

Dyddiad/Date: 04 March 2025

Er sylw / For the attention of: **Peter Morrison – Lead Specialist Officer, Marine Licensing**  
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Annwyl / Dear Peter,

## **MARINE AND COASTAL ACCESS ACT 2009: PART 4 MARINE LICENSING**

### **ORML2429T: Marine Licence Application for works associated with the construction and maintenance of the Transmission Assets of the Mona Offshore Windfarm project located in the East Irish Sea**

Thank you for consulting Natural Resources Wales Advisory (NRW (A)) on the Marine Licence application for the works associated with the construction and maintenance of the Transmission Assets of the Mona Offshore Windfarm, as per your consultation letter and email dated 04 February 2025. We acknowledge that the consultation request also seeks advice with respect to NRW Marine Licensing Team's (NRW MLT) draft Habitats Regulations Assessment (HRA) and draft Water Framework Directive (WFD) Compliance Assessment.

NRW (A) welcomes the information provided by the Applicant and NRW MLT. The following advice is offered by NRW (A) to assist NRW MLT in reaching a view on the significance of the works in relation to the following legislation:

- European Sites in the context of Regulation 63 of the Conservation of Habitats and Species Regulations 2017
- European Protected Species in the context of Regulation 41 (1) of the Conservation of Habitats and Species Regulations 2017
- Section 7 species and habitats, and Biodiversity Duty, in the context of the Environment (Wales) Act 2016
- Marine Conservation Zones in the context of Section 126 of the Marine and Coastal Access Act Part 5: Nature Conservation, and;
- The EU Water Framework Directive (Directive No. 2000/60/EC)
- Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000

The statutory purpose of NRW is set out by the Environment (Wales) Act 2016. In the exercise of its functions NRW must pursue sustainable management of natural resources in relation to all of its work in Wales and apply the principles of sustainable management of natural resources in so far as that is consistent with the proper exercise of its functions. NRW's duty (in common with the other public bodies covered by the Well-Being of Future Generation (Wales) Act 2015) is to carry out sustainable development. This means, in general terms, looking after air, land, water, wildlife, plants, and soil to improve Wales' well-being, and provide a better future for everyone. NRW are also advisors to the Welsh Government on the natural heritage and resources of Wales and its coastal waters.

NRW is also an Appropriate Nature Conservation Body (ANCB) under the Conservation of Habitats and Species Regulations 2017.

NRW's submissions to the Mona application are therefore provided in the context of NRW's statutory purpose, functions, powers and duties. For the avoidance of doubt, the advice and comments provided in this response relate to NRW in its capacity as advisor and / or consultee.

We note NRW MLT's position with respect to deferral of the Environmental Impact Assessment (EIA) consent decision to the Secretary of State for Energy, as part of the determination processes for a Development Consent Order (DCO) under the Planning Act 2008. NRW (A) has engaged extensively with the Applicant and Planning Inspectorate (PINS) Examination process for the Mona Offshore Windfarm where we have provided comments on additional aspects of the EIA and HRA.

NRW (A) considers it helpful to draw NRW MLT's attention to NRW (A)'s Written evidence submitted to PINS as part of the DCO examination process. We advise that NRW MLT reads this consultation response in conjunction with the written responses that have been provided in to the DCO examination for the project. All responses can be found at the PINS website [here](#). This response should also be considered alongside our previous response to the initial ML consultation on the Mona Transmission Assets dated 29 August 2024.

Overall, NRW (A) considers that the application, as submitted, has addressed the majority of the key issues identified throughout the DCO examination process and the Marine licensing process. We welcome the work undertaken by the Applicant to resolve issues and to proactively work with NRW (A). However, there are some minor outstanding matters which we consider require further action from the Applicant. These matters are explained herein. NRW (A) will continue to work with the Applicant on all relevant matters.

Please note that the comments provided herein are made without prejudice to any further comments /advice we may wish to make in relation to this application and related future consultations whether in relation to the Environmental Statement (ES) and associated documents, or other evidence and documents provided by Bp-EnBW ('the Applicant'), NRW MLT, or other key stakeholders. They are also made without prejudice to any (further) advice NRW (A) may need to give, or decisions NRW (A) may need to take, in a project specific context should different circumstances or new information emerge that NRW (A) will need to take into account.

Please do not hesitate to contact Emma Lowe ([emma.lowe@cyfoethnaturiolcymru.gov.uk](mailto:emma.lowe@cyfoethnaturiolcymru.gov.uk)), Nia Phillips ([Nia.Phillips@cyfoethnaturiolcymru.gov.uk](mailto:Nia.Phillips@cyfoethnaturiolcymru.gov.uk)) and Siôn Williams

([Sion.M.Williams@cyfoethnaturiolcymru.gov.uk](mailto:Sion.M.Williams@cyfoethnaturiolcymru.gov.uk)) should you require further advice or information regarding this consultation response.

Yn gywir / Yours sincerely,



**Charlotte Gjerlov on behalf of Andrea Winterton**  
**Marine Services Manager**  
**Natural Resources Wales**

[CONTINUED]

## Contents

1	MARINE ORNITHOLOGY .....	5
1.1	Main Matters .....	5
1.2	General Comments.....	5
1.3	Detailed Comments .....	5
1.4	Comments on the NRW MLTs draft Habitats Regulations Assessment (HRA) .....	9
2	MARINE MAMMALS.....	10
2.1	Main Matters .....	10
2.2	Detailed comments .....	10
2.3	Comments on the NRW MLTs draft HRA .....	12
3	FISH AND SHELLFISH .....	12
3.1	Detailed comments .....	13
3.2	Additional comments .....	14
4	PHYSICAL PROCESSES.....	15
4.1	Main Matters .....	15
4.2	Detailed comments .....	15
5	BENTHIC SUBTIDAL AND INTERTIDAL ECOLOGY .....	17
5.1	Comments on NRW MLT's draft HRA .....	17
5.2	Comments on NRW MLTs draft WFD Compliance Assessment .....	17
6	MARINE WATER AND SEDIMENT QUALITY (MW&SQ) .....	18
6.1	Conservation of Habitats and Species Regulations (2017) and MLT's HRA .....	18
6.2	Water Framework Directive Compliance Assessment .....	18
7	WATER FRAMEWORK DIRECTIVE (WFD) - COASTAL AND TRANSITIONAL WATER BODIES: OFFSHORE WORKS .....	18
7.1	Water Framework Directive .....	18
7.2	WFD Regulations Compliance Assessment .....	19
7.3	Conservation of Habitats and Species Regulations 2017 .....	22
108.	NRW (A) agrees with the Applicant's conclusion that although without mitigation	23
8	DESIGNATED LANDSCAPES .....	24
8.1	Detailed Comments .....	24
9	Materials and Waste .....	26
10	REFERENCES .....	27

