

# **Environmental Impact Assessment Written Confirmation of the EIA Consent Decision**

**Marine Works (Environmental Impact Assessment) Regulations  
2007 (as amended) (“the Regulations”)**

**Holyhead Breakwater Refurbishment Scheme**

**CML2143**

**02 August 2022**

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## 1. Introduction

- 1.1 This document is the Environmental Impact Assessment ('EIA') Written Confirmation document for CML2143 Holyhead Breakwater Refurbishment Scheme ("the Project").

## 2. The Project

### 2.1 Project Background

- 2.1.1 An application for a Marine Licence for the Project was submitted to NRW by Stena Line Ports Limited on 05 August 2021.

Stena Line Ports Ltd ('Stena Line') applied to carry-out a long-term and sustainable solution to the erosion of the rubble mound so that it can continue to provide a stable foundation for the superstructure. The proposed works comprise (see Chapter 4 of the ES for further details):

- Seaward side – installation of concrete armour onto the existing rubble mound along the length of the Breakwater, in the form of 18.1m<sup>3</sup> Tetrapod units and reinforcing 120-tonne Z-shaped concrete units to prevent displacement; \*
- Breakwater roundhead – rock placement to widen the existing rubble mound, with installation of Tetrapod units and reinforcing Z-shaped blocks; and \*
- Leeward side – restoration of the existing rubble mound along sections of the Breakwater through the installation of an Articulated Concrete Block Mattress (ACBM), and rock revetment where the existing rubble mound is too steep to accommodate the ACBM. \*

- 2.1.3 All activities listed in 2.1.2 with a \* require a Marine Licence under Part 4, (Chapter 1) Section 66 of the Marine and Coastal Access Act.

### 2.2 Location

- 2.2.1 The Project is located in the vicinity of Holyhead bounded by the coordinates specified in Appendix 1

### 2.3 Statement of need

- 2.3.1 The objectives of the Project are to provide a permanent solution to the constant erosion of the foundations of the Breakwater and damage of the blockwork-walled superstructure itself is required before the next breach occurs, which is predicted within the next 15 years.

### 2.4. Regulating regimes

- 2.4.1 The Project overlaps between two consenting main regimes.

- 2.4.2 A marine licence under the Marine and Coastal Access Act 2009, administered by Natural Resources Wales acting on behalf of the Licensing Authority, Welsh Ministers. Aspects applied for via a Marine Licence are identified by \* in the list below.
- 2.4.3 Planning permission under the Town and Country Planning Act 1990 for additional aspects of the project has been applied for under reference number LBC/2022/19.

### 3. Environmental Impact Assessment

- 3.0.1 Council Directive 2011/92/EU (as amended) on the assessment of the effects of certain public and private projects on the environment (“the EIA Directive”) aims to protect the environment and the quality of life by ensuring that projects which are likely to have significant environmental effects by virtue of their nature, size or location are subject to an EIA before permission is granted.
- 3.0.2 The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (“the Regulations”) transpose the EIA Directive in Wales and England for marine licence applications.
- 3.0.3 Pursuant of Regulation 8 of the Regulations, Natural Resources Wales (NRW) considered under SC2002 that the proposed works fell under Schedule A2, paragraph 69 of the Regulations on the assessment of the effects of the project on the environment, specifically:
- “69. Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works”*
- 3.0.4 Accordingly, the Marine Licence application required for the Project was accompanied by an Environmental Statement (ES).
- 3.0.5 NRW provided comments on a Scoping Report entitled “Holyhead Breakwater Environmental Scoping Report”, by Royal HaskoningDHV acting on behalf of the applicant which is the Isle of Anglesey County Council dated 03 April 2020, case reference: SC2002.

#### 3.1 The Environmental Statement (ES)

- 3.1.1 The Environmental Statement outlined the proposed project organised under the following topic headings
- 3.1.2 Technical chapters:
- Introduction
  - Need for the Proposed Scheme
  - Description of the Proposed Scheme
  - Legislative Framework

- Approach to Environmental Impact Assessment
- Consultation
- Coastal Processes
- Traffic and Transport
- Air Quality
- Noise and Vibration
- Marine Ecology
- Ornithology
- Terrestrial Ecology
- Visual Setting
- Cultural Heritage
- Climate Change
- Cumulative Impact Assessment
- Summary of Potential Impacts and Mitigation Measures

3.1.3 The ES is considered to satisfy the requirements of Regulation 12 (2) and Schedule 3 of the Regulations. Specific comments pertinent to each ES chapter can be found in section 7.

