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

Version History:

Document Version	Date Published	Summary of Changes
1.0	March 2016	Document created

Review Date: February 2017

Cyfoeth Naturiol Cymru
Natural Resources Wales

Record of a Habitats Regulations Assessment of a project

Contents

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)	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	Marine and Coastal Access Act 2009
Location	Afon Tywi - 4.2km downstream from Carmarthen
Application documents	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
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.
NRW team responsible for drafting this HRA report, and name of lead officer	Jack Thompson – 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

3. 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: Carmarthen Bay and Estuaries SAC Afon Tywi 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: N/A

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**
Carmarthen Bay and Estuaries SAC		
Sandbanks which are slightly covered by seawater all the time	RANGE The overall distribution and extent of the habitat features within the site, and each of their main component parts is stable or increasing. STRUCTURE AND FUNCTION The physical biological and chemical structure and functions necessary for the long-term maintenance and quality of the habitat are not	This feature is not located within close proximity to the works and as such, there is no pathway from source to receptor.
Estuaries		The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, potentially smothering habitat features. In total, 24 protective mats will be placed each measuring 2.0m x 1.0m x 0.25m. The weight per unit is approximately 510kg. The matting will cover an area of 12m in length and 3m in width.

	degraded. Important elements include; geology, sedimentology, geomorphology, hydrography and meteorology, water and sediment chemistry, biological interactions. 40 CARMARTHEN BAY REGULATION 33 ADVICE FEBRUARY 2009 This includes a need for nutrient levels in the water column and sediments to be: at or below existing statutory guideline concentrations within ranges that are not potentially detrimental to the long term maintenance of the features species populations, their abundance and range. Contaminant levels in the water column and sediments derived from human activity to be: at or below existing statutory guideline concentrations below levels that would potentially result in increase in contaminant concentrations within sediments or biota below levels potentially detrimental to the long-term maintenance of the features species populations, their abundance or range. For **Atlantic saltmeadows** this includes the morphology of the saltmarsh creeks and pans TYPICAL SPECIES	Given the small scale, localised nature of the works, any increased sedimentation will be minimal and will not have a detrimental impact. Pollution risk is minimal given the prevention measures detailed within the RAMS document provided.
Mudflats and sandflats not covered by seawater at low tide		This feature will not be affected by the works. Although the deposits will be made on an area of mud/sand flat, it is an area which is permanently submerged within the river channel. In total, 24 protective mats will be placed each measuring 2.0m x 1.0m x 0.25m. The weight per unit is approximately 510kg. The matting will cover an area of 12m in length and 3m in width. Given the small scale, localised nature of the works, no detrimental impact is expected.
Large shallow inlets and bays		This feature is not located within close proximity to the works and as such, there is no pathway from source to receptor.
Atlantic salt meadows		There are areas of Atlantic salt meadow 150m up and down stream of the works. The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, potentially smothering habitat features. In total, 24 protective mats will be placed each measuring 2.0m x 1.0m x 0.25m. The weight per unit is approximately 510kg. The matting will cover an area of 12m in length and 3m in width. Given the small scale, localised nature of the works, any increased sedimentation will be minimal and will not have a detrimental impact. Pollution risk is minimal given the prevention measures detailed within the RAMS document provided.
Salicornia and other annals colonising mud and sand		This feature is not located within close proximity to the works and as such, there is no pathway from source to receptor.

	The presence, abundance, condition and diversity of typical species is such that habitat quality is not degraded. Important elements include: species richness,s population structure and dynamics, physiological heath, reproductive capacity recruitment, mobility range As part of this objective it should be noted that: populations of typical species subject to existing commercial fisheries need to be at an abundance equal to or greater than that required to achieve maximum sustainable yield and secure in the long term the management and control of activities or operations likely to adversely affect the habitat feature, is appropriate for maintaining it in favourable condition and is secure in the long term.	
Otter	<u>POPULATIONS</u> The population is maintaining itself on a long-term basis as a viable component of its natural habitat. Important elements are population size, structure, production, and condition of the species within the site. As part of this objective it should be noted that: Contaminant burdens derived from human activity are below levels that	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to movement or reducing foraging success. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. Pollution risk is minimal given the prevention measures detailed within the RAMS document provided.
Shad *Alosa* spp		
River lamprey		

Sea lamprey	may cause physiological damage, or immune or reproductive suppression RANGE The species population within the site is such that the natural range of the population is not being reduced or likely to be reduced for the foreseeable future. As part of this objective it should be noted that Their range within the SAC and adjacent inter-connected areas is not constrained or hindered There are appropriate and sufficient food resources within the SAC and beyond The sites and amount of supporting habitat used by these species are accessible and their extent and quality is stable or increasing SUPPORTING HABITATS AND SPECIES The presence, abundance, condition and diversity of habitats and species required to support this species is such that the distribution, abundance and populations dynamics of the species within the site and population beyond the site is stable or increasing. Important considerations include; distribution, extent, structure, function and quality of habitat, prey availability and quality. As part of this objective it should be noted that;	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. Pollution risk is minimal given the prevention measures detailed within the RAMS document provided.