# 1 MARINE ORNITHOLOGY

## 1.1 Main Matters

1. Key marine ornithological impacts from the Mona transmission assets proposal will be from disturbance/displacement from vessel activity, and Unexploded Ordnance (UXO) clearance on the overwintering red-throated diver (RTD), common scoter and waterbird assemblage (as RTD and common scoter are components of the assemblage) qualifying features of the Liverpool Bay/Bae Lerpwl Special Protection Area (SPA).
  - We advise that adherence to an offshore Environmental Management Plan (EMP) that will include measures to minimise disturbance to rafting birds from transiting vessels, a timing restriction of no offshore export cable installation or UXO clearance during the period 1st November – 31st March within Liverpool Bay SPA, and inclusion of a Marine Pollution Contingency Plan (MPCP) is required in order to avoid or reduce disturbance and displacement to the wintering RTD, common scoter and waterbird assemblage features of Liverpool Bay SPA.
  - The EMP and the specific measures to be contained within it will need to be secured and conditioned in the Marine Licence.

## 1.2 General Comments

2. In our view, the potential impacts from the proposed works covered by this ML for the transmission assets for the Mona Offshore Wind Project are limited to disturbance/displacement of the RTD, common scoter and waterbird assemblage non-breeding qualifying features of the Liverpool Bay/Bae Lerpwl SPA resulting from vessel activity and pre-commencement activities, such as UXO clearance, within the SPA.
3. The majority of the points regarding marine ornithology raised by NRW (A) in our initial consultation response (dated 29 August 2024) have been resolved during the course of the DCO process for the wider Mona project. Advice previously submitted that has not been changed is repeated for clarity with a note stating 'advice unchanged'.

## 1.3 Detailed Comments

### 1.3.1 Conservation of Habitats and Species Regulations 2017 (Reg 63):

#### 1.3.1.1 Liverpool Bay/Bae Lerpwl SPA - Significant effects / Adverse effects

4. The proposed Mona array is located 10km from the Liverpool Bay SPA, but the offshore export cable route goes through the SPA. RTD and common scoter are qualifying features of Liverpool Bay SPA and components of the wintering waterbird assemblage qualifying feature of the SPA. Additionally, common scoter are included as a priority species in the section 7 list made pursuant to the Environment (Wales) Act 2016. Both RTD and common scoter are sensitive to anthropogenic disturbance and displacement, including from vessel movements (Fliessbach et al. 2019; Kaiser et al. 2002).
5. As the offshore export cable route goes through the Liverpool Bay SPA, cable installation vessels will be moving through the SPA during this phase. There is also the potential for UXO clearance activities to occur along the export cable route located within the SPA.

As the port location is currently unknown, there is the possibility that UXO clearance vessels and cable installation vessels travelling to reach the export cable corridor area and/or array area located outside of the SPA, and vessels transiting from port to the array area, could travel through the SPA to reach these areas. Therefore, given the sensitivity of the RTD and common scoter features of the SPA to disturbance and displacement including from vessel movements and UXO clearance, we agree with the Applicant's conclusion in *E1.4: HRA Stage 1 Screening report F03* that a likely significant effect (LSE) cannot be ruled out and that this site has been taken forward to *E1.3: HRA Stage 2 ISAA Part 3 – SPAs and Ramsars report F03*.

6. However, subject to an appropriate offshore EMP that includes all the measures listed by the Applicant in *the E1.3: Stage 2 ISAA Part 3 – SPAs and Ramsars report F03* being agreed, in writing with NRW (A), and appropriately secured as a condition of the Transmission Asset ML (and deemed Marine Licence [dML] within the DCO consent), then we consider it unlikely that there will be an adverse effect on Liverpool Bay SPA. Further details regarding the mitigation measures and securing of these are set out below.

#### **1.3.1.2 Liverpool Bay/Bae Lerpwl SPA - Applicability of mitigation measures**

7. Since the initial consultation response (dated 29 August 2024), the Applicant has committed to further mitigation measures that are of relevance for RTD and common scoter at Liverpool Bay SPA. The additional mitigation of relevance includes: the removal of high-order UXO clearance from the draft DCO, and a commitment to a seasonal restriction on low order UXO clearance activities within the Liverpool Bay/Bae Lerpwl SPA between 1 November and 31 March (as set out in Table 1.1 of *J9: Marine Licence Principles Document F06* and Table 1.1 of *J17: Measures to Minimise Disturbance to Marine Mammals and Rafting Birds F03*). These additional measures were committed to in response to concerns raised by both NRW (A) and JNCC during the DCO examination process that the seasonal restriction did not apply to pre-commencement activities including UXO clearance. Please see paragraph 1 of our Deadline 4 response [[REP4-105](#)], paragraph 20 of our response on the Report to Inform European Sites (RIES) in [[REP5-099](#)] and paragraphs 43-44 of our Deadline 5 response [[REP5-098](#)] for more information on the concerns raised.
8. Therefore, we welcome the measures listed within *E1.3: Stage 2 ISAA Part 3 – SPAs and Ramsars report F03* of adherence to an offshore Environmental Management Plan (EMP) that will include:
  - Measures to minimise disturbance to rafting birds from transiting vessels (as set out in report *J17: Measures to Minimise Disturbance to Marine Mammals and Rafting Birds F03*).
  - A timing restriction of no offshore export cable installation or low order UXO clearance during the period 1st November – 31st March within Liverpool Bay SPA.
  - A Marine Pollution Contingency Plan (MPCP).
9. We agree that this EMP, and the specific aspects within it that the Applicant commits to listed above, is needed and is necessary to avoid or reduce disturbance, and therefore displacement and pollution impacts to the RTD, common scoter and wintering waterbird

assemblage qualifying features of the SPA from pre-commencement activities such as UXO clearance, cable laying activities in the construction phase, and from vessels potentially transiting from port through the SPA during all phases.