## 3.2 Other Legislative and Policy Framework

Relative considerations under other legislation and / or policy are set out below:

### 3.2.1 Marine and Coastal Access Act 2009, Section 66, Part 4 (Chapter 1) ('the Act')

3.2.1.1 Council Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment ("the EIA Directive") aims to protect the environment and the quality of life by ensuring that projects which are likely to have significant environmental effects by virtue of their nature, size or location are subject to an EIA before permission is granted. The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("the Regulations") transpose the EIA Directive into UK law for marine licence applications.

### 3.2.2 Water Framework Directive (Council Directive 2000/60/EC)

3.2.2.1 The sea from the mean low water mark up to 1 nautical mile from shore is protected under the WFD which requires a project or activity does not cause or contribute to deterioration in status of European Union (EU) water bodies or 'prevent the water body achieving 'good status'.

3.2.2.2 The Potential effect of the Project was also screened against the Water Framework Directive objectives for the following Water Bodies:

- Caernarfon Bay North
- Holyhead Bay

3.2.2.3 A Water Framework Directive Compliance Assessment was concluded that the proposal, when considered alone and in-combination, will not pose a risk to deterioration of the above listed waterbodies

3.2.2.4 Further details are described within the Water Framework Directive Compliance assessment.

### **3.2.3 Waste (England and Wales) Regulations 2011 (2011/988)**

3.2.3.1 'Establishes a legal framework for treating waste in the EU. This is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.' Waste generated by a project or activity must be dealt with in an environmentally friendly way. To do this it applies the waste hierarchy from the Waste Regulations, which gives an order of preference for how waste is dealt with (prevention, re-use, recycling, recovery, disposal at sea).

3.2.3.2 See consideration under section 7

### **3.2.4 The Conservation of Habitats and Species Regulations 2017 (as amended)**

3.2.4.1 European sites are those designated under The Conservation of Habitats and Species Regulations 2017 (as amended) ("Habitats Regulations") as Special Protection Areas ("SPAs"), Special Areas of Conservation ("SACs") or Sites of Community Importance ("SCIs").

3.2.4.2 The proposal is located within a European Protected Site.

3.2.4.3 The effects of proposal on the following European Sites, their features and conservation objectives have been considered by NRW during the licence determination:

- Anglesey Terns SPA
- Holy Island Coast SPA
- Holy Island Coast SAC
- Pen Llyn a'r Sarnau SAC
- Cardigan Bay SAC
- Pembrokeshire Marine SAC
- North Anglesey
- West Wales Marine SAC
- Bristol Channel Approaches SAC
- Menai Strait and Conwy Bay SAC

3.2.4.4 A test of likely significant effect (TLSE) was undertaken and potential significant effects on features of the European Sites listed above could not be ruled out. It was concluded that the proposal, when considered alone and in-combination, will not adversely affect the integrity of the European site(s) concerned.

3.2.4.5 Further details are described within the Habitats Regulations Assessment.

### **3.2.5 Marine Conservation Zones**

3.2.5.1 Section 116 of the Act provides powers to Welsh Ministers to designate Marine Conservation Zones (“MCZs”) with the aim of contributing to the achievement of a network of ecologically coherent and well-managed marine protected areas.

3.2.5.2 The Project is not within a Marine Conservation Zone and was not identified to have an impact on any Marine Conservation Zone.

### **3.2.6 Wildlife and Countryside Act 1981 (as amended)**

3.2.6.1 Sites of special scientific interest (“SSSIs”) are protected by law to conserve their wildlife or geology. The Wildlife and Countryside Act 1981 (as amended) ensures that SSSIs are protected and managed effectively.

3.2.6.2 See consideration under section 7.

### **3.2.7 Marine Policy Statement and Welsh National Marine Plan**

3.2.7.1 The UK Marine Policy Statement (“MPS”) is the framework for preparing Marine Plans and taking decisions affecting the marine environment. NRW must make licensing decisions in accordance with the MPS and the Welsh National Marine Plan unless relevant considerations indicate otherwise.

