

WFD Compliance Assessment

OGN 72 Appendix 2 WFD Compliance Assessment template

- In completing this template for a WFD compliance assessment, refer to OGN72 ([link](#)) for definitions, processes and further links to useful websites.

If there are any problems or issues with the information in this desk instruction, you must report it to the responsible Manager Team member named as the owner and guidance.development@cyfoethnaturiolcymru.gov.uk

Version History

Document Version	Date Published	Summary of Changes	Authorised by
1	September 2020	Document created and ready for trialling	
Review Date: [Month & Year]			

WFD Compliance Assessment template

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Figure 1: Stage 1 Screening

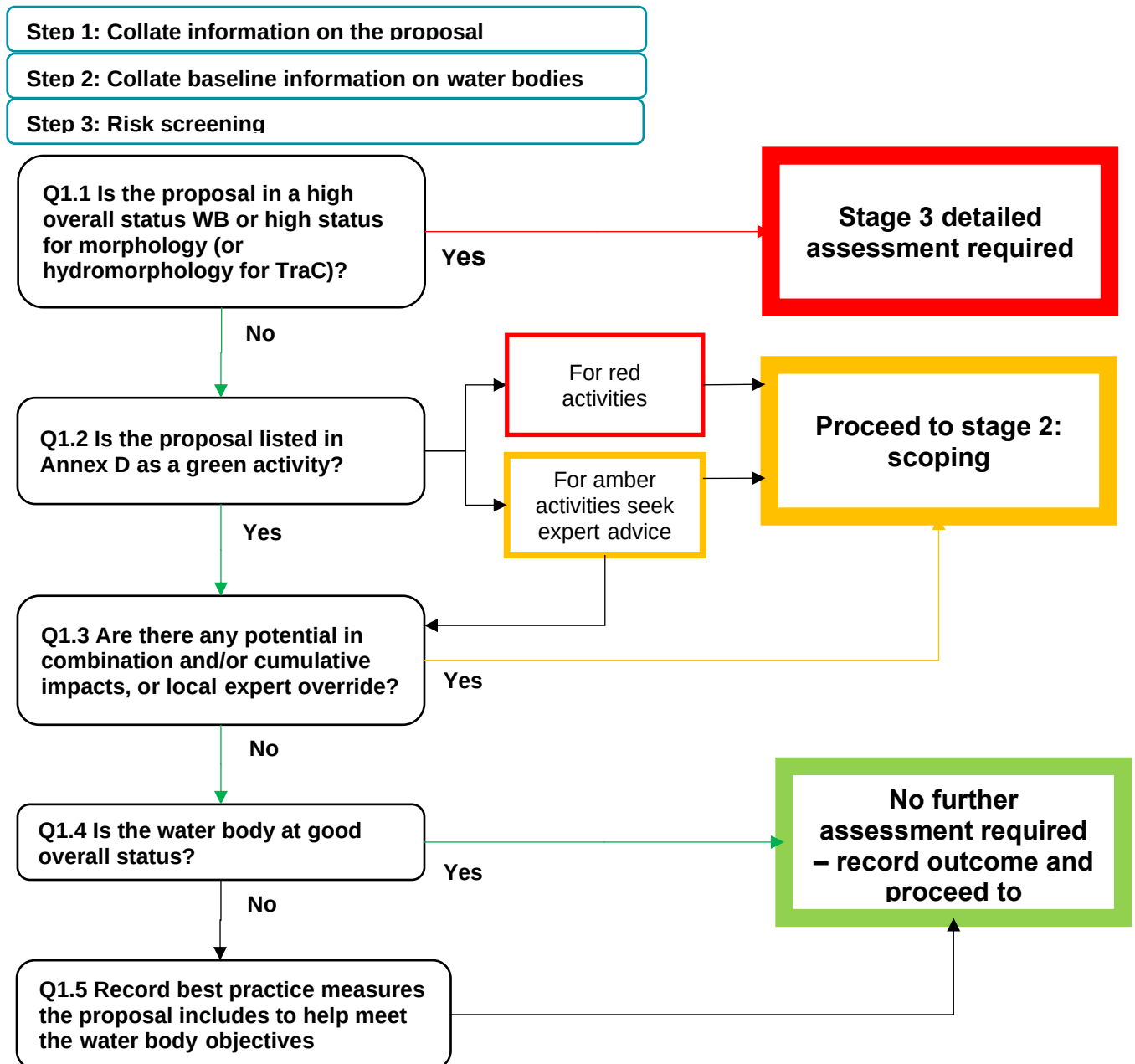
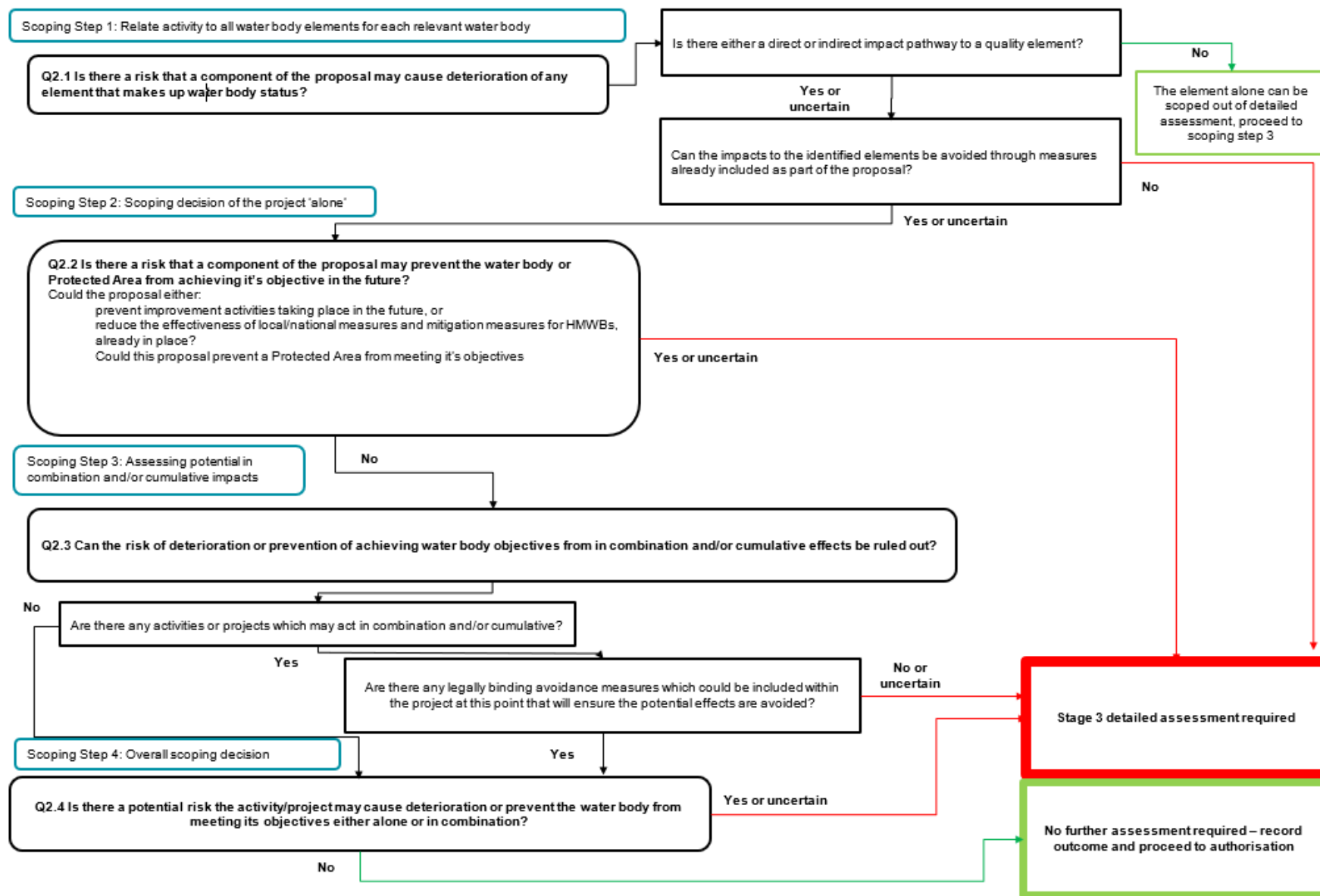