10. As was noted to the Applicant during the offshore ornithology expert working group (EWG) for the Mona project, NRW (A) and the other SNCBs consider that there is not much that can be done to minimise disturbance to RTD and common scoter due to cable installation works, and the measures to minimise disturbance (such as those committed to by the Applicant in report *J17, F03*) were more related to activities such as Crew Transfer Vessel movements, rather than cable installation works. The only effective measure to minimise disturbance from cable installation works is to not be present in the area. Therefore, we note that the Applicant's commitment to measures to minimise disturbance to rafting birds from transiting vessels is only applicable to minimising disturbance to these features of the SPA from vessel transit movements through the SPA during all phases.
11. Given that vessels clearing UXOs and laying the offshore export cable within the SPA will need to follow the specific route for the offshore export cable, it will not be possible for them to adhere to the measures set out by the Applicant in report *J17 F03*, such as using existing shipping lanes/transit routes, avoiding aggregations of rafting birds etc. Therefore, the Applicant's commitment to the timing restriction on UXO clearance and to offshore export cable installation activities to avoid the key winter period when the features of concern will be present in greatest numbers, is welcomed in order to minimise disturbance to the relevant SPA features from these activities within the SPA.
12. We note the Applicant's intention to secure an offshore EMP in the dML and Transmission Asset ML (as set out in the row relating to Project Environmental Monitoring Plan (PEMP), in the '*Marine Licence Principles Document 06*' (report J9, submitted as part of the Transmission Asset ML application and into the DCO examination as [REP7-075](#)). We welcome the intention to secure this commitment in the Transmission Asset ML and agree that this should be secured therein. We also consider that the commitment to the timing restriction (on UXO clearance and offshore export cable installation within the SPA) needs to also be secured as a condition in the Transmission Asset ML.
13. Following the Applicant's commitment to the application of the seasonal restriction to works within the SPA for both export cable installation activities and UXO clearance, the other measures contained within *J17 F03* to further reduce disturbance to rafting birds, combined with the low and temporary impact of remaining pre-commencement activities, NRW (A) agrees that this is appropriate to mitigate disturbance and displacement on the RTD, common scoter and wintering waterbird assemblage qualifying features of Liverpool Bay SPA. Subject to an appropriate EMP that includes all the measures listed above being agreed, in writing by NRW (A), and appropriately secured as a condition of the deemed ML and standalone ML, we consider it to be unlikely that there will be an adverse effect on Liverpool Bay SPA.
14. We note that the timing restriction on offshore export cable installation activities within the SPA will not apply for the trenchless works on the intertidal zone, which will be supported by up to eight vessel movements at the landfall over the winter period. In our Relevant Representations [[RR-011](#)] we noted that the need to undertake this aspect during winter was unclear from the submission documents. In the Applicant's response

to Relevant Representations [[PDA-008](#)], the Applicant noted that: *'The commitment to no offshore export cable laying during the overwintering period (1st November – 31st March) within the Liverpool Bay SPA has reduced flexibility in the construction programme, and therefore the programme of works is more constrained. Prohibiting works at the trenchless techniques exit pits during the overwintering period would add further pressure to the installation window for offshore export cables.'* We acknowledge the Applicant's position on this and regarding this aspect of the work, we note:

- Any disturbance impact to features of the SPA will be temporary for the time of the vessel presence.
- Birds will be able to return once the vessel has gone.
- There will be other habitat available within the SPA to the birds for the time they are disturbed from the landfall area.
- Up to 8 movements across the key winter period of November-March represents a small proportion over this timescale.
- A commitment to trenchless works at the landfall has been made – the Applicant's commitment to installing export cables from landward of Mean Low Water Springs (MLWS) to onshore by trenchless techniques is secured through the Applicant's *Outline Landfall Construction Method Statement F05* (report J26.14, submitted as part of the Transmission Asset ML application and into the DCO examination as [REP7-089](#)) and the *Outline Landfall Construction Method Statement (LCMS)* forms part of the Code of Construction Practice (CoCP) and is therefore secured under Schedule 2, Requirement 9 of the Draft DCO (see C1 'Draft Development Consent Order'). We advise that this commitment is also secured and conditioned via the TA ML.
- NRW (A) advise that we will need to be consulted, in writing, on the outline LCMS and CoCP where there are marine elements involved.

15. Based on the above, NRW (A) does not expect this temporary activity, as part of the construction phase, will result in an Adverse Effect on Site Integrity (AEO SI) on the RTD, common scoter and waterbird assemblage features of the Liverpool Bay SPA.

### **1.3.2 European Protected Species (EPS):**

16. Advice unchanged from 29 August 2024. N/A for marine ornithology

### **1.3.3 Environment (Wales) Act 2016:**

17. Advice unchanged from 29 August 2024. N/A for marine ornithology.

### **1.3.4 Environment (Wales) Act 2016:**

18. Advice unchanged from 29 August 2024. There is the potential for the works to impact common scoter, which are included as a priority species in the section 7 list made pursuant to the Environment (Wales) Act 2016. Please refer to comments in the section above regarding Liverpool Bay SPA and specific impacts and the applicability of mitigation measures proposed by the application.

### **1.3.5 Marine and Coastal Access Act Part 5: Nature Conservation:**

19. Advice unchanged from 29 August 2024. N/A for marine ornithology.

### 1.3.6 Water Framework Directive:

20. Advice unchanged from 29 August 2024. N/A for marine ornithology.

## 1.4 Comments on the NRW MLTs draft Habitats Regulations Assessment (HRA)

### 1.4.1 Liverpool Bay/Bae Lerpwl SPA

21. Whilst we largely agree with the conclusions of the draft HRA for the features of the Liverpool Bay SPA, we do note that the draft HRA does not currently consider the impact of UXO clearance and other pre-commencement activities as a pathway to disturbance impacts of Liverpool Bay SPA features, particularly RTD, common scoter and the waterbird assemblage features. This was a key consideration and point of discussion during the DCO Examination (as set out above regarding applicability of mitigation measures). Therefore, we advise that the draft HRA is amended accordingly to include consideration of this impact pathway.

22. We note that all the mitigation measures the Applicant has committed to that are relevant to minimising impacts to the RTD, common scoter and waterbird assemblage qualifying features of the Liverpool Bay SPA have been included in Section 4.2 of the draft HRA regarding the assessment taking into account additional mitigating measures, conditions or restrictions in relation to the relevant features of the SPA (pages 136-137 of draft HRA), namely:

- An Offshore EMP that will include measures to minimise disturbance to rafting birds from transiting vessels, as set out in document *J17: Measures to Minimise Disturbance to Marine Mammals and Rafting Birds F03*.
- The Offshore EMP will include a timing restriction of no offshore export cable installation or low order UXO clearance activities during the period 1 November to 31 March within the Liverpool Bay SPA.
- The Offshore EMP will include an MPCP which will provide planning for accidental spills, address all potential contaminant releases and include key emergency details.