### **3.2.8 Environment (Wales) Act 2016**

3.2.8.1 Article 4 of the Natural Resources Body for Wales (Establishment) Order 2012, as amended by the Environment (Wales) Act 2016 requires NRW to pursue the sustainable management of natural resources in relation to Wales and apply the principles of sustainable management of natural resources in the exercise of its functions, so far as consistent with their proper exercise.

3.2.8.2 NRW considers that the procedures outlined in this Written Confirmation in the consideration of EIA consent are consistent with this requirement.

### **3.2.9 Well-being of Future Generations (Wales) Act 2015**

3.2.9.1 This Act requires NRW, as a public body, to take reasonable steps in exercising its functions to work in accordance with the sustainable development principle, as set out in Section 5 of the Act.

3.2.9.2 NRW considers that the EIA process is consistent with the sustainable development principle described in the Act, and that the processes outlined in this Written Statement are sufficient to properly demonstrate the sustainable development principle. In particular, NRW acknowledges that the principles of sustainable management include taking account of all relevant evidence and gathering evidence in respect of uncertainties, and taking account of the short-, medium- and long-term consequences of actions. NRW further acknowledges that it is an objective of sustainable management to maintain and enhance the resilience of ecosystems and the benefits they provide and, in so doing meet the needs of present generations of people without compromising the ability of future



generations to meet their needs and contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.

### 3.3 Further information provided by the applicant pursuant to a notification under regulation 14(1)

3.3.1 No further information was requested from the applicant pursuant to a notification under Regulation 14 (1).

## 4. Consultation with the public

### 4.1 Public Notices

4.1.1 Pursuant to Regulation 16, public notices were advertised to notify interested parties of the proposed works and give any interested parties or members of the public an opportunity to make representation on the application as necessary.

4.1.2 The application documents were made available as follows;

- A translated public notice was placed in the Bangor and Anglesey Mail on 13 April 2022 and 20 April 2022.
- The application documents were also made available to the public via the public register ([Public register - Customer Portal \(naturalresources.wales\)](https://naturalresources.wales)) and they could also be requested from Natural Resources Wales Marine Licensing Team, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP.

## 5. Consultation of EEA States

5.0.1 A Transboundary Screening Assessment did not identify potential for effects to any other EEA State.

5.0.2 Consequently, no material was provided to other EEA member States in relation to the application.

## 6. Technical consultation

6.0.1 The Marine Licence application was consulted upon on 06 September 2021 for a period of 42 days, in accordance with Regulation 17 of the regulations. It was sent to the following consultation bodies:

Consultee	Response received (Y/N)	Date(s) of receipt
The Crown Estate	Y	08/09/2021
NRW	Y	18/10/2021

MoD - Safeguarding Defence	Y	01/10/2021
Maritime & Coastguard Agency	Y	18/10/2021
Trinity House	Y	27/09/2021
Royal Yachting Association	Y	29/09/2021
Local Biodiversity Officer	N	
Local Planning Authority	Y	15/10/2021
Local Harbour Authority	N	
Local Port Authority	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government / Marine Enforcement Officers	N	
Welsh Archaeological Trust (WAT)	Y	19/10/2021
Royal Commission on Historic Monuments Wales (RCAHMW)	Y	12/10/2021
Cadw	Y	21/10/2021
Department for Transport (DFT)	N	
Chamber of Shipping	N	
NERL Safeguarding	Y	08/09/2021

6.0.4 Details of the issues raised by the Consultation Bodies and how they have been addressed is set out in section 7.

6.0.5 Consultees who did not provide a response were assumed to have no comment.

## 7. Issues arising during the consideration of the Environmental Statement, Marine Licence Application and representations received

- 7.0.1 Material issues that were highlighted by the ES and consultation process and the extent to which they have been addressed are detailed in this section.

## **7.1 Coastal Processes**

- 7.1.1 NRW TE agreed with the conclusion of the HRA and assessments for Marine and Coastal Physical Processes. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## **7.2 Traffic and Transport**

- 7.2.1 No comments were provided in relation to Traffic and Transport. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## **7.3 Air Quality**

- 7.3.1 No comments were provided in relation to Air Quality. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## **7.4 Noise and Vibration**

- 7.4.1 NRW TE stated that sources of underwater noise associated with construction activity have not been considered in the WFD assessment. However, this is considered a minor omission as rock placement from a barge would generally not be considered to have the potential to give rise to significant effects from underwater noise.
- 7.4.2 No other comments were provided in relation to Noise and Vibration. Therefore, NRW PS concluded that the potential impacts due to the project have been adequately addressed in the ES.

