Cyfoeth Naturiol Cymru
Natural Resources Wales

Form

Record of a Habitats Regulations Assessment of a project

March 2016

OGN 200 Form 1

Document owner: Protected Sites Team, KSP

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Natural Resources Wales

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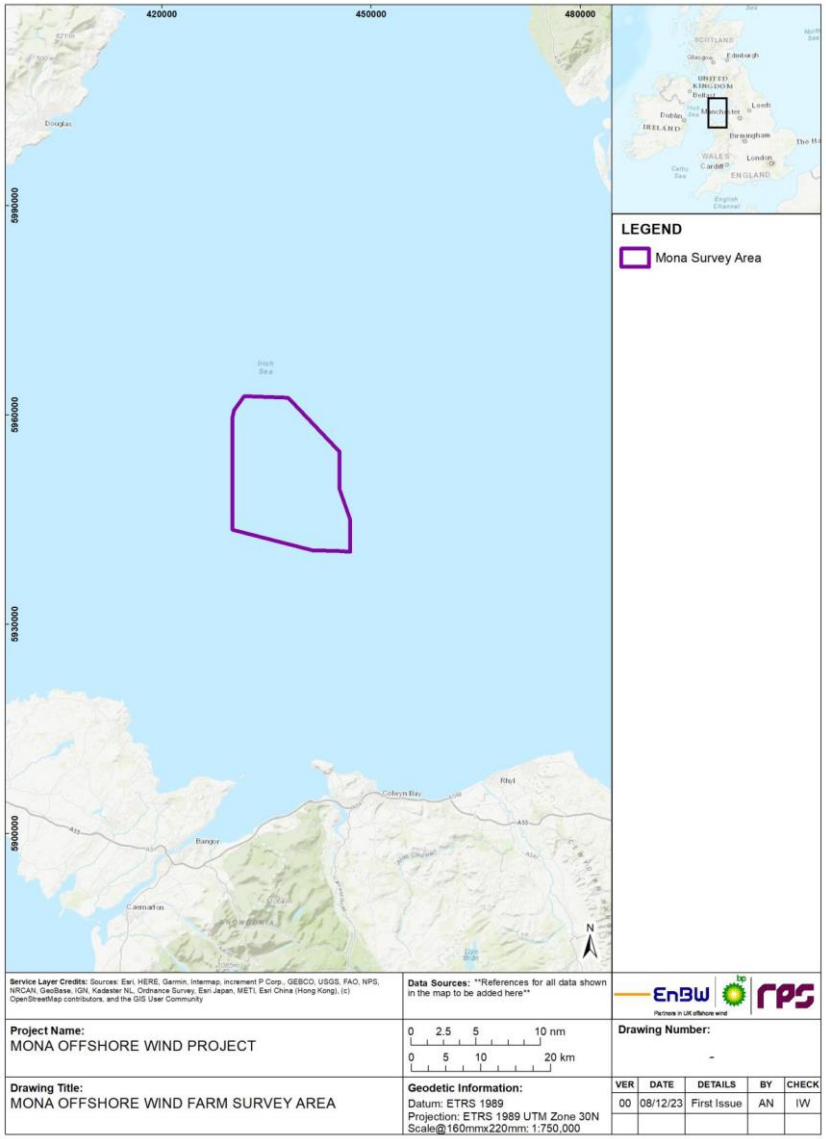
Contents

Section

1. Project Details

1(a): Project details where an external party has applied to NRW for any form of authorisation	
Application reference number (if applicable)	RML2444
Date application received	17 July 2024
Applicant details	Mona Offshore Wind Limited
Activity proposed	This application is for the removal of sediment and bedrock material through borehole and vibrocore geotechnical site investigation works. Borehole works are expected to take place at 80 locations, with vibrocores undertaken at 30 locations. The proposed works are similar in nature to those licenced under Marine Licence RML2285.
Relevant legislation	Marine and Coastal Access Act 2009
Location	Mona offshore wind site, North Wales



Application documents	RML2444 - NRW marine-works-application-form bp Offshore Surveys Boreholes 2024 v3.0 RML2444 - Supporting Information Document Mona Geotechnical Survey 2024 v2.0

	RML2444 - WNMP signposting doc
Environmental Statement	N/A
Pre-application correspondence	N/A
NRW team responsible for drafting this HRA report, and name of lead officer	Maria Alvarez Marine Licensing Team

