

# THE YORK POTASH HARBOUR FACILITIES ORDER 201X

## Outline Ecological Management Plan



Regulation Number 5(2)(q)

Document 6.11

Royal HaskoningDHV

August 2015

**YORKPOTASH**  
A Sirius Minerals Project





# York Potash Harbour Facilities: Outline Ecological Management Plan

Prepared in accordance with Requirement 9, Schedule  
2 of the Draft Development Consent Order

Client: York Potash Limited

Reference: IEMR001D01

Revision: 00/Final

Date: 19 August 2015

HASKONINGDHV UK LTD.

Marlborough House  
Marlborough Crescent  
Newcastle upon Tyne  
NE1 4EE  
United Kingdom  
Industry, Energy and Mining  
VAT registration number: 792428892

+44 191 2111300 **T**  
+44 1733 262243 **F**  
info.newcastle@uk.rhdhv.com **E**  
royalhaskoningdhv.com **W**

Document title: York Potash Harbour Facilities: Outline Ecological Management Plan

Reference: IEMR001D01  
Revision: 00/Final  
Date: 19 August 2015  
Project name: York Potash Harbour Facilities  
Project number: 9Y0989  
Author(s): Steven Rayner

Drafted by: Steven Rayner

Checked by: Matt Simpson

Date / initials: 19 August 2015

Approved by: Sian John

Date / initials: 19 August 2015

Classification

Open



### Disclaimer

No part of these specifications/printed matter may be reproduced and/or published by print, photocopy, microfilm or by any other means, without the prior written permission of HaskoningDHV UK Ltd.; nor may they be used, without such permission, for any purposes other than that for which they were produced. HaskoningDHV UK Ltd. accepts no responsibility or liability for these specifications/printed matter to any party other than the persons by whom it was commissioned and as concluded under that Appointment. The quality management system of HaskoningDHV UK Ltd. has been certified in accordance with ISO 9001, ISO 14001 and OHSAS 18001.

## Table of Contents

<b>1</b>	<b>Introduction</b>	<b>1</b>
<b>2</b>	<b>Method</b>	<b>1</b>
<b>3</b>	<b>Outline ecological management plan</b>	<b>1</b>
3.1	Marine mammals	1
3.2	Bats	2
3.3	Otters	3
3.4	Reptiles	3
3.5	Breeding birds	3
<b>4</b>	<b>Summary</b>	<b>4</b>

## 1 Introduction

This document constitutes an Outline Ecological Management Plan (EMP) which has been produced for the proposed York Potash Limited (YPL) Harbour Facilities scheme. This Outline EMP has been produced to set out the principles of the mitigation (as defined in the Harbour Facilities Environmental Statement (ES) (Document 6.4)) with which the Ecological Management Plans to be submitted pursuant to Requirement 9 in Schedule 2 of The York Potash Harbour Facilities Draft Development Consent Order (Draft DCO) must comply.

## 2 Method

This Outline EMP has been informed by the ES (Document 6.4), the Governance Tracker (Document 6.8A) and Relevant Representations received from Natural England, the Environment Agency and the Marine Management Organisation submitted to PINS during June 2015.

## 3 Outline ecological management plan

This section of the report sets out the measures which have been proposed in order to minimise impacts on European and nationally protected species, namely:

- marine mammals;
- bats;
- otter;
- reptiles; and,
- breeding birds.

It is these measures that the Ecological Management Plans, to be submitted pursuant to Requirement 9 of the Draft DCO, will cover. It should be noted that the ecological enhancements within the lagoon are dealt with separately in the Mitigation and Monitoring Strategy (Appendix 3.1 of the HRA (Document 6.3)).

Specific comments received from Natural England within its Representation to PINS in June 2015 (regarding protected species) are included, where relevant, below. It should be noted that Natural England did not make a specific comment regarding all protected species included within this Outline EMP, however a general comment was made within the Representation that no protected species licences are required.

Details of the measures outlined below must be included in the Ecological Management Plans where applicable to the phase concerned.

### 3.1 Marine mammals

Section 8 of the ES assesses the impacts of the proposed Harbour Facilities on marine ecology (including marine mammals). The following mitigation measures have been proposed within the ES to minimise impacts to marine mammals:

Construction phase:

- Use of an enclosed grab to dredge the contaminated sediment (thereby minimising resuspension of contaminants into the water column).