## **7.5 Marine Ecology (Marine Mammals)**

### **7.5.1 Marine Mammals**

- 7.5.1.1 NRW advisory are content with the HRA and assessment for impacts on the marine mammal features of Cardigan Bay/ Bae Ceredigion, Pen Llŷn a'r Sarnau/ Llyn Peninsula and the Sarnau, North Anglesey Marine / Gogledd Môn Forol, West Wales Marine / Gorllewin Cymru Forol and Bristol Channel Approaches / Dynesfeydd Môr Hafren SACs.
- 7.5.1.2 However, as per our NRW's position on the use of Marine Mammal Management Units for screening and assessment in Habitats Regulations Assessments for Special Areas of Conservation with marine mammal features, NRW TE consider Pembrokeshire Marine/ Sir Benfro Forol SAC as requiring assessment.

### **7.5.2 Benthic Ecology**

- 7.5.2.1 Concerns were raised by NRW TE about the potential that increased artificial habitats linked with the development may lead to potential further spread of INNS (namely *Didemnum vexillum*). NRW TE therefore requested that a Biosecurity Risk Assessment (BRA) should be submitted, with a final BRA to be produced, approved and implemented post determination prior to the commencement of any licensed activities.
- 7.5.2.2 NRW TE also requested that post-construction monitoring for habitat recovery and INNS colonisation be included as part of the BRA. However, NRW PS do not consider this appropriate given that there are international and port-level control measures in place, and a requirement to adhere to the Holyhead Port Biosecurity Plan which will enforce appropriate biosecurity measures. This will mitigate against possible impact pathways through the spread of INNS during the operational phase of the breakwater.
- 7.5.2.3 Therefore, the BRA which needs to be considered will only be required to mitigate against the further spread of INNS during the construction activities, and not the ongoing operation of the breakwater, specifically the movement of vessels and post construction monitoring.
- 7.5.3 No other comments were provided in relation to Marine Ecology. Therefore, NRW PS concluded that the potential impacts due to the project have been adequately addressed in the ES.

## 7.6 Ornithology

- 7.6.1 NRW TE agreed with the conclusion of the HRA and assessments for Marine Ornithology. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## 7.7 Terrestrial Ecology

- 7.7.1 NRW TE agreed with the conclusion of the HRA and assessments for Marine and Coastal Physical Processes. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.
- 7.7.2 However, NRW TE did state that all works carried out would need to adhere to pollution prevention guidelines. NRW TE also requested to have sight of a CEMP for this scheme to ensure best environmental practice is adhered to during the refurbishment.
- 7.7.3 No other comments were provided in relation to Terrestrial Ecology. Therefore, NRW PS concluded that the potential impacts due to the project have been adequately addressed in the ES.

## 7.8 Visual Setting

- 7.8.1 Besides the issues raised surrounding visual settings relating to cultural heritage, which has been detailed in section 7.9, no other comments were provided in

relation to visual settings. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## 7.9 Cultural Heritage

- 7.9.1 Chapter 15 of the ES considers the impact on the works on designated historic assets. The assessment considered the impact upon 7 scheduled monuments and 64 listed building which were within 3km of the works. The assessment concluded that no scheduled monuments were within 1km of the works, and adverse impact on any scheduled monument was not predicted.
- 7.9.2 However, it is acknowledged that the works will affect two listed structures two; the grade II\* Holyhead Breakwater itself (rec.no.5743) and the grade II lighthouse located at the very end of the breakwater (rec.no.5744).
- 7.9.3 Works would be carried out to the Breakwater itself, consisting of regrading the rubble mound and the placement of rock and armour units. The assessment notes that the replenishment of the rubble mound had been undertaken regularly since the completion of the breakwater in 1873 until 1985 where regular replenishment of the rubble mound became financially unfeasible. Without maintenance the loss of the rubble mound would eventually lead to the structure being undermined. This will be made worse with increasingly severe storm event over time, which may lead to the eventual total loss of the Breakwater and access to the Lighthouse. The ES considers that the proposed repair and refurbishment will provide a permanent solution to constant erosion of the foundation of the breakwater, and as such will prevent it potential loss and therefore the works will benefit the asset.
- 7.9.4 The ES acknowledges however that the works will have an impact of visual change to the Breakwater itself and its views to and from the surrounding area, including those from designated assets with a connection to the structure, most notably the Lighthouse. Cadw noted in their consultation response that the due to the scale, expanse and prominence of the concrete that will be deposited as part of the refurbishment this will have an adverse impact as it will compete with the historic masonry of the breakwater, obscuring the natural boulders and changing the relationship between the existing components, the historic structure and the natural environment.
- 7.9.5 Both WAT and RC are satisfied with the assessment carried out within the ES. WAT agree with the level of significance that has been ascribed to each asset. WAT also agree that the adverse impact is outweighed by the benefit of securing the long-term preservation of the breakwater.
- 7.9.6 The applicant has considered mitigation which has included reference to an existing building record which provides a detailed account of the Breakwater. They would also consider where possible additional mitigation such as the use of textured finishes to the armour unit and colour matching where possible.