23. We note that within the draft HRA for each of these mitigation measures the text states: *'The Offshore EMP can be secured within the marine licence.'* Given that we consider that these measures need to be appropriately secured and conditioned within the deemed ML and standalone ML in order for an AEoSI to be ruled out for the RTD, common scoter and waterbird assemblage features of the Liverpool Bay SPA, we advise that the wording in the draft HRA is amended to state that: *'The Offshore EMP should be secured within the marine licence.'*

### 1.4.2 Other SPAs within NRW (A)'s remit

24. We agree with the conclusions of the HRA for the other Welsh SPAs and features considered in the draft HRA, namely:

- Aberdaron Coast and Bardsey Island/Glannau Aberdaron ac Ynys Enlli/ SPA: Manx shearwater

- Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA: Manx shearwater, European storm petrel, Atlantic puffin, lesser black-backed gull, seabird assemblage (including named components: black-legged kittiwake, common guillemot, razorbill)
- Grassholm SPA: Northern gannet

## 2 MARINE MAMMALS

### 2.1 Main Matters

25. The previously agreed amendment to clarify the approach to assessment for the impact to marine mammals from disturbance from vessel traffic has not been carried out by the Applicant. We advise that this amendment should be made.

### 2.2 Detailed comments

#### 2.2.1 Injury and disturbance to marine mammals from elevated underwater sound due to vessel use and other (non-piling) sound producing activities (Key issue 4 from prior comments)

26. In our previous response dated 29 August 2024, NRW (A) raised concerns that inadequate justification had been provided in the ES and Information to Support Appropriate Assessment (ISAA) for an overall conclusion of *low magnitude* for disturbance, noting that the estimated numbers of animals disturbed by vessels and any subsequent conclusions appear to have been based on static impact radii – i.e. equivalent to vessels that are not moving. NRW (A) continued discussions on this matter with the Applicant through the DCO process, and reached the following agreement;

Per DCO deadline 6 submission [REP6-071](#) "*Mona and Natural Resource Wales (Advisory) Offshore SoCG F02 S\_D1\_12 F02*" dated 20 December 2024, issue number NRW.MM.15 and DCO deadline 7 submission [REP7-094](#) "*Mona and Natural Resource Wales (Advisory) Offshore SoCG (F03) S\_D1\_12*" dated 14 January 2025 "*the Applicant agreed to include a clarification that the static radius approach used is a conservative assumption for a single point in time for a single vessel. Given this compromise, and the fact that the conclusions of the assessment are agreed, we can consider this matter closed.*"

27. However, the described changes to the marine mammals chapter of the ES have not been carried out, and are not present in *F2.4 Volume 2, Chapter 4: Marine mammals F02 22 January 2025* nor the *S\_NRWML\_5 Errata Sheet F01 13 November 2024* submitted for the ORML2429T Marine Licence application. In order to consider this matter resolved, the agreed amendments should be made. This should either be via an update to the chapter (preferentially) or as an update to the errata sheet.

#### 2.2.2 Applicability of mitigation measures (Main Matter 1 from previous comments):

28. NRW (A) advised that Noise Abatement Systems (NAS) should be given more serious consideration. We highlight the recent publication of the following marine noise policy

papers and guidance issued by Department for Environment, Food and Rural Affairs (DEFRA) and the Joint Nature Conservation Committee (JNCC) on 21 January 2025;

- [Reducing Marine Noise Policy](#);
  - [The associated Joint Position Statement on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations.](#) (JNCC, Natural England and Cefas 2025)

### 2.2.3 Use of low-order UXO clearance methods

29. In our previous comments we recommended use of low-order UXO clearance methods, with high-order reserved only to be used in exceptional circumstances. We welcome the Applicant's decision to remove high-order clearance methods from the ML per activity 4, page 8 of *J9 Marine Licence Principles Document F06*, submitted 22 January 2025.

30. We bring attention to [The Marine environment: unexploded ordnance clearance Joint Position Statement](#), to which NRW (A) are a signatory, published on 21 January 2025.

### 2.2.4 Other previous comments

31. NRW (A) confirms that our previous comments on the following subjects have been resolved throughout the DCO process and with the latest updated version of ML application documents;

- Content of the outline Underwater Sound Management Strategy (oUWSMS) and outline Marine Mammal Mitigation Plan (oMMMP)
- Removal of the use of soft start “scare charges” for UXO clearance
- Clarification regarding the metric used to measure % reduction in underwater sound
- Consideration of the key findings of ORJIPs Range dependent nature of impulsive noise (RaDIN) project (ORJIP 2024).
- Evidence has been provided to support the statement that *"it is anticipated any reduction in sound impacts from potential implementation of the NAS will act to mitigate impacts..."*

32. NRW (A) consider that sufficient further information has been provided that we are able to agree with the Applicant's conclusions with respect to impacts on marine mammals.

However, we wish to highlight that our previous advice regarding levels of impact, (including the potential to impact European Protected Species (EPS)) and our recommended approach to the assessment, remain.

### 2.2.5 Licence conditions

33. We maintain our previously stated recommendations regarding the need for the following to be included as a condition of the Transmission Asset ML;

- Development of an UWSMS, sufficient to achieve the aims of reducing the impact of noise (including for EPS species), with commitment from the Applicant to continue to engage in consultation with NRW (A) and other SNCBs during development. We continue to recommend that agreement with the final version be sought, in writing, from SNCBs prior to the condition being discharged.

- As is typical for offshore wind farm projects in the UK, a requirement to measure the underwater noise from the installation of the first four piles for each foundation type, or a representative number of pile locations, or the four largest piles. NRW (A) continue to recommend following a standardised approach to this monitoring requirement (ISO 18407:2017). We acknowledge that the Applicant has already indicated their intention to carry out such monitoring in the *outline Marine Mammal Mitigation Protocol (MMMP) [ J21 ]*.