2. Determining the need for a Habitats Regulations Assessment

2.1 Is the whole of the project directly connected with or necessary to the management of one or more Natura 2000 sites, for the purposes of conserving the habitats or species for which the Natura 2000 site(s) is/are designated?	No
2.2 Is there a possibility that the project could affect a different Natura 2000 site to the one(s) the project is intended to conserve?	N/A
2.3 Is it necessary to carry out an HRA?	Yes

Considering the likelihood of a significant effect (LSE)

3.1 Renewal of a permission on the same or more restrictive terms as the extant permission

Is this project a renewal of a current permission which complies with NRW approved criteria for ruling out significant effects of renewals (see section 6.2A of OGN 200) without conducting a project-specific LSE test?	No

3.2 Likelihood of significant effects (LSE) test

3.2.1 Which Natura 2000 sites might be affected by the proposal?	Based on the project specification or information provided in the application, it is considered that the following Natura 2000 sites have features which could be affected by the project: We understand that the survey area is located within the Irish Sea and does not overlap with any marine mammal protected site. However, considering the mobile nature of all Annex II marine mammal features of protected sites, the Marine Mammal Management Unit approach has been taken. The closest SAC for marine mammals is the harbour porpoise site **North Anglesey Marine/ Gogledd Môn Forol SAC** at a distance of 22.6 km. Other harbour porpoise sites within the MMMU are **Gorllewin Cymru Forol / West Wales Marine SAC** and **Dynesfeydd Môr Hafren / Bristol Channel Approaches SAC** The following sites have also been considered: for bottlenose dolphin **Pen Llŷn a'r Sarnau SAC** and **Bae Ceredigion / Cardigan Bay SAC**; and for grey seal **Pen Llŷn a'r Sarnau SAC, Bae Ceredigion / Cardigan Bay SAC** and **Sir Benfro Forol / Pembrokeshire Marine SAC**. The potential for the project to affect the following Natura 2000 sites was also initially considered, but can be ruled out without further consideration: The **Liverpool Bay SPA** is over 10km away and as such, this site does not require further assessment. The **North Anglesey Marine** SAC is the closest Harbour Porpoise SAC and therefore, by inference/iterative assessment, a similar conclusion can be made for Harbour porpoise SACs further away. Given the localised and temporary impact, any impacts on other marine mammals (all of which are less abundant in the study area) would be negligible.

3.2.2 Screening assessment

There is no impact pathway from the proposal to the designated feature.
There is an impact pathway in principle, but significant effects from the proposal when considered alone can be ruled out.
There is an impact pathway and significant effects cannot be ruled out.

	Assessment of likelihood of significant effect	
	I **Relevant conservation objectives**	**II** **Potential impact pathway**

North Anglesey Marine SAC *(closest site at 22.6 km)* **Gorllewin Cymru Forol / West Wales Marine SAC** **Dynesfeydd Môr Hafren / Bristol Channel Approaches SAC**		
Harbour Porpoise (Phocoena phocaena)	North Anglesey Marine pSAC: Draft Conservation Objectives and Advice on Activities (naturalresources.wales) West Wales Marine pSAC: Draft Conservation Objectives and Advice on Activities (naturalresources.wales) Bristol Channel Approaches pSAC: Draft Conservation Objectives and Advice on Activites (naturalresources.wales)	This application is for the removal of sediment and bedrock material through borehole and vibrocore geotechnical site investigation works. Borehole works are expected to take place at 80 locations, with vibrocores undertaken at 30 locations. The proposed survey may cause acoustic disturbance during survey activities and disturbance from the presence of vessels. The survey area is located within the Celtic and Irish Seas harbour porpoise Marine Mammal Management Unit (MMMU), and the closest SAC is North Anglesey Marine/ Gogledd Môn Forol SAC at a distance of 22.6 km. Geotechnical drilling (rotary) typically generates noise levels between 2Hz – 50kHz at 160 dB re 1µPa @ 1m which is within the hearing range of species such as grey seal, mid-frequency dolphin species (bottlenose, common, Risso's) and harbour porpoise (as per NMFS 2018; Southall et al 2019; Tougaard 2021). However, the survey area is located at a reasonable distance from the closest SAC, North Anglesey Marine, which is 22.6km away. Moreover, the licensed activities will be short lived, and noise will me mostly generated near or in the sediment resulting in much reduced noise levels. Literature on behavioural disturbance from rotary drilling is sparse, and therefore, if we assume that drilling has similar properties to dredging activity, disturbance of marine mammals could realistically occur between 400m – 7 km from the noise source. Assuming a precautionary disturbance radius of 7 km, this will not overlap with the North Anglesey Marine SAC and thus there is no plausible impact on the conservation objectives of the site related to disturbance "preventing their use of significant parts of the site (disturbance / displacement)". Hence, we can conclude no likely significant effect.