- 7.9.7 NRW PS consider in line with Policy SOC\_05 of the WNMP that the applicant has taken impact on the historic environment into consideration and as detailed within the ES chapter 15 has sought to avoid and minimise impact where possible. Although adverse impact on the setting of a designated assets remains, NRW PS consider that this is outweighed by the benefit of securing the long-term preservation of the asset. In addition to a Marine Licence an application for listed building consent was submitted in August 2021 was submitted to Anglesey County Council that will further consider whether all reasonable steps to mitigate that impact have been taken. NRW PS are therefore content that that there will be a requirement for subsequent consents from other responsible bodies and know of no reason why such measure could not be secured.
- 7.9.8 In addition to impact on designated asset the ES has considered impact on non-designated assets. The assessment identified 3 named wrecks in the vicinity of the works and proposed Archaeological Exclusion Zones be implemented 50m from three named wreck: Kirkmichael (NPRN 271901), Osseo (NPRN 272227) and HMS Campina (NPRN 272401). In addition, a protocol is proposed for reporting any archaeological discoveries during the course of operations. WAT request that a Protocol of Archaeological Discovery (PAD) be produced, approved, and implemented post determination prior to the commencement of any licensed activities. NRW PS consider that these can be secured through licence conditions.

## **7.10 Climate Change**

- 7.10.1 No comments were provided in relation to Climate Change. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## **7.11 Cumulative Impact Assessment**

- 7.10.1 No comments were provided in relation to Cumulative Effects. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.
- 7.11.2 As detailed in section 3.2.4, NRW PS carried out a Habitat Regulations Assessment, as part of which an in-combination assessment was carried out and concluded subject to appropriate mitigation detailed in section 8, that the works would not cause a significant impact alone or in combination on a European designated site.

# **8. Mitigation or monitoring measures to be taken**

## **8.1 Features or measures to avoid, prevent, reduce, or offset likely significant effects**

- 8.1.1 In reaching the Conclusion about Environmental Impact (Regulation 21A of the Regulations), NRW must consideration of any features of the project, or proposed

measures, to avoid, prevent, reduce, or offset any likely significant adverse environmental effects (regulation 21A (1)(f)).

- 8.1.2 NRW considers that the following features of the project, or measures included within the project proposal, as described in the application form, Environmental Statement, and other supporting information, would avoid, prevent, reduce or offset any likely significant adverse environmental effects.
  - 8.1.2.1 Archaeological Exclusion Zones have been implemented 50m from three named wreck: Kirkmichael (NPRN 271901), Osseo (NPRN 272227) and HMS Campina (NPRN 272401). No Licensed activities which contact the seabed (i.e., placement of jack-ups or anchors) are undertaken within these boundaries.
  - 8.1.2.2 Best practice dust minimisation and suppression techniques will be implemented.
  - 8.1.2.3 An ecological site walk-over will be carried out to confirm the absence of badgers prior to commencement of Licensed Activities. However, this mitigation is not enforced through the marine licence due to this taking place landward of MHWS.
  - 8.1.2.4 Good practice guidelines from the Bat Conservation Trust and Institute Lighting Professionals will also be followed to reduce impacts on Bats.
  - 8.1.2.5 An ecological site walk-over will be carried out to confirm the absence of Common Lizard/Slow Worm prior to commencement of Licensed Activities. However, this mitigation is not enforced through the marine licence due to this taking place landward of MHWS.
  - 8.1.2.6 Invasive species management plan, toolbox talks, and biosecurity measures will be implemented to reduce the risk of spread of Japanese Knotweed. However, this mitigation is not enforced through the marine licence due to this taking place landward of MHWS.
  - 8.1.2.7 A Written Scheme of Investigation will be produced and approved by the licensing authority prior to the commencement of any Licensed Activities.