Figure 2: Stage 2 Scoping



WFD Compliance Assessment

Stage 1 step 1: proposal details.

a): Project details where an <u>external party</u> has applied to NRW for any form of authorisation		
Project details	Application reference number (if applicable)	CML2442
	Date application received	24 May 2024
	Applicant details	Amalgamated Construction Ltd
	Activity proposed	Pwll Sea Wall Scour Repairs The works involve repairing the sea defence wall which has been damaged in three places by scour. These scour voids will be infilled and repaired using soluform bags fixed into position with stainless steel pins. This will help ensure that the structure is supported. The work is anticipated to take 2 days and 1 night. The work needs to be undertaken when the tide is below 8 meters.
	Relevant legislation	Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
	List other permissions that may be required where known	N/A
	Location (include map where appropriate)	Pwll Sea Wall 51.681189 , -4.1834381 51.681122 , -4.1831889 51.681058 , -4.1832581 51.681125 , -4.1835073
Application documents Include: Project purpose and background, site map, scaled plan, site	CML2442 - marine-works-application-form-updated (MWC1979s Pwll Sea Wall).docx	

	photographs and working method statement. CML2442 - MCGA Navigational Safety Email (MWC1979s Pwll Sea Wall).pdf CML2442 - Trinity House Email (MWC1979s Pwll Sea Wall).pdf CML2442 - Appendix 1 - Scoping Document (MWC1979s Pwll Sea Wall).pdf CML2442 - Appendix 2 -Tak Brief (MWC1979s Pwll Sea Wall).pdf CML2442 - Appendix 3 - Soluform-Bagwork-Datasheet (MWC1979s Pwll Sea Wall).pdf CML2442 - Method Statement (MWC1979s Pwll Sea Wall).pdf CML2442 - Water Framework Directive (MWC1979s Pwll Sea Wall).odt CML2442 - wnmp-signposting (MWC1979s Pwll Sea Wall).xlsx
	Environmental Statement N/A
	List ongoing maintenance requirements. All structures will require maintenance N/A
	Timing of works The work is anticipated to take 2 days and 1 night
	Pre-application correspondence N/A
	Are the works located within a WFD waterbody? Or do they have the potential to impact upon a WFD water body? Waterbodies include surface waters (rivers, lakes, transitional waters, and coastal waters out to 1 nautical mile) and groundwaters Works are located adjacent to the Burry Inlet Outer waterbody.
	NRW team responsible for drafting this WFD Compliance Assessment report, and name of lead officer Jack Thompson – Marine Licensing Team
	Date of assessment 18 July 2024

Stage 1, step 2: Collate baseline information on all water bodies at risk from the proposal.

Date of classification information: [WFD Cycle 3 2021](#)

WB ID	Water body name	WB type	Management catchment	HMWB	Overall water body status	Ecological status	Chemical status	Hydro-morphology status*	Relevance to the proposal
GB641008180000	Burry Inlet Outer	Coastal	Western Wales	No	Moderate	Moderate	High	High	Proposal is: adjacent to the water body

**where there is no information, or a null value then assume it is at good status for morphology (or hydromorphology for TraC water bodies)

The potential for the proposal to affect the following water bodies was also initially considered, but can be ruled out without further consideration:

N/A

Stage 1, Step 3: Risk Screening

Question number	Risk screening questions	Name of activity	Screening decision – delete as appropriate
Q1.1	Is the proposal in a water body at high status or high status for morphology or hydromorphology?	N/A	Yes – complete detailed assessment for each water body The works are located adjacent to the Burry Inlet Outer waterbody which has a high status for morphology. However, this is a low-risk, green activity (like for like maintenance and repair e.g. void filling) and therefore, only the hydromorphology criteria will be assessed.