## 2.2.6 Recommendations for future assessment

34. NRW (A) highlight that despite the compromise reached for this specific case, we maintain our previously stated position that a static radius does not capture the cumulative impact of a pathway which consists of chronic, but individually relatively small disturbance events from a moving source / sources. While we agree with the Applicant that recovery from vessel noise disturbance takes place relatively rapidly, we do not agree with the general assumption underpinning the Applicant's approach that because recovery from a single disturbance event would be rapid, then there would not be an effect from repeated episodes of disturbance as a result of there being multiple vessel trips in the area.

We reiterate that in principle we have no concerns with the use of a fixed impact radius to provide a snapshot estimate of numbers disturbed at one point in time, and we also fully agreed with the Applicant that the radius selected was a conservative one. However, we advise that it should be clear in the assessment that the estimate was a snapshot at a single point in time, otherwise it would be inaccurate to state that a proportion of a Management Unit (MU) would be disturbed, in comparison to a methodology that in some way captures the movement of vessels. Further detail on this topic can be found in our submissions into the DCO process, most notably [REP5-098](#).

## 2.3 Comments on the NRW MLTs draft HRA

35. With regard to marine mammals, NRW (A) confirms that we agree with the screening assessment within the HRA, and, with the exception of the requested amendment below (para 36), with the Appropriate Assessment. We agree with the conclusions and that the mitigation measures are appropriate in order to reach conclusions of No AEOI on sites / features.

36. As per our comments above, the ES requires amendment to reflect the agreed clarification regarding disturbance from vessel traffic, and as the MLT Form 1 HRA defers detailed assessment to the Applicant's documentation (*E1.2 HRA Stage 2 ISAA Part 2 Special Areas of Conservation F02*, which in turn references *F2.4 Volume 2, Chapter 4 marine mammals F02*), this also affects MLT's HRA. However as noted, we can agree with the overall conclusions regarding magnitude for vessel traffic.

## 3 FISH AND SHELLFISH

37. The majority of the points raised by NRW (A) in our initial consultation response to the Transmission Asset ML (dated 29 August 2024) have been resolved during the course

of the DCO process for the wider Mona project. These are detailed under each heading below. Advice previously submitted that has not been changed is repeated for clarity with a note stating 'advice unchanged'.

### 3.1 Detailed comments

#### 3.1.1 Conservation of Habitats and Species Regulations 2017 (Reg 63)

38. Advice unchanged from 29 August 2024: NRW (A) agrees with the screening undertaken in the Applicant's HRA Screening report (E1.4) and the subsequent ISAA (E1.2). We agree with the overall conclusion of no risk of an Adverse Effect on Site Integrity (AEoSI) on the integrity of diadromous fish features from the Welsh protected sites; Dee Estuary/Aber Dyfrdwy Special Area of Conservation (SAC), River Dee and Bala Lake/Afon Dyfrdwy a Llyn Tegid SAC, and Afon Gwyrfai a Llyn Cwellyn SAC.

39. NRW (A) agrees with the sites and features scoped into MLT's draft HRA and with the conclusions reached of no AEoSI to the Welsh diadromous fish sites within the scope of the development. Whilst it is unclear why piling noise and UXO is amalgamated for fish receptors, but included as separate impacts for marine mammals, this point does not, however, alter our agreement with the documents' conclusions and assessment.

#### 3.1.2 European Protected Species (EPS)

40. Advice unchanged from 29 August 2024: We do not consider that the works have the potential to impact EPS fish species.

#### 3.1.3 Environment (Wales) Act 2016 (Section 7)

41. NRW (A) previously advised that 'piling noise from the proposed development has the potential to impact a significant proportion of spawning cod, protected under section 7 of the Environment (Wales) Act 2016.' Whilst this advice has not changed, NRW (A) has had a number of discussions with the Applicant during the course of the wider DCO application following the submission of our advice to the transmission asset application consultation.

42. These discussions have resulted in the Applicant submitting an update to the UWSMS, which includes specific mention of cod and herring and references to the type of mitigation that may be utilised to reduce the impact of underwater sound to these species. NRW (A) are content that the UWSMS should provide a sufficient mechanism to reduce the potential sound impacts of the development (across both transmission and generation assets) on both herring and spawning cod. As noted previously, we will continue to work closely with the Applicant to provide advice as they develop the detail of the UWSMS post consent. NRW (A) will need to be consulted in writing on the UWSMS and associated documents.

43. Our previous comments relating to '*approaches used for cod and herring – noise thresholds*' and '*sound exposure levels for assessing impacts*' have since been resolved during the DCO process.

44. NRW (A) continues to disagree with the Applicant's assessment of the magnitude of harm in the '*alone*' assessment of underwater noise in relation to spawning cod as minor adverse. However, we are content that the UWSMS is likely to be a sufficient mechanism

to reduce the noise impacts from the development on cod and herring from both alone and in-combination impacts.

### **3.2 Additional comments**

45. Advice unchanged from 29 August 2024. NRW (A) are in agreement with the conclusions made in respect to the other impacts scoped into the Applicant's assessment (temporary habitat loss/disturbance; increased suspended sediment concentrations (SSC) and associated sediment deposition; long term habitat loss; Electromagnetic fields (EMFs) from subsea electrical cabling; introduction of artificial structures and colonisation of hard structures; disturbance/ remobilisation of sediment bound contaminants; injury due to increased risk of collision with vessels). No specific mitigation has been proposed for these, except for project embedded measures, which NRW (A) agrees are appropriate.

#### **3.2.1 Environment (Wales) Act 2016 (Habitats / Ecosystems)**

46. Advice unchanged from 29 August 2024. There is the potential for works such as sandwave clearance activities to impact fish that spawn on or near the seabed, however NRW (A) agrees with the Applicant's assessment of minor adverse within the fish and shellfish ecology document (F2.3) due to the temporary nature of the activity, the limited extent of suitable substrate available within the construction envelope for herring and the extent of available habitat that would remain for sandeel populations.

#### **3.2.2 Marine and Coastal Access Act Part 5: Nature Conservation**

47. Advice unchanged from 29 August 2024. As there are no fish receptors within the sole Welsh MCZ, there is no pathway.

#### **3.2.3 Water Framework Directive**

48. Advice unchanged from 29 August 2024. NRW (A) agrees with the WFD assessment made by the Applicant, in which it was assessed that there will be no potential impacts for fish within the North Wales or Clwyd water bodies.

49. NRW (A) agrees with MLTs WFD assessment conclusions. Fish have been included as an element within the North Wales coastal water body, which is not required.