## **8.2 Mitigation or monitoring required to be attached to the consent (Regulation 22 (c)-(e))**

- 8.2.1 In reaching the EIA Consent Decision required under Regulation 22, NRW must make consideration of the requirement for any mitigation measures or monitoring required to be attached to the consent.
- 8.2.2 Section 7 outlines where NRW PS considers that there is a requirement for mitigation and/or monitoring and sets out the measures we consider necessary to address potential impacts identified through the EIA process. These are summarised below:
  - 8.2.2.1 The Licence Holder will be required to submit a BRA for the construction phase for approval prior to commencement of the Licensed Activities. Any actions outlined in the BRA must be implemented as approved by the Licensing Authority.



- 8.2.2.2 The Licence Holder will be required to submit a CEMP for approval prior to commencement of the Licensed Activities. Any actions outlined in the CEMP must be implemented as approved by the Licensing Authority.
- 8.2.2.3 The Licence Holder will be required to submit a PAD for approval prior to commencement of the Licensed Activities. Any actions outlined in the PAD must be implemented as approved by the Licensing Authority.
- 8.2.2.4 The Licence Holder must ensure the area is returned to the original profile, or as close as reasonably practicable, following the completion of Licensed Activities.
- 8.2.2.5 The Licence Holder must also ensure that any rock misplaced below Mean High Water Springs that cannot be recovered is located, and its position notified to appropriate authorities.
- 8.2.2.6 The Licence Holder must ensure that concrete is used in an appropriate manner.
- 8.2.2.7 The Licence Holder must ensure that any vessels/jack-up barges exhibit signals in accordance with the UK Standards Marking Schedule for Offshore Installation.
- 8.2.2.8 The Licence Holder must ensure that appropriate notification is given to the UKHO before and after the commencement of Licensed Activities.
- 8.2.3 In considering the monitoring requirements outlined above we do not consider that these requirements can be met by existing monitoring arrangements.

## 9. Regulation 21A Conclusion about Environmental Impact

- 9.0.1 In reaching a Conclusion about Environmental Impact, as required by Regulation 21A, NRW has considered the following (Regulation 21A(1)):
- The application for a Marine Licence
  - The Environmental Statement submitted
  - Further information provided, as outlined in section 3.3
  - The responses to public consultation outlined in sections 4 and 7
  - The responses to the technical consultation outlined in sections 6 and 7
  - Any comments received from another EEA state, as outlined in section 5 and 7
  - Any features of the project, or proposed measures, to avoid, prevent, reduce, or offset any likely significant adverse environmental effects as outlined in section 8
- 9.0.2 NRW, as appropriate authority, has considered the likely significant effects of the project, and reached a conclusion of the likely significant effects of the project with regard to the following (Regulation 21A(2)):
- Population and human health (9.1)  
Biodiversity (9.2)  
Land, soil, water, air, and climate (9.3)  
Material assets, cultural heritage and landscape (9.4)



Risk of major accidents and disasters relevant to the project (9.5)  
Cumulative impacts and in-combination impacts (9.6)

## **9.1 Population and human health**

- 9.1.1 The ES has assessed the impact on population and the human health. Due to the nature of the operation, the measures proposed to reduce the impacts on population and human health, and conditions attached to the marine licence, NRW PS consider the risk of impacts on population and human health to be extremely low.

## **9.2 Biodiversity**

- 9.2.1 The project has the potential to impact the following designated sites:
- Anglesey Terns SPA
  - Holy Island Coast SPA
  - Holy Island Coast SAC
  - Pen Llyn a'r Sarnau SAC
  - Cardigan Bay SAC
  - Pembrokeshire Marine SAC
  - North Anglesey
  - West Wales Marine SAC
  - Bristol Channel Approaches SAC
  - Menai Strait and Conwy Bay SAC
- 9.2.2 NRW PS carried out a Habitat Regulation Assessment and concluded, subject to appropriate conditions detailed in Section 8, the Licensed Activities will not adversely affect the integrity of any of the European Sites.
- 9.2.3 The ES considers the potential further impact on biodiversity including that of a pollution event and the spread of INNS. NRW PS conclude that considering the mitigation proposed within the ES and the licence conditions outlined in Section 8 related to pollution prevention best practice and adherence to a CEMP and BRA, no significant impact on biodiversity is predicted.