Question number	Risk screening questions	Name of activity	Screening decision – delete as appropriate
Q1.2	Is the activity listed in Annex D as a green activity? Complete new row for each activity	e.g. Dredging	Yes – go to Q1.3 No – complete scoping assessment for each water body For amber activities then seek expert advice
Q1.3	Are there any potential cumulative/in combination impacts? Or is there Local Expert Override*?	Yes/No	Yes – complete scoping assessment for each water body No – go to Q1.4
Q1.4	Is the water body at Good overall status?	Yes/No	Yes, no further WFD assessment needed – Go to Authorisation No – Go to Q1.5
Q1.5	Record best practice measures that the works include to help achieve the objectives of the water body.	Include all measures then proceed to Authorisation section For example, a biosecurity plan to ensure the project/activity doesn't introduce or spread Invasive Non-Native Species.	

*Expert judgement may be required i.e. for complex or cumulative interactions; or a particularly sensitive site/activity (including target water bodies).

Stage 2: Scoping Assessment

Each component of the works should be included, for example: a hydropower scheme may include in-channel impoundment, creation of depleted reach, and bank reinforcement for turbine house. Include vegetation removal/management as a scheme component. Where there is a lack of confidence on whether there is potential risk to an element then these should be scoped in for further assessment.

Stage 2, step 1 – relate activity to all water body elements for each relevant water body

Scoping table for Transitional and Coastal water bodies			
Water body name: Burry Inlet Outer Water body ID: GB641008180000			
Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
Transitional and Coastal water bodies	Choose one of the following: Direct – risk of direct impact Indirect – risk of indirect impact N/A – no impact pathway N/A – other – include additional text to explain	Further detail on potential impacts. Where N/A is included then provide detail to explain.	Colour text in green if all impacts can be avoided through measures already included in the scheme. Or red for schemes which require detailed assessment
Hydromorphology – hydromorphology constitutes both 'hydrology' and 'geomorphology' and describes the physical characteristics and processes of a water body. <i>Could the proposal lead to changes in:</i>			
morphological conditions, for example depth variation, the seabed and intertidal zone structure	N/A – No impact pathway	The works involve the infilling of voids using soluform bags that are pinned in place. These are like for like repairs which will not alter the footprint of the seawall in any way.	Scoped out
tidal patterns, for example, dominant currents	N/A – No impact pathway		Scoped out

Scoping table for Transitional and Coastal water bodies

Water body name: Burry Inlet Outer

Water body ID: GB641008180000

Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
• freshwater flow	N/A – No impact pathway	Furthermore, the works are located in the upper intertidal area and will be completed at low tide. As such, no impact pathway exists.	Scoped out
• wave exposure	N/A – No impact pathway		Scoped out
Is the proposal in a HMWB?	N/A		If yes then scope in for detailed assessment
Water quality An activity can modify the flow of water, introduce artificial materials or remove sediment and/or vegetation. These can all affect the water quality—particularly physico-chemical aspects of water quality—such as levels of dissolved oxygen, nutrients and ammonia.			
Include water quality in the detailed assessment if the activity could affect:			
• water clarity (turbidity or suspended particulate matter concentration)			
• thermal conditions (including shading)			
• oxygen levels—dissolved oxygen conditions			
• nutrients—dissolved inorganic nitrogen			
• microbial patterns			
• salinity/conductivity			
• is in a water body with a phytoplankton or opportunistic macroalgae status of moderate, poor or bad			
• is in a water body with a history of harmful algae (where there is an existing designation for the area, information should be available;			

Scoping table for Transitional and Coastal water bodies

Water body name: Burry Inlet Outer

Water body ID: GB641008180000

Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
however, local water quality officers will be able to help).			
Chemicals— A detailed assessment will also be required if the activity uses or releases chemicals, for example, through sediment disturbance or building works. This is necessary when either the:			
chemicals are on the Environmental Quality Standards Directive (EQSD) list			
activity disturbs sediment with contaminants (for estuarine and coastal above Cefas Action Level 1).			
or, if the activity releases chemicals on the EQSD list and has a mixing zone, like a discharge pipeline or outfall, follow the Environment Agency's surface water pollution risk assessment guidance. This is part of the Environmental Permitting Regulations guidance.			
Biology Identify if the activity or project could impact on the abundance or composition of the biological elements listed below: Biological elements for transitional (T) and coastal (C) waters under the directive are: - Benthic invertebrates (T, C) - Fish (T) - Phytoplankton (T, C) - Macroalgae (T, C) - Angiosperms (T, C) Could the proposal lead to:-			
changes to the composition and abundance of aquatic flora			
changes to the composition and abundance of benthic invertebrate fauna			

