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

Contents

Figure 1: Stage 1 Screening

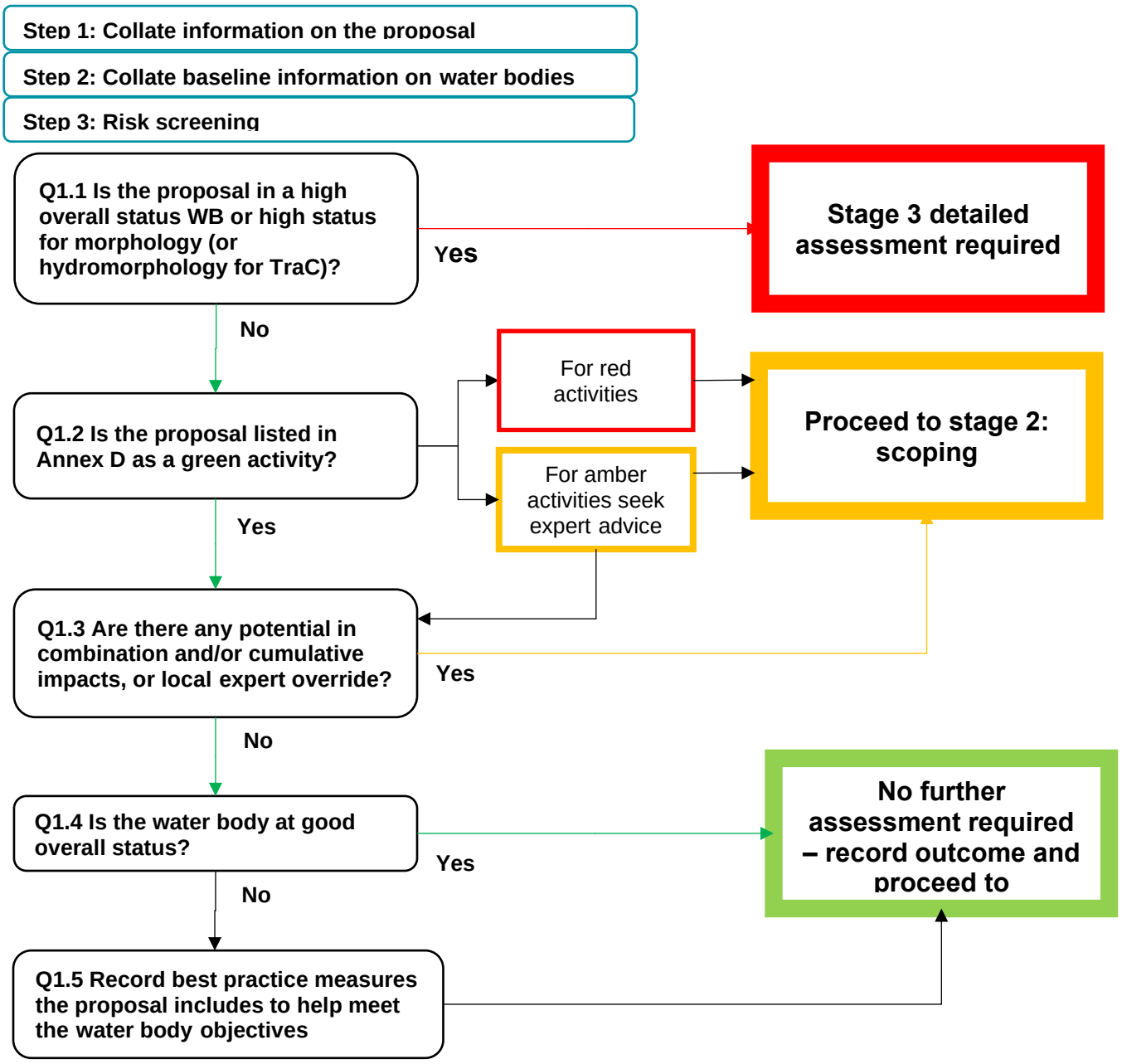
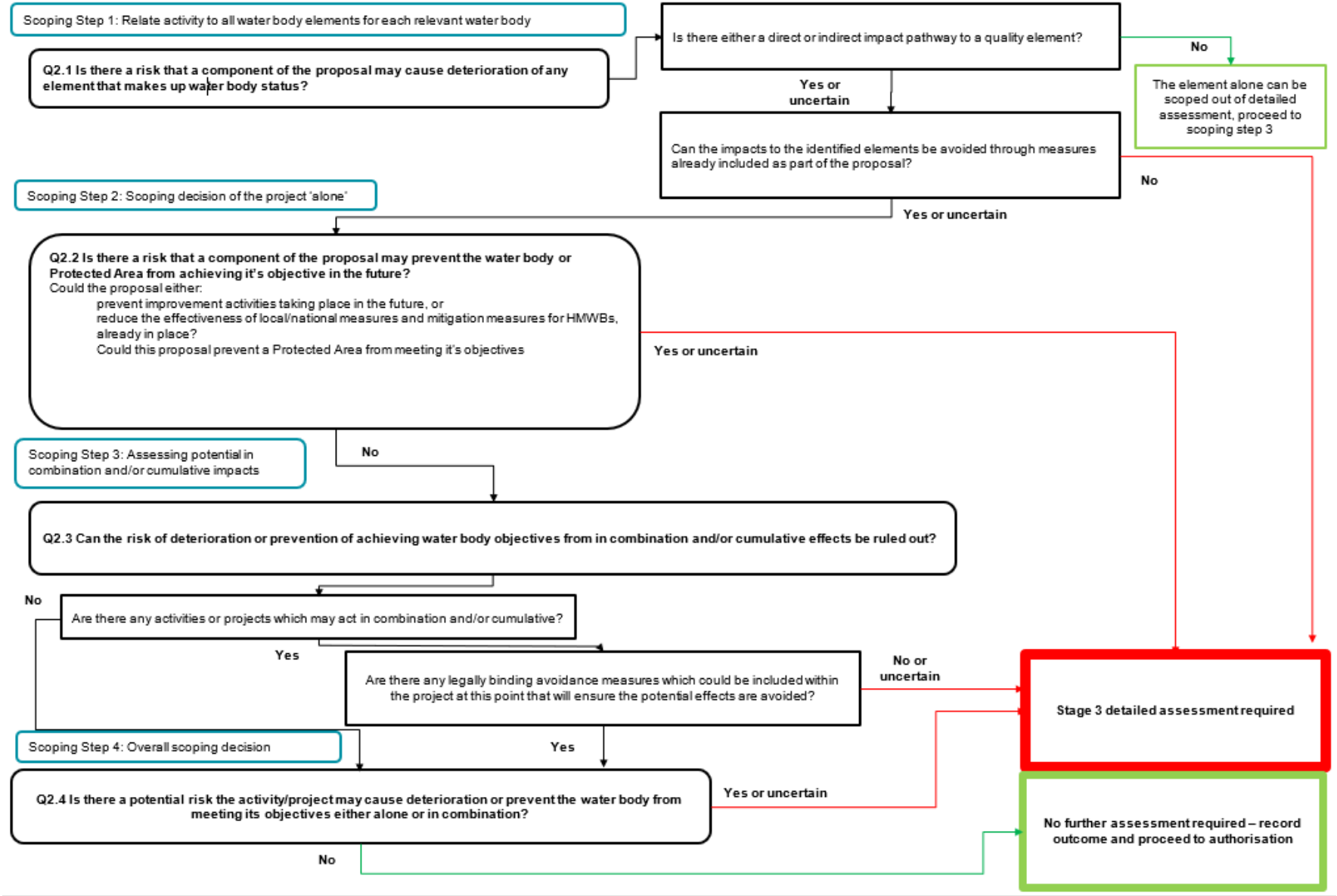


