

# MONA OFFSHORE WIND PROJECT

## Applicant's Responses to NRW MLT

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Image of an offshore wind farm

MONA OFFSHORE WIND PROJECT

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# **1 The Applicant's Responses to NRW MLT**

## **1.1 Introduction**

- 1.1.1.1 On 21 May 2024, the application by Mona Offshore Wind Limited (the Applicant) for a standalone Natural Resources Wales (NRW) Marine Licence was submitted to the NRW Marine Licensing Team (NRW MLT). Following the initial submission of documents, NRW MLT submitted their comments on the application. This document presents the Applicant's responses to NRW MLT.

## 1.2 Applicant's response to NRW MLT

**Table 1.1: Applicant's Response to NRW MLT**

Ref. No.	Question From	Comment	Draft response
1	NRW (MLT)	I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, is in the process of determining your application, submitted on the 29 April 2024 for a Marine Licence under Part 4 of the Marine and Coastal Access Act 2009.	The Applicant notes NRW MLT's response, status of the Marine Licence application and request for further information.
2	NRW (MLT)	In accordance with Part 4, Chapter 1, Regulation 67 (4) of the Marine and Coastal Access Act 2009, NRW require further information to continue with the determination of this application.	
3	NRW (MLT)	The consultation responses received during determination have been shared with you and you will note a number of concerns which should be addressed and/or clarified. It is strongly recommended that you review and look to respond accordingly to the points raised by the various consultees.	The Applicant has reviewed the consultation responses provided by relevant consultees and has responded accordingly to the points made in Responses to NRW (A) (S_NRWML_3) and Responses to Other Consultees (S_NRWML_4).
4	NRW (MLT)	Specific attention is given to a number of clarification points, of which many will need to be addressed before the marine licence process progresses further. However, please note that this list is not exhaustive and reference should be made to all the consultee comments. A clear signposting document or matrix should be provided showing how requested information has been provided and each consultee comment has been considered and/or addressed.	The Applicant has provided its response to all relevant consultees' (other than NRW (A)) responses in Responses to Other Consultees (S_NRWML_4). Due to the longer submissions from NRW (A), the Applicant has responded to these in Responses to NRW (A) (S_NRWML_3).
5	NRW (MLT)	It is strongly recommended that further engagement is sought with relevant consultees as you look to address comments made.	Further engagement has continued between the Applicant and relevant consultees alongside drafting these responses.
6	NRW (MLT)	We are aware that further documentation has been submitted in support of the Development Consent Order application to the Planning Inspectorate. A number of	All documents either referenced to in the Applicant's responses, or considered useful by the Applicant for further information, have been submitted alongside the response documents to NRW MLT.

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		these documents have been referred to within the representations made. Please ensure all documents applicable to the marine licence determination of the transmission asset are also submitted as part of your further information submission.	These documents are presented in the Guide to the NRW Marine Licence Application (A2 F03).
7	NRW (MLT)	<p><u>Further Information Required</u></p> <p><u>Dredge and Disposal</u></p> <p>The marine licence application form section 11 makes clear that dredging and disposal associated with the Offshore Substation Platforms are applied for as part of the transmission licence. However this does not appear to be reflected within section 1.1.1.5 of document J20 Mona Offshore Cable Corridor Site Characterisation Report.</p> <p><i>Whilst the marine licence for the Mona Offshore Cable Corridor will also cover the transmission infrastructure within the Mona Array Area, the Mona Offshore Cable Corridor disposal licence will only cover disposal activities within the Mona Offshore Cable Corridor.</i></p> <p>Please provide clarification surrounding this discrepancy.</p>	Dredge and disposal associated with the Offshore Substation Platforms (OSPs) are applied for as part of the NRW Marine Licence. They are part of the 'transmission infrastructure within the Mona Array Area'. However, as the dredge and disposal material associated with the OSPs will be generated within the Mona Array Area, it will be disposed of within the Mona Array Area (as per the Mona Array Area – Site Characterisation Report (J19)), and therefore not within the Mona Offshore Cable Corridor disposal site.
8	NRW (MLT)	Co-ordinates for the disposal site have currently been split into the two Mona disposal sites, the Mona array area disposal site and the Mona offshore cable corridor disposal site (document A5 Disposal sites co-ordinates). As recommended by Cefas, please provide a single set of co-ordinates to allow one area covering both the array area and offshore cable corridor to be designated. Please submit the coordinates in a spreadsheet as well as a shapefile.	The Disposal Area Shapefile (S_NRWML_6) covering the two disposal sites, and an Excel sheet providing the co-ordinates for this area (S_NRWML_7), have been provided alongside the response documents to NRW MLT.
9	NRW (MLT)	<p><u>Unexploded Ordnance (UXO)</u></p> <p>Table 3.2 of the Environmental Statement Project Description (Reference F.1.3) details that the predicted number of UXO requiring clearance is 22. Please confirm whether this is the maximum number of UXO</p>	As per Table 3.2 of Volume 1, Chapter 3: Project description (F1.3), the maximum number of UXO requiring clearance is 22. This number has been assessed within section 3.11.3 of Volume 2, Chapter 3: Fish and shellfish ecology (F2.3) and section 4.9.4 of Volume 2, Chapter 4: Marine mammals (F2.4). UXO clearance is expected to be secured within the standalone NRW Marine

