



Marine Management Organisation

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Net Zero Teesside
Case Team
Planning Inspectorate
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(Email only)

MMO Reference: DCO/2019/00003
Planning Inspectorate Reference: EN010103

26 May 2022

Dear Sir/Madam,

Planning Act 2008, Proposed Net Zero Teesside full chain carbon capture, utilisation and storage project

Deadline 1 Submission

On 16 August 2021, the Marine Management Organisation (the "MMO") received notice under section 56 of the Planning Act 2008 (the "PA 2008") that the Planning Inspectorate ("PINS") had accepted an application made by Net Zero Teesside Power & Net Zero North Sea Storage Limited (the "Applicant") for determination of a development consent order for the construction, maintenance and operation of the proposed Keadby Low Carbon Gas Power Station (the "DCO Application").

The MMO are not requesting to speak at any Issue Specific Hearing(s); Compulsory Acquisition Hearing(s) or at an Open Floor Hearing(s). MMO do not have comments regarding suggested locations for Unaccompanied Site Inspections (USIs) or Accompanied Site Inspections (ASIs). This document comprises the MMO's comments with regard to Deadline 1.

Yours Faithfully

Nicola Wilkinson
Marine Licensing Case Officer

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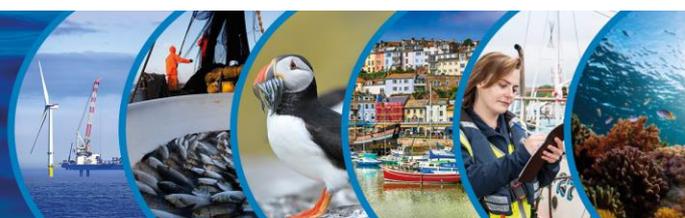
1 Comments on Relevant Representations

1.1 RR-024 Environment Agency

- 1.1.1 The MMO note that the Environment Agency (EA) have raised substantial concerns with regard to impacts to water quality of the Tees Estuary, and the impact this may have on the Water Framework Directive Regulations.
- 1.1.2 The MMO understand the EA's other concerns to be:
- Piling activities below Mean High Water Springs may require controls to minimise impact on fish during migration.
 - Likely loss of intertidal habitat from scour protection and propose the inclusion of net gain measures.
 - Mitigation is required if dredging is to occur concurrently with other dredging operations, in order to avoid the peak fish migration times between the 1st July – 1st September inclusive.
 - Dissolved oxygen levels are monitored prior to dredging activity and during dredging activity at regular intervals.
- 1.1.3 The MMO supports the EA's relevant representation and will maintain a watching brief on future EA submissions, providing comment where necessary.

1.2 RR-026 Natural England

- 1.2.1 The MMO note that Natural England (NE) have echoed several of the MMO's concerns within their Relevant Representation and that mitigation to lessen the impacts of the project will be required. The MMO welcome early engagement with the Applicant and Natural England to ensure any conditions required for the Deemed Marine Licence (DML) are appropriate.
- 1.2.2 The MMO understand NE's main concerns to be:
- Potential adverse impacts on both the Teesmouth and Cleveland Coast Special Protection Area (SPA) & Ramsar Site, as well as features of the Teesmouth and Cleveland Coast Site of Special Scientific Interest.
 - The discharge of effluent waters to the Tees Bay, which may increase nutrients and other pollutants entering the estuarine system of the River Tees
 - The installation of rock armour protection at the proposed outfall locations could cause Likely Significant Effect on the Teesmouth and Cleveland Coast SPA and needs assessing within the Applicants Habitat Regulations Assessment.
- 1.2.3 The MMO supports, and defers, to Natural England's expert opinion as Statutory Nature Conservation Body (SNCB) regarding the impacts to international designated sites and the Habitats Regulations Assessment (HRA) for the project.



2 Statement of Common Ground

2.1 On the 13 May 2022 the MMO received a draft Statement of Common Ground (SoCG) from the applicant. The SoCG has been reviewed by the MMO, and while the MMO are satisfied that a number of matters have been resolved, there are still the following outstanding concerns. The MMO consider these can be resolved during the examination process:

- Consent for the detonation of unexploded ordinance should be managed within a separate Marine Licence.
- Potential impacts to local sediment transport in the context of erosion and scour.
- Presentational and technical details within the DML.