Pen Llŷn a'r Sarnau SAC **Bae Ceredigion / Cardigan North SAC**		
Bottlenose dolphin **Grey Seal**	Pen Llŷn a'r Sarnau / Lleyn Peninsula and the Sarnau Conservation Objectives Contents (naturalresources.wales) Bae Ceredigion / Cardigan North Conservation Objectives Contents (naturalresources.wales)	This application is for the removal of sediment and bedrock material through borehole and vibrocore geotechnical site investigation works. Borehole works are expected to take place at 80 locations, with vibrocore undertaken at 30 locations. The proposed survey may cause acoustic disturbance during survey activities and disturbance from the presence of vessels. The survey area is located within the grey seals and bottle nose dolphin Marine Mammal Management Unit (MMMU), and the closest SAC for both species is the is Pen Llŷn a'r Sarnau / Lleyn Peninsula SAC. Geotechnical drilling (rotary) typically generates noise levels between 2Hz – 50kHz at 160 dB re 1µPa @ 1m which is within the hearing range of species such as grey seal, mid-frequency dolphin species (bottlenose, common, Risso's) and harbour porpoise (as per NMFS 2018; Southall et al 2019; Tougaard 2021). However, the survey area is located at a considerable distance from any of the SACs. Moreover, the licensed activities will be short lived, and noise will me mostly generated near or in the sediment resulting in much reduced noise levels. Literature on behavioural disturbance from rotary drilling is sparse, and therefore, if we assume that drilling has similar properties to dredging activity, disturbance of marine mammals could realistically occur between 400m – 7 km from the noise source. Assuming a precautionary disturbance radius of 7 km, this will not overlap with the SACs and thus there is no plausible impact on the achievement of the conservation objectives for the species. Hence, we can conclude no likely significant effect.
Sir Benfro Forol / Pembrokeshire Marine SAC		
Grey Seal	Pembrokeshire Marine Conservation Objectives Contents (naturalresources.wales)	This application is for the removal of sediment and bedrock material through borehole and vibrocore geotechnical site investigation works.

		Borehole works are expected to take place at 80 locations, with vibrocore undertaken at 30 locations. The proposed survey may cause acoustic disturbance during survey activities and disturbance from the presence of vessels. The survey area is located within the grey seals Marine Mammal Management Unit (MMMU), and the closest SAC for the species is the is Pen Llŷn a'r Sarnau / Lleyn Peninsula SAC. Geotechnical drilling (rotary) typically generates noise levels between 2Hz – 50kHz at 160 dB re 1µPa @ 1m which is within the hearing range of species such as grey seal, mid-frequency dolphin species (bottlenose, common, Risso's) and harbour porpoise (as per NMFS 2018; Southall et al 2019; Tougaard 2021). However, the survey area is located at a considerable distance from any of the SACs. Moreover, the licensed activities will be short lived, and noise will me mostly generated near or in the sediment resulting in much reduced noise levels. Literature on behavioural disturbance from rotary drilling is sparse, and therefore, if we assume that drilling has similar properties to dredging activity, disturbance of marine mammals could realistically occur between 400m – 7 km from the noise source. Assuming a precautionary disturbance radius of 7 km, this will not overlap with the SACs and thus there is no plausible impact on the achievement of the conservation objectives for the species. Hence, we can conclude no likely significant effect.
3.2.3 Screening decision of the project 'alone'		
(a) If ALL rows in column II of Table 3.2.2 are GREEN	The project is not likely to have a significant effect on any Natura 2000 site, because there is no impact pathway from the project to any Natura 2000 features, and no further consideration under the Habitats Directive/Regulations is required in order to determine the application.	