## **9.3 Land, soil, water, air and climate**

- 9.3.1 There is an impact pathway to water quality through a pollution event and through the spread of INNS. The ES has assessed these impacts and proposed mitigation including adherence to a CEMP and a BRA.
- 9.3.2 NRW consider that the works have been appropriately assessed and that, subject to the mitigation proposed within the ES and the licence conditions outlined in section 8, no significant impact on water quality is predicted.
- 9.3.3 Potential impact on climate, air, soil and land have been appropriately considered within the ES and no significant impact is predicted.

## **9.4 Material assets, cultural heritage and landscape**

- 9.4.1 The ES identified two listed structures and has carried out a detailed assessment on potential impacts on the structures and their settings. The developer has looked to reduce impact through design and the use of appropriate mitigation as is discussed within section 7.9. These include the implementation of a written scheme of investigation and a protocol for reporting archaeological discoveries. As discussed in section 7.9, NRW PS consider that the impact on the listed structures have been appropriately assessed within the ES and that although impact on the setting of historic asset remains, there has been a clear and convincing case set forward for proceeding.

## 9.5 Risk of major accidents and disasters relevant to the project

- 9.5.1 Due to the nature of the operation, the measures proposed to reduce the risk of a major accident or pollution event, and conditions attached to the marine licence, NRW PS consider the risk of a major accident or disaster to be extremely low.

## 9.6 Cumulative impacts and in-combination impacts

- 9.6.1 As detailed in Section 3.2.4, NRW PS carried out a Habitat Regulation Assessment, as part of which an in-combination assessment was carried out and concluded subject to appropriate mitigation that the works would not cause a significant impact alone or in combination on a European designated site.
- 9.6.2 NRW PS concluded that the potential impacts due to the project have been adequately addressed in the ES.

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Produced By: Joe Thomas

Signed: 

Date: 02 August 2022

Approved by: John Wheadon

Signed:

Date: 02/08/2022

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## 10. Regulation 22 EIA Consent Decision

- 10.0.1 The Marine Licensing Team has considered the application CML2143, and information provided in support of the application and is now in a position to make an EIA consent decision to Stena Line Ports Limited.
- 10.0.2 In accordance with Regulation 22 of the Regulations, NRW PS, as appropriate authority, have considered:
- The application for a Marine Licence
  - The Environmental Statement submitted

- Further information provided, as outlined in section 3.3
- The Conclusion about Environmental Impact (under Regulation 21A(2)) in section 9, dated 02 August 2022, which we consider to be up to date
- The responses to public consultation outlined in sections 4 and 7
- The responses to the technical consultation outlined in sections 6 and 7
- Any comments received from another EEA state, as outlined in section 5 and 7
- Whether monitoring of the significant adverse environmental effects of the Project is appropriate (as outlined in section 8), including whether
  - Existing monitoring can be relied upon
  - Conditions should be attached to the regulatory approval
  - Whether conditions to make provision for potential remedial action are required, as outlined in section 8
  - Whether any other conditions need to be attached to the regulatory approval, with respect to the likely significant environmental effects of the Project, as outlined in section 8.

10.0.3 After conducting a full and comprehensive review of the Project and applying appropriate additional external expertise, we conclude that the environmental impacts of the Project have been adequately identified, described and assessed. Accordingly, we conclude a favourable determination and that EIA consent for the project should be given.

10.0.4 Adequate mitigation strategies have been agreed to minimise, or altogether remove, the potential significant impacts associated with the construction and operational phases of the Project.

10.0.5 We consider that the monitoring and mitigation conditions outlined in section 8 should be considered in the regulatory decision.