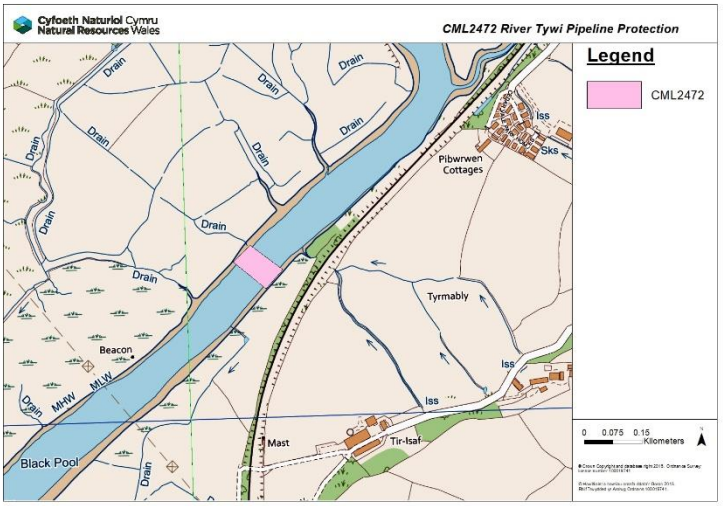
Figure 2: Stage 2 Scoping



WFD Compliance Assessment

Stage 1 step 1: proposal details.

a): Project details where an external party has applied to NRW for any form of authorisation		
Project details	**Application reference number (if applicable)**	CML2472
	Date application received	Received: 02 October 2024 Duly made: 05 November 2024
	Applicant details	Northern Divers (Engineering) Limited
	Activity proposed	Afon Tywi Pipeline Protection The project consists of remediation works to protect a section (approx. 9m) of exposed oil pipeline running under the Afon Tywi); located approximately 4.2km downstream from Carmarthen, in Carmarthenshire. The remediation includes placement of rock mattresses over the pipeline section and securing of mattresses with ground anchors. The works will take 10 days to complete. Scafffloat (contractor) will provide a modular pontoon with propulsion systems, which will be the main workboat. A small inflatable vessel might also be used to support operations and supervision on site. Salix (contractor) will provide the rock mattresses. The pontoon has a small crane (Hiab) on board, which will be used to load up the rock mattresses and equipment in Carmarthen (rowing club / Carmarthen Quay). Once loaded, the pontoon will travel to the works site, use a 4-point anchoring system to secure its position, and start operations on site. Operations on site involve inspection of the pipeline by Northen Divers team, infill of any scour either side of pipeline if required with granular fill, and placement of rock mattresses. Once the mattresses have been deposited, the pontoon will return to Carmarthen for the night and repeat the process the next day until completion.
	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	N/A

	may be required where known	
	Location (include map where appropriate)	Afon Tywi - 4.2km downstream from Carmarthen 
	Application documents *Include: Project purpose and background, site map, scaled plan, site photographs and working method statement.*	CML2472 - Marine-works-licence-application - ND Afon Tywi PRCAPP Q24114 CML2472 - 0001 OS Map with location of project CML2472 - 002 Construction sectional drawing CML2472 - 003 Sketch of rock mattress layout (002) CML2472 - 7(a) Detailed method statement of works CML2472 - Afon Tywi WFD Assessment v0.2 CML2472 - Copy of WNMP signposting document - ND Afon Tywi CML2472 - ND11081 Valero Diving RAMS CML2472 - Tywi_SSSI assent_ v1.0 CML2472 Confirmation of Coordinates and Address
	Environmental Statement	N/A
	List ongoing maintenance requirements. All structures will require maintenance	N/A
	Timing of works	The works will take 10 days to complete. 8 days working below water, plus 2 days for mobilisation. It is anticipated that the works will be carried out in March / April 2025.
	Pre-application correspondence	Atkins contacted the Marine Licensing Team (MLT), and the Marine Area Advice and Management Team, on 5 September 2024. MLT confirmed licensing requirements for works.
	Are the works located within a WFD waterbody? Or do they have the potential to impact upon a	Works are located within the Tywi & Taf & Gwendraeth - Three Rivers Estuary - GB531006013400 transitional waterbody.