Scoping table for Transitional and Coastal water bodies

Water body name: Burry Inlet Outer

Water body ID: GB641008180000

Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
For TraC water bodies – scope in if the footprint (where footprint can be direct or a plume i.e. chemical or thermal; for dredging multiply the area by 1.5x) of your activity is:			
• 0.5km ² or larger			
• 1% or more of the water body's area			
• Within 500m of any higher sensitivity habitat (see table below)			
• 1% or more of any lower sensitivity habitat (see table below)	-	-	-
Fish fauna (Transitional water bodies only): could the proposal lead to:			
• changes to the composition, abundance and age structure of fish fauna			
• an impact on normal fish behaviour like movement, migration or spawning (for example creating a physical barrier, noise, chemical change or a change in depth or flow)			
• entrainment or impingement of fish			
• refuge/predation areas			
Or: is the proposal in an estuary and could affect fish in the estuary; is outside the estuary but could delay or prevent fish entering it; or, could affect fish migrating through the estuary			

Info for TraC water bodies

Extract from EA Clearing the water for All

Higher and lower sensitivity habitats for TraC water bodies

Higher sensitivity habitats ²	Lower sensitivity habitats ³
chalk reef	cobbles, gravel and shingle
clam, cockle and oyster beds	intertidal soft sediments like sand and mud
intertidal seagrass	rocky shore
maerl	subtidal boulder fields
mussel beds, including blue and horse mussel	subtidal rocky reef
polychaete reef	subtidal soft sediments like sand and mud
saltmarsh	
subtidal kelp beds	
subtidal seagrass	

² Higher sensitivity habitats have a low resistance to, and recovery rate, from human pressures.

³ Lower sensitivity habitats have a medium to high resistance to, and recovery rate from, human pressures.

Invasive Non-Native Species

Refer to the [Check Clean Dry](#) campaign to help prevent the spread of invasive plants and animals in British waters. You can find out more about INNS on the [GB Non-native Species Secretariat website](#)

Risks of introducing or spreading INNS include:

- materials or equipment that have come from, had use in or travelled through other water bodies
- activities that help spread existing INNS, either within the immediate water body or to other water bodies

Does the activity or project have the potential to introduce or spread INNS to a water body?

Add in each relevant WB ID Use a separate row for each WB ID	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
Burry Inlet Outer - GB641008180000	Choose one of the following: Direct – risk of direct impact	With any works, there is the potential for INNS to be introduced however, the risk with these works is minimal as no machinery is being used. All works will be undertaken using hand tools.	Visual checks carried out and recorded at the start of each shift. Ecology survey to be undertaken before work starts and recommendations followed.

WFD Protected Areas

If the proposed activity is within, or hydrologically connected to, a WFD Protected Area. If the activity is hydrologically linked, then as a general rule those Protected Areas within 2 km of the proposed activity will be most at risk.

Protected Areas and Critical sensitive habitats/species		
Consider if WFD protected areas are at risk from your activity. These include:	Applicable	How have you considered the potential impacts?
Protected Areas:		
☐ SACs/SPAs/RAMSAR	Yes	A HRA has been carried out and NRW A have been consulted.
☐ Bathing Waters	No	
☐ Shellfish Waters	Yes	NRW A have been consulted on the application.
Other Protected and Priority habitats and species.		
☐ Nationally or locally protected areas e.g. SSSI, NNR etc	Yes	N/A
Section 6 Biodiversity and resilience of ecosystems duty (Environment (Wales) Act 2016) here - other Protected and Priority habitats and species. The S6 duty requires that public authorities must seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems. Identify if there is a risk that the activity/project could impact on a water dependant priority habitat and or species which are either critical to the ecological health of the water body or sensitive to changes proposed on the water body.		
• Section 7 list of priority habitats e.g. wetlands	No	No impact pathway
• Section 7 list of priority species e.g. water voles	No	No impact pathway
Ecosystem Resilience		
The Environment (Wales) Act 2016, Section 3 states that the objective of the sustainable management of natural resources is to maintain and enhance the resilience of ecosystems and the benefits they provide now and for future generations		
Consideration of ecosystem resilience – diversity, extent, condition, connectivity.	Yes	Works seek to maintain structural integrity of the sea wall, thus providing protection against flooding and preserving habitats located behind it.