#### **3.2.4 Comments on S\_NRWML\_3\_Mona\_Responses to NRW (A)**

50. NRW (A) raised a number of points during the previous Transmission Asset consultation, which have been resolved during the course of the DCO application.

51. Previous points raised by NRW (A) relating to noise thresholds and noise modelling (Ref no's: 64, 73, 75, 76, 77, 78) have been resolved during the DCO process through discussions with the Applicant. Items we raised on cod and herring behaviours and ecology (Ref no's: 68, 69, 70, 71, 74, 75) have been addressed through the DCO process, with some being resolved through the inclusion of both species within the UWSMS and through discussions with the Applicant.

52. The UWSMS (Ref. no: 65, 79, 80, 82, 81, 90-101) has since been updated and NRW (A) are content with the document as it currently stands. We will continue to work with the Applicant as they further develop the document post consent (see section 3.2.1 above). NRW (A) will need to be consulted in writing on the drafting and finalisation of the UWSMS and associated plans.
53. NRW (A) continues to disagree with the Applicant's assessment of the magnitude of harm in the 'alone' assessment of underwater noise in relation to spawning cod (Ref no. 63, 68), however, we are content that the UWSMS is likely to be sufficient to reduce the noise impacts from the development on cod and herring from both alone and in-combination impacts.

## **4 PHYSICAL PROCESSES**

### **4.1 Main Matters**

54. NRW (A) has provided detailed comments during the DCO examination process and as a result, all the outstanding concerns relating to physical processes have been resolved. The ML application for the Transmission Asset of the Mona Offshore Windfarm includes all the updated documents submitted during the final stages of the DCO examination. NRW (A) have cross checked that the issues previously raised and subsequently resolved for physical processes have been secured in the relevant documentation submitted for the Transmission Asset ML. NRW (A) are satisfied that all matters have been resolved and are captured in the relevant documents submitted for the Transmission Asset ML. However, we wish to reiterate the following commitments in section 4.2.1 below confirmed by the Applicant and to ensure that the commitments are properly secured as conditions in the proposed standalone Transmission Asset ML.

### **4.2 Detailed comments**

#### **4.2.1 J10 F07 MONA OFFSHORE WIND PROJECT Mitigation and Monitoring Schedule Reference 8 and 14.**

55. NRW (A) welcomes the Applicant's expectation that a condition will be imposed within the standalone NRW Transmission Asset ML securing the commitment to limit changes in water depth to 5% caused by the presence of cable protection along the export cable corridor up to and including the exit pits just seaward of MLWS. We advise that this commitment should be captured in both the DCO dML and the Transmission Asset ML via the offshore Construction Method Statement (oCMS) and the Cable Specification Installation Plan (CSIP). NRW (A) will need to be consulted in writing on the suitability of the oCMS and CSIP during drafting and finalisation.
56. NRW (A) previously requested that the mitigation was amended to ensure that where the 5% restriction in water depth is exceeded, the Applicant will consult with NRW (A) in agreeing an alternative position. The Applicant agreed to this, noting that this discussion will require consideration of whether further physical processes assessment would be required, and if so on what terms that assessment would be undertaken. The submitted

*Mitigation and Monitoring Schedule (J10 F07, reference numbers 8 and 14) details that the Applicant has committed to consulting NRW with regards to agreeing an alternative position but not specifically NRW (A). NRW (A) request that in the event that the 5% restriction in water depth is exceeded, that the Marine Licencing team consults NRW (A) in writing. NRW (A) reiterates that the above commitment by the Applicant to consider an alternative position if the 5% restriction in water depth is exceeded should be secured in the stand alone ML CSIP (as stipulated in the Marine Licence Principles Document) as part of the OCMS.*

#### **4.2.2 J15 F03 Mona Offshore In-principle Monitoring Plan and J10 F07 Mitigation and Monitoring Schedule**

57. *Table 1.2: Key issues raised during consultation activities undertaken for the Mona Offshore Wind Project relevant to monitoring, states that “the data collected through the pre- and post-construction geomorphological surveys which the Applicant has committed to for cable burial monitoring purposes will be considered in the context of sandwave recovery, particularly in relation to Constable Bank”, which addresses the concerns raised by NRW (A) during the DCO examination process. Table 1.3 of the Offshore In-principle Monitoring Plan (J15 F03) details the pre and post construction monitoring proposed by the Applicant, and a commitment by the Applicant to secure this monitoring through Reference number 100 of the Mitigation and Monitoring Schedule (J10 F07), and expected to be secured through the standalone NRW ML.*

58. NRW (A) reiterates that Reference number 100 of the *Mitigation and Monitoring Schedule (J10 F07)* refers only to monitoring of cable and their burial status and does not refer to pre-construction baseline geophysical surveys to establish baseline sand-wave levels and post-construction geophysical surveys to establish sand wave recovery following cable installation particularly in relation to Constable Bank. NRW (A) reiterates that the pre and post construction monitoring should be secured in the stand alone ML for the Transmission Asset.

#### **4.2.3 J26.14 F05 Mona Outline Landfall Construction Method Statement**

59. NRW (A) welcomes the Applicant’s commitment as detailed in section 1.10.3.2 that account will also be given to the natural envelope of beach profile change over time from historical beach profiles to inform the final detailed design of the drill duct profile to avoid the risk of cable exposure at the beach.

#### **4.2.4 ORML2429T draft WFD February 2025**

60. No comments from a physical processes (hydromorphology) perspective. Seabed disturbance and the generation of Suspended Sediment Concentration (SSC) plumes have been correctly assessed with regards to WFD water body status of the North Wales Coastal Water Body and the Clwyd transitional water body.

#### **4.2.5 ORML2429T draft HRA February 2025**

61. We note that in section 4.2 of MLT’s HRA, the mitigation measures detailed for impacts to reef and sandbank features related to changes in physical processes are “*No more than 5% reduction in water depth (referenced to Chart Datum) will occur at any point*”

*along the Mona Offshore Cable Corridor unless otherwise approved. This measure can be secured within the marine licence.”*

We advise that this should be amended to include the provision that in the event that the 5% restriction in water depth is exceeded, that the Marine Licencing team consults NRW (A) in writing in agreeing an alternative position, which may require further physical processes assessment. Please refer to paragraphs 55 and 56 above for further detail. In addition, we advise that the wording in the draft HRA that states “*This measure can be secured within the marine licence*” should be changed to “*This measure should be secured within the marine licence*”, given that we consider that this mitigation measure needs to be appropriately secured and conditioned within the deemed ML and standalone ML.