	WFD water body? Waterbodies include surface waters (rivers, lakes, transitional waters, and coastal waters out to 1 nautical mile) and groundwaters.	
	NRW team responsible for drafting this WFD Compliance Assessment **report, and name of lead officer**	Jack Thompson – Marine Licensing Team
	Date of assessment	11 November 2024

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

Date of classification information: 2021 WFD Classification

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
GB531006013400	Tywi & Taf & Gwendraeth - Three Rivers Estuary	Transitional	Carmarthen Bay and the Gower TraC	No	Moderate	Moderate	High	Not high	Proposal is: • in 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:

Nant Pibwr - headwaters to tidal limit - GB110060029260: Located upstream of the works and given the small scale, localised nature of the works, no impact is expected.

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	**No** – go to Q1.2
Q1.2	**Is the activity listed in Annex D as a green activity?** Complete new row for each activity	Deposit of rock mattresses to protect approximately 9m of pipeline.	**No – complete scoping assessment for each water body**

Question number	Risk screening questions	Name of activity	Screening decision – delete as appropriate
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: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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. ***Could the proposal lead to changes in:***			
• morphological conditions, for example depth variation, the seabed and intertidal zone structure	N/A - other	The footprint of the work is 36m^2 and the water body is almost 58km^2, this equates to	

Scoping table for Transitional and Coastal water bodies Water body name: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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)
• tidal patterns, for example, dominant currents • freshwater flow • wave exposure		<0.0001%. he activity is unlikely to have a significant impact on the hydromorphology of the water body. The maximum additional height the mats will create on the riverbed is ~300mm. In addition, the Proposed Scheme does not involve major hydromorphology pressures such as channelisation, abstraction, hard engineering works and/or removal of natural features. Given the small scale, localised nature of the work, it is unlikely that there will be any impact on hydromorphology.	
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	Direct	When depositing mats, there is the potential for sediment to be disturbed, thus reducing water clarity. No other impacts are expected.	To minimise the disturbance of sediment and ensure accurate placement, the following methodology will be employed: • Pontoon to mobilise to site and moor up using a four point anchor system. • Pontoon to position itself adjacent to the pipe utilising the above pre-set anchor pattern as agreed with the diving supervisor in the tool

Scoping table for Transitional and Coastal water bodies Water body name: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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)
			box talk and works briefing. All anchor positioning to be undertaken under the guidance of the vessel Master using their site specific risk assessment and method statement. • The above position will be aided by the transit post positioned inshore. • Once the work pontoon is in close proximity of the work area GPS equipment will be utilised to locate the pipe position. • A secondary check will be made by utilising the RD4000 from a small inflatable positioned at the bow of the vessel to exactly locate the position of the pipe. • Once the correct position has been gained with an offset of 5m from the pipe the mooring post will be lowered to position the vessel in the correct location. • Once the vessel is securely moored confirm the position with the GPS and RD4000 equipment. • Northern Divers to locate line of pipe in the bank using RD8000 and mark with timber stakes at both ends. • Establish marked line from West – East banks over line of pipe

Scoping table for Transitional and Coastal water bodies Water body name: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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)
			using small inflatable boat and engine. • Surface swimmer to position shot weight 3m shore side of start of RDoC area, refer to fig 1A below for chainage. Down line from shot weight to be returned to the pontoon and secured. • The rock mattresses will be attached to the pontoon crane davit and lowered to the river bed off line of pipe. • Both diver and standby dive to be dressed and pre-dive checks carried out. • The stand by diver will be positioned in a safe location and within verbal contact with the DS. • Diver to enter the water and follow the down line to the shot weight locating the pipeline and the rock mattress. • The diver will now give instructions to the dive supervisor for the final positioning of the rock mattress over the pipeline. The rock mattress will be lifted 0.5m above bed level and slewed over the pipeline prior to lowering and releasing the lifting strops. At no point will the diver position themselves below a suspended