	The abundance of prey species subject to existing commercial fisheries needs to be equal to or greater than that required to achieve maximum sustainable yield and secure in the long term. The management and control of activities or operations likely to adversely affect the species feature, is appropriate for maintaining it in favourable condition and is secure in the long term. Contamination of potential prey species should be below concentrations potentially harmful to their physiological health. Disturbance by human activity is below levels that suppress reproductive success, physiological health or long-term behaviour For **otter** there are sufficient sources within the SAC and beyond of high quality freshwater for drinking and bathing.	
Afon Tywi SAC		
Brook lamprey *Lampetra planeri* **River lamprey *Lampetra fluviatilis*** **Sea lamprey *Petromyzon marinus*** **Bullhead *Cottus gobio*** **Allis shad *Alosa alosa*** **Twaite Shad *Alosa fallax***	The vision of this feature is for it to be in a favourable conservation status, where all the following conditions are satisfied: 1) The natural range of the feature in the SAC is neither being reduced nor is likely to be reduced for the foreseeable future. The natural range is taken to mean those reaches where predominantly suitable habitat for each life stage	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. Pollution risk is minimal given the prevention measures detailed within the RAMS document provided.

	exists over the long term. Suitable habitat is defined in terms of near-natural hydrological and geomorphological processes and forms e.g. suitable flows to allow upstream migration, depth of water and substrate type at spawning sites, and ecosystem structure and functions e.g. food supply. Suitable habitat need not be present throughout the SAC but where present must be secured for the foreseeable future. Natural factors such as waterfalls may limit the natural range of individual species. Existing artificial influences on natural range, such as physical barriers to migration, should be modified where possible, to allow passage 2) Water quality should not be injurious to any life stage. All reaches within the site that contain, or should contain twaite shad, allis shad, sea lamprey, brook lamprey, river lamprey or bullhead under conditions of high environmental quality will comply with the targets given. While the current SAC boundary encompasses core areas of habitat for twaite shad, allis shad, sea lamprey, brook lamprey, river lamprey	

	or bullhead, the long term security and resilience of the population is dependent on suitable habitat both within and outside of the protected site boundary. 3) The population will be at least maintained or increasing and there will be evidence of recent recruitment. Extent and quality of available spawning habitat should be sufficient to maintain the population levels. 4) Factors affecting the population or its habitat (including fishing, poaching, siltation, air pollution, abstraction, entrainment, discharges and reservoir releases) should be under appropriate control.	
European otter ***Lutra lutra***	<u>POPULATIONS</u> The population is maintaining itself on a long-term basis as a viable component of its natural habitat. Important elements are population size, structure, production, and condition of the species within the site. As part of this objective it should be noted that: Contaminant burdens derived from human activity are below levels that may cause physiological damage, or immune or reproductive suppression	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to movement or reducing foraging success. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. Pollution risk is minimal given the prevention measures detailed within the RAMS document provided.

	RANGE The species population within the site is such that the natural range of the population is not being reduced or likely to be reduced for the foreseeable future. As part of this objective it should be noted that Their range within the SAC and adjacent inter-connected areas is not constrained or hindered There are appropriate and sufficient food resources within the SAC and beyond The sites and amount of supporting habitat used by these species are accessible and their extent and quality is stable or increasing SUPPORTING HABITATS AND SPECIES The presence, abundance, condition and diversity of habitats and species required to support this species is such that the distribution, abundance and populations dynamics of the species within the site and population beyond the site is stable or increasing. Important considerations include; distribution, extent, structure, function and quality of habitat, prey availability and quality. As part of this objective it should be noted that; The abundance of prey species subject to existing commercial fisheries needs to be equal to or	

	greater than that required to achieve maximum sustainable yield and secure in the long term. The management and control of activities or operations likely to adversely affect the species feature, is appropriate for maintaining it in favourable condition and is secure in the long term. Contamination of potential prey species should be below concentrations potentially harmful to their physiological health. Disturbance by human activity is below levels that suppress reproductive success, physiological health or long-term behaviour For **otter** there are sufficient sources within the SAC and beyond of high quality freshwater for drinking and bathing.	

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.