- Ensuring the trailing velocity, position of the suction mouth and discharge of the pump (when using a Trailing Suction Hopper Dredger (TSHD)) are optimised with respect to each other.
- Reducing the intake of water during use of the TSHD (thereby reducing or avoiding the need for overflowing and discharge of water containing suspended sediment into the estuary).
- Use of an experienced operator when dredging.
- Limiting the swing of the backhoe over the water during backhoe dredging.
- Avoiding the practice of smoothing the excavated area by dragging the backhoe bucket along the bottom.
- Optimising the cutter speed, swing velocity and suction discharge, shielding the cutter head or suction head and optimising the design of the cutter head when using a Cutter Suction Dredger (CSD).
- Adherence to the Joint Nature Conservation Committee (JNCC) guidelines 'Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise'.
- A minimum of eight hours continuous break in every 24 hour period would be implemented when no impact piling is carried out.
- A spill kit (including booms for potential leaks directly into the marine environment) should be kept on site at all times during construction works, and any major spills or leaks reported to the Environment Agency and Harbour Master.

#### Operation phase

- A spill kit (including booms for potential leaks directly into the marine environment) should be kept on site at all times during construction works, and any major spills or leaks reported to the Environment Agency and Harbour Master.

Natural England stated within its Representation to the Planning Inspectorate (PINS) during June 2015 that it is satisfied with the proposed mitigation with regard to marine mammals. Natural England also stated that all mitigation should be included (in more detail) within a Marine Mammal Mitigation Plan. The Marine Mammal Mitigation Plan is to be included within the EMP to be submitted pursuant to Requirement 9 of the Draft DCO.

### 3.2 Bats

Section 10 of the ES assesses the impacts of the proposed Harbour Facilities on terrestrial ecology (including bats, otters, reptiles and breeding birds). The following mitigation / enhancement measures have been proposed within the ES to minimise impacts to bats:

#### Construction phase:

- Any construction lighting would be located away from the bridges to avoid disturbance to any potential bat roost.
- The lighting requirements for the proposed works would be designed in accordance with guidance from the Bat Conservation Trust.

#### Operation phase:

- Installation of bat boxes within suitably identified mature trees.
- Planting of species which in turn would provide good quality foraging habitat for bats.

Natural England stated within its Representation to PINS in June 2015 that it is satisfied that no protected species licences to manage impacts to bats are required

### **3.3 Otters**

The following mitigation / enhancement measures have been proposed within the ES to minimise impacts to otters:

Construction phase:

- Any trenches and excavations would be closed overnight and escape routes provided should an animal become trapped.

Operation phase:

- Placement of (clean) material derived from the dredging which forms part of the proposed scheme, as well as maintenance dredging, within Bran Sands lagoon. These measures would include the creation of new shallows and islands which foraging and commuting otters would use.

Natural England stated within its Representation to PINS in June 2015 that it is satisfied that no protected species licences to manage impacts to otters are required

### **3.4 Reptiles**

The following mitigation / enhancement measures have been proposed within the ES to minimise impacts to reptiles:

Construction phase:

- A Precautionary Method of Working document would be prepared by an ecologist and would cover the site works associated with the proposed scheme in order to minimise the risk of harm to reptiles.
- Habitat manipulation would be undertaken comprising vegetation cutting and removal of debris which could provide shelter for reptiles. This would encourage any reptiles present on site to move to adjacent areas.
- Clearance of potential reptile refuges and vegetation cutting would be undertaken outside of the reptile hibernation season (which is generally between October and February) when daytime temperatures are below 10°C.
- All advance habitat manipulation works would be supervised by an ecologist.

Operation phase:

- Provision of additional habitats for reptiles (i.e. through the landscape planting scheme and creation of log piles) and opportunities for basking reptiles (i.e. through the creation of open grassland areas), including small areas of planted scrub on completion of works.

### **3.5 Breeding birds**

The following mitigation / enhancement measures have been proposed within the ES to minimise impacts to breeding birds:

Construction phase:



- Vegetation clearance would be undertaken in advance of the works to minimise the risk of any harm to nesting birds (should they be present).
- Any vegetation clearance required would be undertaken outside of the breeding bird season (which is typically between March and August, however is weather dependant).
- Should further vegetation clearance be required within the nesting season, surveys for occupied nests (or nests being built) would be carried out prior to any works being undertaken.
- A survey would be undertaken a maximum of 48 hours prior to the commencement of works, to check for occupied nests or those being built, in order to minimise the chance of nest building being undertaken between the survey and the start of works. Any nest in use or being built during the survey would need to be left undamaged until the chicks have fledged and an alternative approach to the works proposed.

Operation phase:

- No specific measures proposed.

Natural England stated within its Representation to PINS in June 2015 that suitable mitigation measures are described in the ES to avoid any impacts to breeding birds.

## 4 Summary

This outline EMP sets out the principles of the mitigation identified in the ES (Document 6.4) required to manage / reduce potential impacts to European and nationally protected species as a result of the proposed Harbour facilities. These measures will be incorporated within the Ecological Management Plans to be submitted pursuant to Requirement 9 in Schedule 2 of the draft DCO.