62. Provided that the above amendment is carried out, we confirm that we have no further comments and agree with the conclusions of the HRA.

## **5 BENTHIC SUBTIDAL AND INTERTIDAL ECOLOGY**

63. NRW (A) has reviewed the updated ML application documents and, given progress through the DCO process, we are satisfied that all previous matters with regards to the potential impacts to benthic subtidal and intertidal ecology have been addressed. Furthermore, all caveats and agreements have been appropriately secured in the relevant documents provided, which includes an offshore CMS, the CSIP, Biosecurity Risk Assessment and Invasive Non-Native Management Plan, the MPCP and offshore EMP as well as the Outline Landfall Construction Method Statement (OLCMS).

64. Please also refer to the physical process section above (4.2.1), with respect to requirement for consultation with NRW (A) in agreeing an alternative position in the event that the 5% restriction in water depth is exceeded along the cable corridor.

### **5.1 Comments on NRW MLT’s draft HRA**

65. With the exception of the comments made in the Physical Processes section at 4.2.5 above, with respect to requirement for consultation with NRW (A) in agreeing an alternative position in the event that the 5% restriction in water depth is exceeded along the cable corridor NRW (A) agrees with the conclusions of the draft HRA from a benthic ecology perspective.

### **5.2 Comments on NRW MLTs draft WFD Compliance Assessment**

66. Please see section 7.2.4 below.

## **6 MARINE WATER AND SEDIMENT QUALITY (MW&SQ)**

### **6.1 Conservation of Habitats and Species Regulations (2017) and MLT's HRA**

67. NRW (A) agrees with the conclusion that there is no potential for LSE on Annex I habitats of the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC as a result of [1] an increase in SSC and sediment deposition; or [2] accidental pollution where the impacts can be mitigated through the implementation of an Offshore EMP and MPCP; during the construction and decommissioning phases and the operations and maintenance phases of the proposed activities. However, please see further detail in section 7.3 below.

### **6.2 Water Framework Directive Compliance Assessment**

68. NRW (A) agrees with the assessment, and conclusions from detailed assessment, that impacts from the proposed works pose no risk to deterioration in the waterbody status or prevent the North Wales or Clwyd water bodies from meeting their objectives with respect to water quality. This is discussed in further detail within section 7.2, and specifically section 7.2.4 below.

69. NRW (A) supports the inclusion of the seven identified bathing waters, and agrees with the detailed assessment that the proposed works will not cause a deterioration in the status of the Abergele (Pensarn) bathing water. The other identified bathing waters are located further away from the centre of the impact, and we therefore agree with the assessment conclusion of no risk of deterioration. Please also see section 7.2.3 below.

## **7 WATER FRAMEWORK DIRECTIVE (WFD) - COASTAL AND TRANSITIONAL WATER BODIES: OFFSHORE WORKS**

### **7.1 Water Framework Directive**

#### **7.1.1 General Comments**

70. The Applicant has proposed various schemes of mitigation to reduce any adverse effects of the proposed works on the marine environment. To ensure this mitigation is enacted, we advise it is secured through post-consent licence conditions.

71. Through the DCO process, the Applicant committed to changes in the methodology for the proposed works, and also to the assessment of the impact of these works. It was also established where there is unlikely to be any significant effects from the works on a spatial area specific to the DCO (i.e. further offshore). The agreements reached through the DCO process are of less relevance for the transmission assets (i.e. within 12 nm to MHWS), and the Applicant did not provide additional or revised assessments for the works specific to the Marine Licence application.

72. The Applicant used (now superseded) EA guidance to inform their assessment of compliance with the WFD regulations. The Applicant did not apply this guidance correctly

(i.e. as intended), however we are able to agree with the conclusions drawn overall This is discussed in further detail below.

## **7.2 WFD Regulations Compliance Assessment**

*(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)*

### **7.2.1 General comments**

73. For clarity, we advise the references to an “extended Zol” are removed from the WFD Compliance Assessment (CA). The Zol that NRW (A) continue to recommend for use in assessment of the effects of the proposed activity is that which was identified through numerical modelling (*ES Volume 2, Chapter 1: Physical processes [F2.1] and ES Volume 6, Annex 1.1: Physical processes technical report [F6.1.1]*). No other numerically modelled Zol has been presented in support of the assessment of the impacts of the proposed works. We maintain our position that an arbitrary Zol based on a 2 km “buffer” beyond the activity footprint is not appropriate for assessment of impacts in compliance with the WFD regulations. The reference to a buffer area (2 km) in the superseded EA guidance (superseded by NRW guidance: [GN078](#)) may be applied to extend the numerically modelled Zol where sensitive habitats are being considered. The modelled Zol has been applied appropriately for assessment of impact of chemical contaminants. We highlight that the method of assessment used by the Applicant to develop the WFD compliance supporting information did not follow recommended guidance and is not in line with advice previously given. However, we consider the conclusions of the draft WFD Compliance Assessment do comply with the WFD regulations.

### **7.2.2 Screening of Activity and affected Waterbodies**

74. NRW (A) agrees with the screening decision to include the North Wales and Clwyd waterbodies for assessment of compliance with the WFD regulations for the proposed activity and any in combination impacts.

75. We continue to advise as per our advice on 29 August 2024 to include the justification for the exclusion of the Dee (North Wales) Waterbody in the screening process for consideration of quality element scoping and detailed assessment, and consideration of impacts on WFD protected areas. We note that the Mersey Mouth WFD waterbody was identified in the screening process and justification for its exclusion is given in the compliance assessment.

### **7.2.3 WFD protected areas**

76. NRW (A) supports the inclusion of the seven identified bathing waters. We agree with the detailed assessment that the proposed works will not cause a deterioration in the status of the Abergele (Pensarn) bathing water. The other identified bathing waters (Llandudno North Shore; Colwyn Bay; Colwyn Bay Porth Eirias; Kinmel Bay; Rhyl; and Rhyl East) share a common hydrological catchment with Abergele (Pensarn) and share common management practices and challenges. As these bathing waters are located further away from the centre of the impact, we agree with the assessment conclusion of no risk of deterioration.

## **7.2.4 Scoping to establish the relevant likely effects and detailed assessment**

### **7.2.4.1 North Wales Waterbody**

77. NRW (A) agrees with the overall scoping decision that there is a risk the proposal may cause deterioration or prevent the water body from meeting its objectives and therefore a detailed compliance assessment might be required.