4. Appropriate assessment of the project when considered alone

4.1 Assessment of project as currently defined

Natura 2000 site feature (from Table 3.2.2 – RED rows only)	Impact pathway(s) (from Table 3.2.2)	Description of impacts	Assessment in view of conservation objectives	Can adverse effect on site integrity be ruled out?
Camarthen Bay and Estuaries SAC				
Shad Alosa spp **River lamprey *Lampetra fluviatilis*** **Sea lamprey *Petromyzon marinus***	Increased Sedimentation Underwater noise	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration.	The conservation objectives seek to ensure water quality is not injurious to any life stage and that the population of each species is at least maintained or increasing and show evidence of recent recruitment. Increased sedimentation has the potential to reduce water quality, whilst underwater noise will present a barrier to migration. As such, the conservation objectives would not be achieved.	No
European otter *Lutra lutra*	Increased Sedimentation Underwater noise	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. If there are fewer migratory fish, then prey abundance is reduced and in turn, so is foraging success.	The conservation objectives seek to ensure water quality is not injurious to any life stage and that the population of each species is at least maintained or increasing and show evidence of recent recruitment. Increased sedimentation has the potential to reduce water quality, whilst underwater noise will present a barrier to migration. As such, the conservation objectives would not be achieved.	No

			If there are fewer migratory fish, then prey abundance is reduced and in turn, so is foraging success resulting in reduced population sizes.	
Afon Tywi SAC				
Brook lamprey ***Lampetra planeri*** **River lamprey** ***Lampetra fluviatilis*** **Sea lamprey** ***Petromyzon marinus*** **Bullhead** ***Cottus gobio*** **Allis shad** ***Alosa alosa*** **Twaite Shad** ***Alosa fallax***	Increased Sedimentation Underwater noise	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration.	The conservation objectives seek to ensure water quality is not injurious to any life stage and that the population of each species is at least maintained or increasing and show evidence of recent recruitment. Increased sedimentation has the potential to reduce water quality, whilst underwater noise will present a barrier to migration. As such, the conservation objectives would not be achieved.	No
European otter ***Lutra lutra***	Increased Sedimentation Underwater noise	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration.	The conservation objectives seek to ensure water quality is not injurious to any life stage and that the population of each species is at least maintained or increasing and show evidence of recent recruitment. Increased sedimentation has the potential to reduce water quality, whilst underwater noise will present a barrier to migration. As such, the conservation objectives would not be achieved.	No

		If there are fewer migratory fish, then prey abundance is reduced and in turn, so is foraging success.	If there are fewer migratory fish, then prey abundance is reduced and in turn, so is foraging success resulting in reduced population sizes.	

4.2 Assessment of the project taking into account additional mitigating measures, conditions or restrictions

Camarthen Bay and Estuaries SAC				
Natura 2000 Feature (from Table 4.1 – 'NO' rows only)	**Description of adverse effect(s)**	**Can adverse effect(s) be mitigated?**	**Description of mitigation measures, and how they would be applied (e.g. contractual obligations, consent conditions)**	**Can adverse effect on site integrity be ruled out?**
Shad Alosa spp **River lamprey *Lampetra fluviatilis*** **Sea lamprey *Petromyzon marinus***	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration.	Yes	In total, 24 protective mats will be placed each measuring 2.0m x 1.0m x 0.25m. The weight per unit is approximately 510kg. The matting will cover an area of 12m in length and 3m in width. Given the small scale, localised nature of the works, any increased sedimentation will be minimal and will not impede migration. 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 and therefore, prey abundance will not be affected. Given 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, it is unlikely to impact the natural range of fish movement, and influence their capability for migration or spawning, or prevent otters natural foraging activity. Furthermore, the noise produced by the works are unlikely to be significant. A hiab crane is being used to lower the protective mats on to the seabed and whilst lowered, there will be some noise produced through vibration of the	Yes
European otter *Lutra lutra*	The deposit of the protective matting has the potential to disturb sediment and increase			

	sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. If there are fewer migratory fish, then prey abundance is reduced and in turn, so is foraging success.		lifting strops. As the mat and anchors come in to contact with the seabed, there will be some noise however, it will be minor and short in duration.	
Afon Tywi SAC				
Brook lamprey ***Lampetra planeri*** **River lamprey** ***Lampetra fluviatilis*** **Sea lamprey** ***Petromyzon marinus*** **Bullhead** ***Cottus gobio*** **Allis shad** ***Alosa alosa*** **Twaite Shad**	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration.	Yes	In total, 24 protective mats will be placed each measuring 2.0m x 1.0m x 0.25m. The weight per unit is approximately 510kg. The matting will cover an area of 12m in length and 3m in width. Given the small scale, localised nature of the works, any increased sedimentation will be minimal and will not impede migration. 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 and therefore, prey abundance will not be affected. Given 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, it is unlikely to impact the natural range of fish movement, and influence their capability for migration or spawning, or prevent otters natural foraging activity. Furthermore, the noise produced by the works are unlikely to be significant. A hiab crane is being used to lower the protective mats on to the seabed and whilst lowered, there will be some noise produced through vibration of the	Yes

Alosa fallax			lifting strops. As the mat and anchors come in to contact with the seabed, there will be some noise however, it will be minor and short in duration.	
European otter *Lutra lutra*	The deposit of the protective matting has the potential to disturb sediment and increase sedimentation within the estuary, thus reducing water clarity and providing a barrier to migration. Underwater noise generated as a result of the works also has the potential to act as a barrier to migration. If there are fewer migratory fish, then prey abundance is reduced and in turn, so is foraging success.			