Scoping table for Transitional and Coastal water bodies Water body name: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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)
			load. All lifting operations will be under the control of the dive supervisor who will verbally instruct the nominated banksman. Furthermore, the footprint of the work is 36m^2 and the water body is almost 58km^2, this equates to <0.0001%. As such, the quantity of sediment disturbed would be minimal.
• is in a water body with a phytoplankton or opportunistic macroalgae status of moderate, poor or bad	N/A		
• is in a water body with a history of harmful algae (where there is an existing designation for the area, information should be available; however, local water quality officers will be able to help).	N/A		
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	N/A - other	No chemicals used and not known to be an area with contaminated sediment.	
• 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			

Scoping table for Transitional and Coastal water bodies Water body name: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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)
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	Direct	When depositing mats, there is the potential for sediment to be disturbed. In turn, the suspended sediment will be transported and settle at an alternative location, potentially smothering habitats and fauna. No other impacts are expected.	To minimise the disturbance of sediment and ensure accurate placement, a detailed methodology will be employed. This has been detailed in the water quality section above. Furthermore, the footprint of the work is 36m^2 and the water body is almost 58km^2, this equates to <0.0001%. As such, the quantity of sediment disturbed would be minimal.
• changes to the composition and abundance of benthic invertebrate fauna			
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	N/A		
• 1% or more of the water body's area	N/A		
• Within 500m of any higher sensitivity habitat (see table below)	Yes	There is an area of saltmarsh located within 500m of the works.	Works are not taking place directly on the saltmarsh so there will be no habitat loss.

Scoping table for Transitional and Coastal water bodies Water body name: Tywi & Taf & Gwendraeth - Three Rivers Estuary Water body ID: GB531006013400			
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)
			To minimise the disturbance of sediment and ensure accurate placement, a detailed methodology will be employed. This has been detailed in the water quality section above. Furthermore, the footprint of the work is 36m^2 and the water body is almost 58km^2, this equates to <0.0001%. As such, the quantity of sediment disturbed would be minimal.
• 1% or more of any lower sensitivity habitat (see table below)	N/A		
Fish fauna (Transitional water bodies only): could the proposal lead to:			
• changes to the composition, abundance and age structure of fish fauna	Direct	The works have the potential to obstruct the waterbody thus preventing movement of fish.	The rock filter mattresses will only cover < 0.0001% of the total water body area. As a result, the rock filter mattresses will not impinge or change the behaviour of fish migration within the estuary. The short duration (8 days of work in the water, during day time only), and small footprint of the works on one side of the channel, is unlikely to impact the natural range of fish movement and influence their capability for migration or spawning.
• 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)
	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**

Tywi & Taf & Gwendraeth - Three Rivers Estuary- GB531006013400	Direct	Introduction of INNS through use of unsterilised material or requipment.	While the new rock filter mattresses and anchors are sterile, the diving equipment and tools of the crew will be washed before entering the estuary and a check-clean-dry policy will be implemented following each working day. As a result, the impact to the spread of INNS is negligible and fully controlled through the implementation of this mitigation measure.

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	Carmarthen Bay and Estuaries SAC Afon Tywi SAC HRA has been completed and NRW A consulted.
• Bathing Waters	No	
• Shellfish Waters	No	
Other Protected and Priority habitats and species.		
• Nationally or locally protected areas e.g. SSSI, NNR etc	Yes	Afon Tywi SSSI
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	
• Section 7 list of priority species e.g. water voles	No	

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? *If none, put* 'N/A'	**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?** *(choose one of the following options and delete the other)*	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.

Conclusion of WFD Compliance Assessment & Authorisation

WFD stage 2 scoping has been completed and the activity/project is considered as having no risk of causing deterioration or preventing any water body or WFD Protected Area from reaching its objectives and taking account of the advice from technical officers - is considered compliant with the Water Framework Directive/Regulations.	
Completed by	Jack Thompson
Job title	Marine Licensing Officer
Date	11 November 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
All sections.	21 November 2024	No comments received in relation to WFD.

*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