

Sent by e mail

Date 18/05/2022

Dear Ms. Harper,

MARINE AND COASTAL ACCESS ACT 2009: PART 4 – MARINE LICENSING

LICENCE FOR GEOPHYSICAL SURVEYS, MONA OFFSHORE WIND FARM, NORTH WALES

LICENCE NUMBER: RML2201

I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, has considered your application, dated **25 January 2022** for a Marine Licence under Part 4 of the Marine and Coastal Access Act 2009, and hereby grant a Marine Licence for you to undertake the above stated works.

Accordingly, please find attached for your review and retention a copy of Marine Licence **RML2201** and its conditions.

Advisory Note

Marine Licence, **RML2201**, constitutes a statutory consent; therefore the conditions set out herein must be complied with in full and will be binding upon any agent or contractor who undertakes any activity on the project on your behalf.

NRW Technical Experts have advised that once the final cable corridor is known, we encourage the applicant to engage with NRW in discussions on the number of grab/camera samples that will be undertaken in the characterisation survey to inform future assessments. We also encourage the applicant to refer to NRW guidance on benthic habitat assessments for development and activities: [Natural Resources Wales / Benthic habitat assessments for marine developments](#)

NRW Technical Experts have also advised that no grab sampling is undertaken on Annex I habitats and other sensitive habitats (Section 7 and OSPAR). It is noted that the applicant will be deploying a drop-down video/camera prior to taking a grab sample to avoid sensitive habitats.

It was also advised that in addition to identifying infauna in the grab samples, any fish, in particular sandeel (a Section 7 species and an important prey fish for protected birds and

mammals) are also recorded. In combination with British Geological Survey Folk sediment classification and the sediment analysis this data can inform mapping of sandeel habitat suitability, which we would advise is carried out for future assessments.

Finally, NRW Technical Experts also advised that you have made a reference (incorrectly) to PPG6 in the submitted technical note, it is not appropriate for works at sea. Ships are required to comply with the [MARPOL convention](#) for preventing pollution from ships at sea.

It is also recommended that you engage with NRW Species Licensing Team regarding the potential requirement for a European Protected Species Licence as the works have potential to impact Harbour Porpoise.

The Royal Commission on the Ancient and Historical Monuments of Wales also advised during consultation that the addition, for completeness, of the recently published (2021) Crown Estate guidance for offshore wind to the list of best practice guidance given in Part 7 of the technical note. The guidance is available here

<https://www.thecrownestate.co.uk/media/3917/guide-to-archaeological-requirements-for-offshore-wind.pdf>

During consultation the MCA also advised that any vessels utilised during the works, if jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations. It was also advised that if in the opinion of the Secretary of State the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the failure to mark and light the works as required by the consent or to maintain the works in good order or from the drifting or wreck of the works, the owner of the works may be liable for any expense incurred in securing such assistance.

During consultation the JNCC also requested that JNCC's marine mammal mitigation guidelines for geophysical surveys were to be followed. JNCC also recommended that if the geophysical survey route were to traverse the site undertaking other non-licensable "noisy" activities, then the developer should coordinate with other developers conducting works within the site and attempt to minimise the level of "noisy" activities on the same day to avoid breaching the daily 20% noise threshold.

You are urged to read the conditions of Marine Licence **RML2201** carefully, in particular the need to advise Welsh Government Marine Enforcement Officers of the commencement of works within **10 days** prior to work starting.

Marine Licence, **RML2201** is solely granted for the work to be undertaken at **Mona Offshore Wind Farm, North Wales**; however, it does not absolve you from applying for further consents or licences as necessary to enable the full completion of your project.

If the works authorised by this Licence are unlikely to be completed by the expiry date, the Licence Holder should apply for a replacement marine licence **at least 4 months** prior to the expiry date of this Licence.

Should you require clarification as to the reasons for the inclusion of any of the conditions attached to the Licence then you must request written notice within 28 days of the receipt of this letter.

Rights of appeal

You have the right of appeal to the Welsh Ministers against this decision. The Appeal must be made in accordance with the Marine Licensing (Appeals Against Licensing Decisions) (Wales) Regulations 2011.

A notice of appeal must be received by the Welsh Ministers within six months beginning with the date of the decision to which the appeal relates.

You must send written notice of appeal including the documents listed below to the Welsh Ministers at the following address:

Welsh Ministers c/o Marine Licensing Branch, Welsh Government, Cathays Park, Cardiff. CF10 3NQ.

At the same time you must send a copy of the notice of appeal to the Natural Resources Body for Wales at the following address:

Permitting Service Manager, Permitting Service (Cardiff), Natural Resources Wales, Cambria House, 29 Newport Road, Cardiff, CF24 0TP

The notice of appeal must include:

- a) the name, address (including any email address) and telephone number of the appellant and any agent acting for the appellant;
- b) a statement of the grounds of appeal;
- c) a statement as to whether the appellant wishes to have the appeal dealt with by way of written representations, a hearing or an inquiry;
- d) a copy of the decision to which the appeal relates;
- e) a copy of all documents upon which the appellant wishes to rely; and
- f) a list of all the documents, including dates (where any document is dated), specified in bullet points d and e above. :

You may withdraw an appeal by notifying the Welsh Ministers in writing and sending a copy of that notification to the NRW at the address specified above.

Please be aware that the Welsh Government has changed the Marine Licensing fees and charges in Wales. You will be charged for any post licensing work associated with your licence. If you have any queries regarding the fee changes, please email the Marine Licensing Team via marinelicensing@naturalresourceswales.gov.uk

Following the UK's departure from the EU on 31 January 2020 and the end of the transition period on 31 December 2020, the legal obligations relating to compliance with environmental permits and legislation will continue to apply. NRW will continue to issue and regulate all permits and licenses in line with our current practice. If you have any questions about your permits or licenses and/or site management, please contact our Customer Care Centre on 03000 653 000.

Yours sincerely

A handwritten signature in black ink, appearing to read 'E Lowe'.

Emma Lowe
Marine Licensing Team
Natural Resources Wales