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Ref. No.	Question From	Comment	Draft response
		clearance which are being proposed and which have been assessed within the Environmental Statement. Any UXO clearance should be confined to parameters which have been appropriately assessed as part of the worst case scenario.	Licence, and for further detail on the Applicant's position on UXO clearance please see the UXO Clearance Position Statement (S_D4_56).
10	NRW (MLT)	Please also clarify whether it is possible to separate the maximum number of UXO clearance applied for between the deemed Array Area Marine Licence being considered by the Planning Inspectorate, and the Transmission Asset Marine Licence which is subject to this application.	To allow for a robust assessment of UXO clearance and inclusion of this licensable activity in the standalone NRW marine licence, the Applicant commissioned a site-specific study to establish the potential for UXO presence at the Mona Offshore Wind Project. This study considered the Mona Offshore Wind Project as one site. Noting this, and the overlap between the two licences it is not currently possible to separate the maximum number of UXO clearance applied for between the deemed Marine Licence and the standalone NRW Marine Licence. Once the detailed pre-construction UXO surveys have been undertaken (the anticipated programme for these is for Q3 and Q4 of the year preceding the start of construction (UXO Clearance Position Statement (S_D4_56)) it will be possible to specify the maximum number of UXO clearance applied for between the deemed Marine Licence being considered by the Planning Inspectorate, and the standalone NRW Marine Licence which is subject to this application. As both applications will be made to NRW MLT it will be able to ensure the maximum number assessed is not exceeded.
11	NRW (MLT)	<u>Navigation</u> The Maritime and Coastguard Agency (MCA), Trinity House and UK Hydrographic Office have suggested a number of mitigations that should be included in any Marine Licence determined. Should you have any comment on the mitigation proposed, please provide this.	Responses to the MCA, Trinity House and the UKHO's comments regarding mitigation have been provided in Tables 1.7, 1.14 and 1.15 respectively of Responses to Other Consultees (S_NRWML_4).
12	NRW (MLT)	Royal Yacht Association has provided concerns surrounding the potential impacts close to shore of the cable route on recreational vessels. Concerns are raised should underkeel clearance be reduced inshore. Please provide a response to concerns raised by the RYA.	Responses to the RYA's comments regarding the potential impacts close to shore of the cable route on recreational vessels have been provided in Table 1.12 of Responses to Other Consultees (S_NRWML_4).

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Ref. No.	Question From	Comment	Draft response
13	NRW (MLT)	<u>Archaeology</u> Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) have provided required amendments to the outline Written Scheme of Investigation (WSI). Please incorporate these recommendations into the WSI.	Responses to the RCAHMW's comments are provided within Table 1.11 of the Responses to Other Consultees (S_NRWML_4). The required amendments to the outline WSI have been made in the revised Outline Offshore WSI and PAD (J18 F02).
14	NRW (MLT)	<u>Fisheries</u> Welsh Government Fisheries Division have made a number of comments surrounding the assessment on Commercial Fisheries. We ask that you review the representation made and provide a response, this should include confirmation whether the whelk fishery area referred to within their representation has been considered.	Responses to the Welsh Government Fisheries Division are provided within Table 1.16 of Responses to Other Consultees (S_NRWML_4).
15	NRW (MLT)	<u>Marine Ornithology</u> Further clarification is required to address comments identified by JNCC within their representation in relation to Document J17 'Measures to mitigate and avoid displacement by vessels, of red-throated diver and common scoter in the Liverpool Bay SPA'. This includes clarity on what works are proposed to take place and which are excluded from taking place between the 1st of November to 31st of March.	Responses to the JNCC related to Offshore ornithology are presented in Rows 1 to 13 of Table 1.6 of Responses to Other Consultees (S_NRWML_4).
16	NRW (MLT)	The RSPB have raised a number of concerns surrounding the assessment, we ask that you review the consultation response and provide a response or further information to address concerns raised. These concerns include but are not limited to: <ul style="list-style-type: none"> <li>• the need for consideration of the Highly Pathogenic Avian Influenza.</li> <li>• Lack of confidence in the baseline data presented for Manx shearwater</li> <li>• Concerns surrounding the cumulative and in-combination assessment.</li> </ul>	Responses to the RSPB are provided within Table 1.13 of Responses to Other Consultees (S_NRWML_4).