4.3 Concluding the appropriate assessment of the project alone

(a) If the right hand column of Table 4.1 and Table 4.2 (if applicable) is 'YES' for all features	It has been ascertained that the proposal, when considered alone, will not adversely affect the integrity of any Natura 2000 sites.
(b) If there are any 'NO's in the right hand column of Table 4.1 that have not been resolved to 'YES' through mitigation measures identified in Table 4.2	~~It has not been ascertained that the proposal, when considered alone, will not adversely affect the integrity of one or more Natura 2000 sites.~~
	Yes

(c) Are there any residual effects of the project (net of any mitigation measures identified) which, though insignificant on their own, could be significant if considered in combination with the effects of other plans or projects?	

5 In combination assessment

5.1 Identifying possible in combination effects

BLUE impact pathway from Table 3.2 **and/or** **Residual effect (from appropriate assessment in section 4)**	**Natura 2000 site feature(s) concerned**	**Other plans/projects with effects that might interact with the effects of the project to render its effects significant (if any)**	**Nature of the in-combination effect (if any)**	**Is there likely to be any significant in-combination effect, in view of the site's conservation objectives?**
Increased sedimentation Habitat loss	Camarthen Bay and Estuaries SAC Estuaries Mudflats and sandflats not covered by seawater at low tide	N/A	N/A	No
(a) If the right hand column is 'NO' for all rows		The project, when considered in combination with other plans and projects, is either not likely to have a significant effect on, or will not adversely affect the integrity of any Natura 2000 site.		

(b) If any rows in the right hand column are 'YES' or 'DON'T KNOW'	~~The project is likely to have a significant effect in combination with other plans or projects.~~

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)	
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)	**X**

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**	
Name: Jack Thompson **Position: Marine Licensing Officer** **Date: 07 November 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
2 and 4	13 January 2025 23 January 2025	HRA has been updated to include Afon Twyi SAC. Fish species and otter, due to potential for reduced prey abundance, have been taken through to AA for both the Carmarthen Bay and Estuaries SAC and Afon Twyi SAC. Following initial response from NRW A, further discussion took place between NRW MLT and NRW A and it was agreed that due to the nature of the works and short duration, a timing restriction were not required. Updated HRA was sent to NRW A for review. NRW A subsequently provided an updated Form 2 on 05 February 2025 which agreed with the conclusions of our assessment.

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:

Document Version	Date Published	Summary of Changes
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: Jack Thompson - Marine Licensing Team

FROM: Ryan Rees - Marine Area Management and Advice Team

SUBJECT: Habitats Regulation Assessment of CML2472 Afon Tywi Pipeline Protection

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 07/11/24. Our comments are as follows:

NRW (A) do not agree that there is no risk of the works impacting shad migration in the Tywi. Shad are very sensitive to underwater sounds and it is likely that the works will cause a behavioural barrier to shad, impacting spawning migration of adults into and out of the Tywi. NRW (A) would advise that the Afon Tywi SAC is screened in on the basis of potential impacts to the fish features. We also advise that fish features should be screened in for for the Carmarthen Bay and Estuaries SAC and taken forward to Appropriate Assessment, specifically for disturbance to migration. As mentioned above, the appropriate mitigation would be to condition the timing of the works specifically to ensure that works cannot take place during the migration season.

Based on the evidence provided, NRW (A) conclude that the proposed operations will not adversely affect the integrity of any benthic habitats or species in any Natura 2000 site as the proposed works are small-scale and temporary in nature and will result in localised impacts.

We do advise that there is an impact pathway to the ‘Mudflats and sandflats not covered by seawater at low tide’ and ‘Estuaries’ features, as a result of small scale effects on turbidity and sediment disturbance. We advise that the HRA should be updated accordingly and these should be classified as ‘Blue’ rather than ‘Green’.

Signed:
Ryan Rees

Date:
10/01/25

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:

Document Version	Date Published	Summary of Changes
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: Jack Thompson - Marine Licensing Team

FROM: Ryan Rees - Marine Area Management and Advice Team

SUBJECT: Habitats Regulation Assessment of CML2472 Afon Tywi Pipeline Protection

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 07/11/24. Our comments are as follows:

Based on the evidence provided, NRW (A) conclude that the proposed operations will not adversely affect the integrity of any habitats or species in any Natura 2000 site.

Signed:
Ryan Rees

Date:
05/02/25