

Colwyn Bay Waterfront Project Phase 2b**Addendum to the Construction Environmental Management Plan****1) Introduction**

This addendum has been prepared to address comments raised by Natural Resources Wales (NRW) as part of their review of the Construction Environmental Management Plan (CEMP), in order to discharge the conditions of Marine Licence ref. CML 2149.

2) NRW Comments

The comments (shown in blue) were received from the Marine Licence team on 26th May 2022. Responses to each comment are provided below each of the comments.

- 1. Biosecurity Risk Assessment - Section 1.3.1 - As stated previously, the assessment makes reference to the Marine Invasive Non-native Species Priority Monitoring and surveillance List for Wales however, the 'high priority' INNS Crepidula fornicata (American slipper limpet) has not been included in the list of species. This species is present on the Wales list but not on MSFD. Recent new records of this species suggest increased spread to North Wales and therefore extra diligence is required.*

Crepidula fornicata is adopted into the CEMP through this addendum. The High Risk INNS are as follows:

- Compass sea squirt (*Asterocarpa humilis*) – potential for introduction through fouling (via the use of anchors, marine vessels and marine plant within the marine environment);
- Carpet sea squirt (*Didemnum vexillum*) – potential for introduction through fouling (via the use of anchors, marine vessels and marine plant within the marine environment);
- Red ribbon bryozoan (*Watersipora subatra*) – potential for introduction through fouling (via the use of anchors, marine vessels and marine plant within the marine environment);
- American slipper limpet (*Crepidula fornicata*) – potential for introduction through fouling (via the use of anchors, marine vessels and marine plant within the marine environment);
- Chinese mitten crab (*Eriocheir sinensis*) – potential for introduction through ballast water (from the use of marine vessels for beach recharge activities).

- 2. With respect to hopper water - NRW advises the following:*

Before each new dredging campaign/and or when moving to a different region, once clear of harbour and outside shallow waters, conduct full exchange of hopper water so that at least 95% volume exchange is achieved. If unable to empty hopper due to weather, 95% volumetric exchange can be achieved by pumping through three times the volume of the hopper in accordance with the Ballast Water Management Convention. Pump water out prior to arrival at destination port.

The suggested action is adopted in full and will be carried out before and after visiting the region.

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3. *It is confusing to have the biosecurity risk assessment and plan separate particularly as in the biosecurity plan the applicant has also identified activities that pose a biosecurity risk and control measures against each of the activities but no risk and/or residual risk following introduction of control measures has been identified. No list of potential INNS present at Colwyn Bay Waterfront has been presented (but it has in the biosecurity risk assessment). A biosecurity report produced by APEM for the infilling of Bramley Moore Dock in Liverpool has been appended. However, the APEM biosecurity report refers only to the infilling of Bramley Moore Dock in Liverpool. It is on a different site to the one where the applicant will be carrying out the works. Whilst some of the risks might be similar across both developments given the activities involved, the biosecurity risk assessment should be specific to the site and activities proposed.*

The two documents are prepared by different parties and have different focuses and levels of information. The Mott MacDonald document has a broader focus and the Boskalis document has a more specific operational focus and could be considered an appendix to the Mott MacDonald document. For the delivery of the works this is not an issue, as both documents will be adopted and compliment each other. The biosecurity report refers to Bramley Moore Dock and includes plans of the docks, however the risks and activities have been reviewed and are identical for the purpose of the report. The activities are the same and the dredge site is identical.

4. *Section 4 Risk Assessment and mitigation measures notes “The last 10 ports of call for the TSHD are attached in Appendix 1 – Ports of Call [Vessel].” However, the sheet is blank and the specific details of the vessel/s that will be used and the last ports of call have not been added.*

This section has not yet been populated in this live document as the vessels to be used are still to be confirmed. Further, as this section of the work is not to be completed until later in the programme, it is not possible at this stage to include information such as ‘the last 10 ports visited’ before they sail for Rhos on Sea. This document will however be updated when the information is available and submitted to the licensing authority for approval including the following information:

- Details of the vessel/s used including a list of all ports within the UK or overseas that all vessel/s to be used have visited over the 12 months prior to being used in this licenced activity, or since last out of the water (whichever is most recent)
- Whether the vessels have had antifouling treatment within the 12 months prior to the licenced activity for biocidal coatings, or 24 months for biocide-free coatings
- Whether the vessel carry any hopper water

No vessels will carry out any licensed activities until such approval is provided.