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17	NRW (MLT)	<u>Marine Mammals</u> The JNCC have raised a number of concerns including; <ul style="list-style-type: none"> <li>• The assessment of UXO clearance</li> <li>• The use of scare charges</li> <li>• Consideration of noise abatement</li> <li>• Marine mammal collision risk</li> <li>• Conclusion regarding the North Anglesey Marine SAC</li> </ul> Please provide a response to JNCC's representation with further information or clarification as required.	Responses to the JNCC related to Marine mammals are presented in Rows 14 to 79 of Table 1.6 of Responses to Other Consultees (S_NRWML_4).
18	NRW (MLT)	JNCC have raised a number of concerns surrounding the assessment of UXO clearance. It is unclear whether the worst case scenario has been assessed within the Environmental Statement. Please respond to concerns raised by JNCC providing clarity on the parameters used for the worst case scenario for the assessment in relation to UXO. It should also be clear that any UXO clearance should be confined to parameters which have been appropriately assessed as part of the worst case scenario.	As per the response to Row 9 above, the worst case scenario of 22 UXO requiring clearance has been addressed in the Environmental Statement. Specific responses to JNCC regarding the worst case scenario for UXO are presented in Rows 22, 25 and 31 of Table 1.6 of Responses to Other Consultees (S_NRWML_4). For further detail on UXO clearance please see the UXO Clearance Position Statement (S_D4_56).
19	NRW (MLT)	Concerns have been raised by JNCC whether the noise assessment to determine the impact on the North Anglesey Marine SAC has assessed the transmission asset area or if this was completed for the array area only.	Responses to the JNCC's concerns related to the impact of UXO clearance on the North Anglesey Marine SAC are presented in Row 72 of Table 1.6 of Responses to Other Consultees (S_NRWML_4). For further detail on UXO clearance please see the UXO Clearance Position Statement (S_D4_56).
20	NRW (MLT)	Both NRW A and JNCC have provided representation surrounding the adequacy of the outline Underwater Sound Management Strategy (UWSMS) and Marine Mammal Mitigation Protocol (MMMP), these comments must be addressed and an updated outline UWSMS and MMMP provided.	Responses to the JNCC and NRW (A)'s representations regarding the outline USWMS and MMMP are presented in Rows 14 to 79 of Table 1.6 of Responses to Other Consultees (S_NRWML_4) and Rows 19 to 62 of Responses to NRW (A) (S_NRWML_3).
21	NRW (MLT)	<u>Fish and Shellfish</u> 	Responses to NRW (A)'s concerns regarding the potential impact to spawning cod are presented in Rows 63 to 101 of Responses to NRW (A) (S_NRWML_3).



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Ref. No.	Question From	Comment	Draft response
		NRW A advise that the piling noise from the proposed development has the potential to impact significant proportion of spawning cod.	
22	NRW (MLT)	<p>NRW A have raised a number of concerns surrounding the methodology used to assess impact on cod, these include;</p> <ul style="list-style-type: none"> <li>• Assessment of the impact of underwater noise to cod (NRW A consider re-assessment necessary in line with the methods applied for herring)</li> <li>• NRW disagree with the noise threshold that has been used as part of noise modelling relating to cod.</li> <li>• Clarification is required surrounding the calculations of sound exposure levels when assessing impacts from underwater noise.</li> </ul> <p>We ask that a response and further information where applicable is provided to address the points above.</p>	Responses to NRW (A)'s concerns regarding the potential impact to spawning cod are presented in Rows 63 to 101 of Responses to NRW (A) (S_NRWML_3).
23	NRW (MLT)	NRW A have advised that restricting piling activities to outside the peak spawning activity period (February and March) is necessary in order to mitigate the impact of the proposed development on cod species and suggest this can be included within UWSMS. Please provide comment on this proposed mitigation.	Responses to NRW (A)'s advice regarding the restriction of piling activities are presented in Rows 69, 72 and 90 of Responses to NRW (A) (S_NRWML_3).
24	NRW (MLT)	<p><u>Physical Processes</u></p> <p>Clarity is required surrounding the intention for cable protection in shallow water including at the exit pit. NRW A have raised concerns whether this element has been properly assessed, noting that modelling conducted is in relation to impacts in deep water. Please review representation provided by NRW A in this regard and provide comment/ updated assessment where required.</p> <p>NRW A have advised for sandwave recovery monitoring to take place. Please provide comment on NRW A requested monitoring.</p>	Responses to NRW (A) related to Physical processes are presented in Rows 102 to 116 of Responses to NRW (A) (S_NRWML_3). Specifically, responses to NRW (A)'s advice regarding sandwave recovery monitoring are presented in Rows 115 and 116 of Responses to NRW (A) (S_NRWML_3).