Stage 2, step 2: Scoping decision of the project 'alone'

Scoping assessment	Scoping decisions
Q2.1 Is there a risk that a component of the proposal may cause deterioration of any element that makes up water body status?	No
Q2.2 Is there a risk that a component of the proposal may prevent the water body or Protected Area from achieving its objectives in the future?	No

Stage 2, step 3: Assessing potential in combination and/or cumulative impacts

It is important to consider the in combination and/or cumulative effects of pressures in a water body and the combined impacts of the proposed activity.

Do not include activities which have not yet been applied for, unless the activity is well defined and there are solid reasons for believing that it will be taken forward. Consult with [technical advisors](#) as required.

Avoidance measures - Describe any conditions, restrictions or other measures, if any, applicable to the activity/project, and/or to the other activities giving rise to the in combination / cumulative effect, which could remove the risk of deterioration or prevent of achieving water body objectives. Include details of how such measures would be applied, and who would be responsible for applying them.

If required, further details can be provided in separate clearly referenced documents.

Are there any activities or projects which may act in combination and/or cumulative? <i>If none, put 'N/A'</i>	Nature of the in-combination/cumulative effect (if any)	Avoidance measures Are there any legally binding avoidance measures which could be included within the project at this point that will ensure the potential effects are avoided?	Can the risk of deterioration or prevention of achieving water body objectives from in combination/ cumulative effects be ruled out? 'YES' or 'NO' or 'DON'T KNOW'
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Are there any activities or projects which may act in combination and/or cumulative? <i>If none, put 'N/A'</i>	Nature of the in-combination/cumulative effect (if any)	Avoidance measures Are there any legally binding avoidance measures which could be included within the project at this point that will ensure the potential effects are avoided?	Can the risk of deterioration or prevention of achieving water body objectives from in combination/ cumulative effects be ruled out? 'YES' or 'NO' or 'DON'T KNOW'
N/A			
Scoping decision of the project cumulatively or 'in combination'		Potential cumulative/in combination impacts conclusion	
Q2.3 Can the risk of deterioration or prevention of achieving water body objectives from in combination and or cumulative effects be ruled out?	(a) If the right-hand column is 'YES' in all cases	It can be concluded that potential deterioration or prevention of achieving water body objectives from in combination / cumulative effects can be ruled out	
	(b) If any row is 'NO' or 'Don't know' in the right-hand column	It cannot be concluded that potential deterioration or prevention of achieving water body objectives from in combination / cumulative effects can be ruled out	

Stage 2, Step 4: Overall scoping decision

Scoping assessment	Scoping decisions
Overall scoping decision Q2.4 Is there a potential risk that the proposal may cause deterioration or prevent a water body from meeting its objectives either alone or in combination? <i>(choose one of the following options and delete the other)</i>	There is no risk of deterioration or prevention of the water body achieving its objectives as a result of the proposal, either alone or in combination, and no further consideration under the Water Framework Directive/Regulations is required in order to determine the application. However, as the works are located in a waterbody with a high status for morphology, a detailed assessment must be completed. There is a risk the proposal may cause deterioration or prevent the water body from meeting its objectives and therefore a detailed compliance assessment might be required if no mitigation measures that can be included at Q2.5. If this section is selected, complete Q2.5.

