to the start of dredging using techniques consistent across the region *for monitoring purposes*.

Page 8 'Monitoring during the Operational Stage' to Page 10.

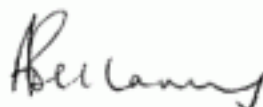
With regard to the annual plume dispersion and seabed sediment mobility study, please note that, as referred to above, this will be undertaken on a 'type' area, which may not necessarily be Area 458/464, but will nevertheless be representative of the region as a whole.

With regard to monitoring generally, no doubt ODPM will consider your suggestions as part of the consultation procedure.

We do not agree that benthic recovery rates are '... a grossly under-researched subject'. There are now several studies including the *Assessment of the Rehabilitation of the Seabed following Marine Aggregate Dredging (Boyd et al, 2004, CEFAS Technical Report 121)*.

We trust the above helps answer your concerns. We would like to point out that, as far as we are aware, the application has met all the requirements of the Government View Procedure. We would also stress that the monitoring as part of the proposed GV conditions is part of a wider regional environmental initiative as a follow-up to the REA.

Yours sincerely



Dr Andrew Bellamy
Resources Manager

Pc Nigel Bayliss ODPM
Graham Singleton RMC Marine Ltd