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Ref. No.	Question From	Comment	Draft response
25	NRW (MLT)	<u>Benthic Subtidal and Intertidal Ecology</u> JNCC have identified a number of areas where they consider there may be errors in the calculations. Please ensure that these are reviewed and responded to accordingly.	Responses to JNCC related to Benthic subtidal and intertidal ecology are presented in Rows 80 to 103 of Table 1.6 of Responses to Other Consultees (S_NRWML_4). Specifically, responses to JNCC's concerns regarding errors in calculations are presented in Row 86 of Responses to NRW (A) (S_NRWML_3).
26	NRW (MLT)	Additionally, JNCC do not agree to the significance attributed to a number of impact pathways within the assessment. Please review and respond to JNCC's representation.	Responses to JNCC related to Benthic subtidal and intertidal ecology are presented in Rows 80 to 103 of Table 1.6 of Responses to Other Consultees (S_NRWML_4).
27	NRW (MLT)	As detailed in relation to physical processes, clarity is required to the intention for cable protection in the nearshore zone close to MLWS including at the exit pits. NRW A have raised the concern that if cable protection is proposed in the nearshore that its impact on benthic ecology has not been assessed.	Responses to NRW (A) related to Benthic subtidal and intertidal ecology are presented in Rows 117 to 129 of Responses to NRW (A) (S_NRWML_3). Specifically, responses to NRW (A)'s concerns related to the assessment of the nearshore area are presented in Row 117 of Responses to NRW (A) (S_NRWML_3).
28	NRW (MLT)	Clarity is required whether additional rock protection has been included within both the assessment and project parameters. JNCC question whether additional rock protection including at cable cut ends, or as stabilisation for jack up vessels have been fully considered.	Responses to JNCC related to Benthic subtidal and intertidal ecology are presented in Rows 80 to 103 of Table 1.6 of Responses to Other Consultees (S_NRWML_4). Specifically, responses to JNCC's questions regarding rock protection are presented in Rows 83, 94, 91 and 93 of that Table.
29	NRW (MLT)	<u>Water Framework Directive (WFD)</u> NRW A have raised a number of concerns surrounding the WFD assessment, we ask that you review the consultation response and provide a response or further information to address concerns raised, including ensuring that assessment of chemical contaminants is extended to 12nm from MHWS for compliance with the WFD regulations.	Responses to NRW (A) related to WFD are presented in Rows 150 to 204 of Responses to NRW (A) (S_NRWML_3). WFD Coastal Waters Assessment supporting information (S_D3_13) has been submitted alongside the responses to NRW MLT.
30	NRW (MLT)	<u>Public Health</u> Please provide a response to the representation made by Public Health Wales, signposting where the relevant proposed mitigation or assessments have been conducted within the ES.	Responses to Public Health Wales related to Human health are presented in Rows 2 to 4 of Table 1.4 of Responses to Other Consultees (S_NRWML_4).

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Ref. No.	Question From	Comment	Draft response
31	NRW (MLT)	<p><u>The following comments have been provided and are shared for your information:</u></p> <p><u>Crown Estate</u></p> <p>We bring to your attention representation made by the Crown Estate detailing other consents that may be required prior to commencement of activities.</p> <p><u>European Protected Species Licence</u></p> <p>We bring to your attention advice from the JNCC and NRW A that a European Protected Species Licence application may be required for the proposal.</p>	Responses to The Crown Estate are presented in Table 1.3 of the Responses to Other Consultees (S_NRWML_4). Responses to the JNCC's comments regarding a European Protected Species Licence are presented in Rows 39 and 52 of Table 1.6 of Responses to Other Consultees (S_NRWML_4). Responses to NRW (A)'s comments regarding a European Protected Species Licence are presented in Row 41 of Responses to NRW (A) (S_NRWML_3).
32	NRW (MLT)	Once you have had the opportunity to review the above we will look to discuss and agree with you a realistic deadline for the provision of information.	As agreed with NRW MLT, comments on consultation responses provided by relevant consultees and all supporting information has been submitted to NRW MLT on 13 November 2024.
33	NRW (MLT)	If we do not receive it by the deadline, then in accordance with Part 4, Chapter 1, Regulation 67 (6) of the Marine and Coastal Access Act 2009, the application may be refused. If this happens you will still be sent an invoice for work carried out by NRW Marine Licensing Team.	The Applicant acknowledges NRW MLT's response.
34	NRW (MLT)	<p>If you have any concerns about being able to provide this information on time please let me know.</p> <p>If you have any questions about this notice please do not hesitate to contact me.</p>	The Applicant notes and appreciates NRW MLT's response.