~~**(b) If there are NO rows coloured RED in column II of Table 3.2.2, and there are ANY rows which are BLUE**~~	~~The project is not likely to have a significant effect on any Natura 2000 sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.~~
~~**(c) If ANY rows in Column II of Table 3.2.2 are RED**~~	~~The project is likely have a significant effect on one or more Natura 2000 sites and therefore an appropriate assessment is required.~~

6. Conclusion

HRA is not required because the whole of the project is directly connected with or necessary to the management of one or more Natura 2000/Ramsar sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, and the project is not likely to have a significant effect on any other Natura 2000/Ramsar sites. (As documented in section 2.1 and 2.2 of this form)	
HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site (As documented in section 2.3 of this form)	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out significant effects of a renewal without conducting a project-specific LSE test. Therefore it is considered not likely to have a significant effect on any Natura 2000/Ramsar sites, either alone or in-combination with other plans and projects. (As documented in section 3.1 of this form)	
The project has been screened for likelihood of significant effects and, taking account of the advice received from protected sites advisors, is considered not likely to have a significant effect on any Natura 2000/Ramsar site (As documented in section 3.2 of this form, or section 5 if applicable)	**X**

In light of the conclusions of an appropriate assessment, and taking account of the advice received from protected sites advisors, it has been established that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans and projects. **(As documented in section 4 of this form, and section 5 if applicable)**	
In light of the conclusions of the appropriate assessment, it has <u>not</u> been ascertained that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, as documented in section 4 of this form, and section 5 is applicable. **Approval for the project <u>cannot</u> be given unless either:** • **the project specification, and/or the terms under which it might be approved, are modified so as to remove the risk of adverse effects, and a revised HRA report is prepared, or** • **the project satisfies the requirements of Article 6(4) of the Habitats Directive, an Article 6(4) Statement of Case is prepared (OGN 200 Form 3) and submitted for consideration by the appropriate authority, normally Welsh Ministers**	

Signed:

Name: Maria Alvarez

Position: Lead Specialist Marine Licensing Officer

Date: 09 July 2024

7. Consultation with protected sites advisor(s) and how sections 2, 3, 4 and 5 of this HRA report (as applicable) take into account that advice.

Relevant section of the HRA report	Date(s) of correspondence* and any meeting(s) with protected sites advisor(s)	Description of how the comments from protected sites advisors have been taken into account
3.2	16/08/2024	The original NRW PS HRA took a proportionate approach for marine mammals where only the closest site for the most sensitive feature to noise disturbance was assessed at TLSE. As the assessment concluded no LSE for the closest site (North Anglesey Marine SAC for harbour porpoise), no assessment was conducted for any other harbour porpoise site or other marine mammal features of SACs. This was in line with the HRA conducted and approved for the previous licence RML2285. NRW TE advice memo requested that the MMMU approach is followed for all marine mammal features of SACs and sites within the MMMUs as NRW TE could not support an iterative approach at TLSE. NRW PS has conducted the requested changes on 29/08/2024.
3.2	16/08/2024	NRW TE requested changes to the reasoning of the TLSE for marine mammal disturbance. NRW PS has conducted the changes for all marine mammal features accordingly on 29/08/2024.
3.2	16/08/2024	NRW TE requested more clarity on how the benthic features will be avoided. NRW PS understands that the activity will occur outside any protected site and considers that benthic issues should not be included in the HRA.
3.2	06/09/2024	NRW TE requires some editorial comments to the Potential Impact Pathway section which referred to harbour porpoise on the grey seals and bottlenose dolphin sections. NRW PS has applied the requested changes

Cyfoeth Naturiol Cymru
Natural Resources Wales

Form

Protected sites advisor response to an internal consultation on the Habitats Regulations Assessment of a project

OGN 200 Form 2

Document owner: Protected Sites Team, EPP

Version History:

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1.0	March 2016	Document created
1.1	30 November 2017	Minor changes only

Next review date: April 2018

Protected sites advisor response to an internal consultation on the Habitats Regulations Assessment of a project

TO: Maria Alvarez

FROM: Emma Lowe, Marine Area Advice & Management team

SUBJECT: Habitats Regulation Assessment of Geotechnical Surveys for associated with Mona Offshore Windfarm.

Thank you for consulting Marine Area Advice and Management team on the above project and sending us a copy of the draft Form 1 HRA report dated 30 August 2024. Our comments are as follows:

Following the amendments made we are now able to agree with the conclusions of the HRA that the project is not likely to have any significant effect on the integrity of any European sites.

We advise that for completeness, the “Potential Impact Pathway” section of the Screening Assessment is amended to to clarify which species and management unit are being referred to. Currently the harbour porpoise management unit is used for bottlenose dolphin and grey seal screening assessments.

Signed: 

Date: 06/09/2024