Stage 3: Detailed Assessment

The amount of information provided at this stage will vary depending on the scale and nature of the project and its potential environmental effects. The detail presented at this stage should be proportionate to the scale of the project and its potential risks. For complex cases then a separate report for detailed assessment would be appropriate. For example, if the only aspect of a project being scoped in to stage 3 is the risk of chemical spills during a construction activity and the mitigation being proposed is a Construction Environmental Management Plan to ensure adequate management of the risks are in place then this may be best presented as a simple table. On the other end of the scale, for a complex project we would expect to see the evidence presented of the underpinning assessments for all aspects of the project that had been scoped in to Stage 3. This information is likely to be drawn from modelling studies and other assessments carried out as part of the wider EIA process where relevant and this should cover the following as a minimum:

Assessing for Deterioration

Deterioration in this context refers to deterioration from one status class to a lower one, unless the element is already at bad status and then this also includes within class deterioration.

Temporary effects to not count as deterioration if the water body/ies in question would recover within a short period of time.

Consider if the effects arising from the project are:

- Direct or indirect/secondary
- Alone or in combination; cumulative
- Ensure all stages of the project have been covered in the assessment where relevant, including construction, operation and maintenance, decommissioning

If stage 3 identifies a risk of deterioration, then avoidance of the impact must be considered. If this is not practicable, mitigation should be then considered to reduce the effects as far as is possible. In this context, mitigation can only apply to the water body/ies which are at risk of deterioration, it does not include compensation in other water bodies.

Protected Areas

This stage should also consider the impact of the activity on each of the protected areas identified at the scoping stage.

If it is identified that there is a potential to impact to a SAC/SPA/RAMSAR site, then an HRA must also be carried out; this should be clearly referenced within this section if so.

Assessment of Invasive and Non-native Species (INNS)

If there is a risk of the project introducing or spreading INNS, then a Biosecurity Risk Assessment must also be carried out in association with the project and clearly referenced within this section.

Jeopardising Good Status

If the water body being assessed is at less than good status, it will have the objective of achieving good status by a set date. If this is the case, it must be assessed whether the project will jeopardise the attainment of good status. This is done by assessing if the project may impact upon any improvement measures being currently carried out in the water body by conflicting with them or reducing their effectiveness. A list of water body improvement measures can be found in the RBMPs.

HMWBs – Jeopardising Mitigation Measures

If the water body in question is designated as a HMWB, then there will be a set of water body mitigation measures associated with it. This stage of the assessment must also consider if the project is in conflict with the water body mitigation measures either now or in future. The list of water body mitigation measures can be found on [Water Watch Wales](#).

Stage 3 decision table.

Water body name & ID	WFD element/s scoped in	Description of impacts; include a list of all evidence documents to inform the detailed assessment	Mitigation measures	Is there risk of the activity preventing the water body/ PA from meeting its objectives?* 'YES' or 'NO'	Can the risk of deterioration be ruled out?* 'YES' or 'NO'
Burry Inlet Outer - GB641008180000	Hydromorphology	This is a low-risk, green activity (like for like maintenance and repair e.g. void filling) and a detailed assessment was only required due to the waterbody having a high morphological status. The works involve the infilling of voids using soluform bags that are pinned in place. These are like for like repairs which will not alter the footprint of the seawall in any way. Furthermore, the works are located in the upper intertidal area and will be completed at low tide. As such, no impact pathway exists.	Works will be carried out at low tide.	No	Yes

* Where there is uncertainty if the proposed activity may prevent a water body or PA from meeting its objectives or may cause deterioration then we must follow a precautionary approach, contact the Integrated Water Planning team for further advice.

Conclusion of WFD Compliance Assessment & Authorisation

In light of the conclusions of a detailed compliance assessment (Stage 3), and taking account of the advice received from technical specialist advisors, it has been established that the activity/project has no potential to cause deterioration of any water body or prevent a water body or WFD Protected Area from meeting its objectives, taking into account any conditions or restrictions as applicable, either alone or in-combination with other activities.

Completed by	Jack Thompson
Job title	Marine Licensing Officer
Date	18 July 2024

Consultation with technical advisors/specialists

Relevant section of the WFD compliance assessment	Date(s) of correspondence* and any meeting(s) with technical advisor(s) and include the name of the technical advisor	Description of how the comments from technical advisors have been considered

*Attach a copy of any written correspondence with the WFD assessment for the audit trail

Where there is a dispute on the conclusion the decision should be taken by the Leadership Team member of the team exercising the competent authority role