5. *As discussed above, it is confusing to have two separate documents that identify different risks and control measures. We advise the applicant merges both documents and uses the biosecurity risk assessment (CML2149 Appendix 1 Biosecurity RA) as the main template. The applicant should amend the document following suggestions made for the CML2149 Appendix 1 Biosecurity RA and also incorporate details of the following (some of which have already been incorporated into the CML2149 Appendix 1 Biosecurity Plan.pdf) :*

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6. *Details of the vessel/s used including a list of all ports within the UK or overseas that all vessel/s to be used have visited over the 12 months prior to being used in this licenced activity, or since last out of the water (whichever is most recent)*

This section has not yet been populated in this live document as the vessels to be used are still to be confirmed. Further, as this section of the work is not to be completed until later in the programme, it is not possible at this stage to include this information before they sail for Rhos on Sea. This document will however be updated when the information is available and kept as a record.

7. *Whether the vessels have had antifouling treatment within the 12 months prior to the licenced activity for biocidal coatings, or 24 months for biocide-free coatings*

This section has not yet been populated in this live document as the vessels to be used are still to be confirmed. Further, as this section of the work is not to be completed until later in the programme, it is not possible at this stage to include this information before they sail for Rhos on Sea. This document will however be updated when the information is available and kept as a record.

8. *Controls to mitigate transfer of INNS from equipment (done in [CML2149 Appendix 1 Biosecurity Plan.pdf](#) but not in [CML2149 Appendix 1 Biosecurity RA](#))*

As the two documents are to remain separate, we do not propose to duplicate this information.

9. *Details of the biosecurity manager (done in [CML2149 Appendix 1 Biosecurity Plan.pdf](#))*

As the two documents are to remain separate, we do not propose to duplicate this information.

10. *Details of whether all staff are adequately trained in the detection and knowledge of INNS to report any instances to the biosecurity manager (done in [CML2149 Appendix 1 Biosecurity Plan.pdf](#))*

As the two documents are to remain separate, we do not propose to duplicate this information.

11. *Details of the contingency plan in the event any control measures are breached or a new INNS is detected (done in [CML2149 Appendix 1 Biosecurity Plan.pdf](#))*

As the two documents are to remain separate, we do not propose to duplicate this information.

12. *We note in Section 7.2 Appendix 2 the applicant has appended leaflets of high-risk INNS to be discussed during the project induction to site personnel. This would also be useful to incorporate.*

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This leaflet will be used in the staff site induction process and a copy kept with the CEMP.

13. In our comments to you dated 28th February we advised that if a marine mammal is seen within 100m of the works, work ceases until the animal has moved out of the area. We recommended that this detail should be included in the CEMP. Page 25 of the CEMP does mention marine mammals but the 100m boundary recommended has not been included in the text. We advise that this is rectified.

This recommendation has been updated in the relevant section of the CEMP (ref 2022-05-30 CEMP update). Further controls on this issue have been imposed by the Planning Authority by adding the following condition:

- 2 In the event that any marine mammals are observed within 100m of the planning application site during construction works, all construction works below mean high water mark shall cease until the specimen has moved out of the area.

REASON: In the interests of biodiversity.

3) Additional Control Measures for NRW Comments

To provide the Marine Licencing team with additional comfort that the initial preparation works can go ahead now, without increasing risk to the beach management / marine vessels elements of the works, CCBC planning have imposed the following condition on the project:

- 4 Notwithstanding the Project Biosecurity Plan, no vessels relating to the development shall approach the planning application site until further details of biosecurity measures (as outlined in NRW's consultation response dated 26th May 2022) have been submitted to, and approved in writing by, the local planning authority. The biosecurity measures shall be carried out as approved.

REASON: In the interests of biodiversity.