10.1 This Written Confirmation of the EIA Consent Decision will be sent to the following, in accordance with Regulation 23 of the Regulations:

- Stena Line Ports Limited
- Any person from whom NRW received representation arising from the consultation described in section 4
- Any EEA states consulted (see section 5)
- All consultation bodies listed in section 6

10.2 This Written Confirmation of the EIA Consent Decision is available on the NRW online public register at [Public register - Customer Portal \(naturalresources.wales\)](https://publicregister.naturalresources.wales)

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Produced By: Joe Thomas

Signed: 

Date: 02 August 2022

Approved by: John Wheadon

Signed: 

Date: 02 August 2022

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## Appendix 1 – Coordinates

Longitude	Latitude
-4.6347	53.3259
-4.6304	53.3260
-4.6296	53.3260
-4.6292	53.3260
-4.6290	53.3260
-4.6289	53.3261
-4.6287	53.3261
-4.6285	53.3262
-4.6283	53.3263
-4.6280	53.3264
-4.6275	53.3267
-4.6210	53.3305
-4.6208	53.3306
-4.6207	53.3307
-4.6206	53.3307
-4.6205	53.3308
-4.6218	53.3307
-4.6206	53.3313
-4.6206	53.3313
-4.6205	53.3313
-4.6205	53.3314
-4.6204	53.3314
-4.6203	53.3314
-4.6202	53.3314
-4.6201	53.3315
-4.6201	53.3315
-4.6200	53.3316
-4.6200	53.3316
-4.6199	53.3317
-4.6199	53.3317
-4.6198	53.3317
-4.6197	53.3318
-4.6196	53.3318
-4.6195	53.3318
-4.6195	53.3318
-4.6194	53.3318
-4.6193	53.3318
-4.6192	53.3318
-4.6191	53.3318
-4.6190	53.3317

-4.6188	53.3317
-4.6187	53.3316
-4.6186	53.3316
-4.6184	53.3315
-4.6183	53.3314
-4.6182	53.3314
-4.6181	53.3313
-4.6180	53.3312
-4.6179	53.3311
-4.6179	53.3311
-4.6178	53.3310
-4.6178	53.3309
-4.6178	53.3308
-4.6178	53.3307
-4.6179	53.3306
-4.6179	53.3306
-4.6179	53.3305
-4.6180	53.3304
-4.6181	53.3303
-4.6181	53.3303
-4.6182	53.3302
-4.6183	53.3301
-4.6184	53.3301
-4.6185	53.3301
-4.6185	53.3300
-4.6185	53.3300
-4.6186	53.3300
-4.6186	53.3300
-4.6186	53.3300
-4.6186	53.3301
-4.6186	53.3301
-4.6186	53.3301
-4.6186	53.3301
-4.6186	53.3301
-4.6186	53.3302
-4.6186	53.3302
-4.6187	53.3303
-4.6187	53.3304
-4.6187	53.3304
-4.6189	53.3304
-4.6191	53.3303
-4.6192	53.3303
-4.6193	53.3302
-4.6188	53.3301
-4.6189	53.3300
-4.6193	53.3298
-4.6201	53.3296

-4.6203	53.3297
-4.6203	53.3299
-4.6204	53.3300
-4.6209	53.3297
-4.6275	53.3258
-4.6278	53.3257
-4.6281	53.3256
-4.6285	53.3255
-4.6289	53.3254
-4.6293	53.3254
-4.6297	53.3253
-4.6307	53.3253
-4.6306	53.3252
-4.6415	53.3250
-4.6422	53.3249
-4.6426	53.3248
-4.6426	53.3249
-4.6425	53.3251
-4.6427	53.3251
-4.6429	53.3250
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-4.6433	53.3249
-4.6435	53.3248
-4.6437	53.3247
-4.6438	53.3247
-4.6440	53.3246
-4.6441	53.3245
-4.6443	53.3244
-4.6444	53.3243
-4.6445	53.3242
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-4.6459	53.3228
-4.6459	53.3228
-4.6459	53.3227
-4.6455	53.3226
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-4.6484	53.3205
-4.6485	53.3205
-4.6490	53.3207
-4.6470	53.3226
-4.6467	53.3227
-4.6468	53.3230
-4.6456	53.3241
-4.6453	53.3245
-4.6451	53.3246

-4.6448	53.3248
-4.6446	53.3250
-4.6444	53.3251
-4.6436	53.3254
-4.6433	53.3255
-4.6431	53.3256
-4.6427	53.3257
-4.6422	53.3258
-4.6418	53.3258
-4.6414	53.3258
-4.6358	53.3259