#### **7.2.4.1.1 Hydromorphology**

78. NRW (A) agrees that when mitigation measures are accounted for, there is no risk of the activity preventing the waterbody from meeting its objectives and no risk of deterioration with respect to the hydromorphology quality element.

79. An assessment of no potential impact on the hydromorphology of the North Wales Waterbody is predicated on the expectation that a condition will be imposed within the standalone NRW Marine Licence securing the commitment to limit changes in water depth to 5% caused by the presence of cable protection along the export cable corridor up to and including the exit pits seaward of Mean Low Water Springs (MLWS).

#### **Recommendation:**

80. We advise that this commitment is secured as post-consent conditions of the transmission assets Marine Licence (TA ML) via the CMS (construction method statement) and CSIP (cable specification installation plan).

#### **7.2.4.1.2 Water Quality**

81. NRW (A) agrees with the assessment that water quality quality-elements are at risk of impact from the proposed activities and should be scoped in for detailed assessment in the North Wales waterbody.

82. Based on the modelling of the sediment plume and the expected rate of sedimentation, NRW (A) agrees with the assessment that SSC from the proposed works has no potential to cause a deterioration in the waterbody status or prevent the North Wales water body from meeting its objectives with respect to water quality.

83. NRW (A) agrees with the assessment that phytoplankton should be assessed for impact from the proposed activities and should be scoped in for detailed assessment in the North Wales waterbody since the waterbody has been classified as moderate for this quality-element.

84. NRW (A) agrees with the conclusions that as the effects of an increase in SSC are modelled to be temporary, short-term and intermittent over a 14-day spring/neap tidal cycle, there is unlikely to be any impact on the growth of phytoplankton from the proposed activity.

85. NRW (A) agrees that any further effects from an increase in SSC (such as an increase in bacterial counts within the water column and a decrease in DO through the decomposition of sediment nutrient-induced phytoplankton blooms) pose no risk of deterioration in the waterbody status and there is no risk of the activity preventing the waterbody from meeting its objectives with respect to the water quality quality-elements.

86. NRW (A) agrees with the assessment that the proposed works are not likely to cause a deterioration in the status of the North Wales waterbody with respect to heat generated by offshore export cables.
87. NRW (A) agrees that there is no risk of the activity preventing the water body from meeting its objectives or of deterioration of the waterbody or any of its quality elements with respect to the remobilisation of sediment bound contaminants.
88. We support the method of assessment to use the sediment contaminant analysis data for samples taken out to 12 nm from MHWS. Although the number of analysed sediment samples is fewer than we would consider best practise, we agree that the coarse nature of the sediments in the transmission asset activity area decreases the likelihood of occurrence of contaminants of a concentration exceeding CEFAS AL1.

#### **7.2.4.1.3 Biology**

89. NRW (A) agrees with the assessment that *Sabellaria* reef and mussel beds (higher sensitivity habitats) are at risk of impact from the proposed activities and should be scoped in for detailed assessment in the North Wales waterbody.
90. NRW (A) agrees with the assessment that intertidal soft sediments like sand and mud and subtidal soft sediments (lower sensitivity habitats) are at risk of impact from the proposed activities and should be scoped in for detailed assessment in the North Wales waterbody.
91. NRW (A) agrees with the conclusion that it is unlikely for the maximum footprint of the activity of 0.055 km<sup>2</sup> to exceed 1% of any lower sensitivity habitat.
92. NRW (A) agrees with the conclusion of the assessment that the proposed activity is unlikely to cause any deterioration to the North Wales waterbody status or to any of the quality elements that are assessed to inform the status.
93. We note the mitigation measures proposed (para 1.5.1.5; detailed in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology of the Environmental Statement) to lessen the likelihood of negative impact on the areas of higher sensitivity habitat (*S. alveolata* and blue mussel habitat); namely the active siting of the boundary extent of the proposed works away from these habitats.

#### **Recommendation:**

94. The mitigation measures the Applicant has committed to in their ES (active siting of the boundary extent of the proposed works) should be captured as a post-consent condition of the Marine Licence to ensure WFD regulations compliance.

#### **7.2.4.1.4 Fish**

95. NRW (A) advises that there is no need for assessment of fish in coastal waterbodies as they are not considered as a quality-element for coastal waterbodies.

#### 7.2.4.1.5 INNS

96. NRW (A) acknowledges the commitment of the Applicant to produce an Offshore Environmental Management Plan (EMP) and a Marine Pollution Contingency Plan (MPCP) to prevent the spread of INNS from the proposed activities.

#### Recommendation:

97. The mitigation measures the Applicant has committed to produce as part of their MPCP and EMP should be captured as post-consent conditions of the Marine Licence for the proposed works associated with the transmission assets to ensure WFD regulations compliance.

#### 7.2.4.2 Clwyd Waterbody

98. NRW (A) agrees with the Applicant's assessment that the proposed works have no potential to prevent the Clwyd water body from meeting its objectives with respect to hydrology or morphology (Hydromorph), biology, fish, water quality or chemical contaminants, nor will they impact the any measures or improvement activities (where applicable) for the Clwyd waterbody. We also agree with the Applicant's assessment of no potential to introduce or spread INNS within the Clwyd waterbody as there is no proposed activity or vessel activity within the waterbody.

### 7.3 Conservation of Habitats and Species Regulations 2017

#### 7.3.1 Overview

99. NRW (A) agrees with the conclusion that there is no potential for LSE on Annex I habitats of the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC as a result of [1] an increase in SSC (suspended sediment concentration) and sediment deposition; or [2] accidental pollution where the impacts can be mitigated through the implementation of an Offshore EMP and MPCP; during the **construction and decommissioning phases** and the **operations and maintenance phases** of the proposed activities.

#### 7.3.2 Detailed comments

#### Conservation of Habitats and Species Regulations Assessment

##### 7.3.2.1 Screening of designated sites

100. NRW (A) agrees with the output of the numerical modelling of the sediment plume (and so the Zol on sediment and water quality for the proposed activity) that concludes the proposed activity overlaps with only one SAC (Menai Strait and Conwy Bay/Y Fenai a Bae Conwy) for indirect impacts. We accept the conclusion that beyond the modelled buffer, any increases in SSC and sediment deposition would be within the range expected to be observed within natural background variation levels and so would not cause a likely significant effect on any designated feature of the SAC.

### **7.3.2.2 Adverse effect on site integrity (SSC)**

#### **7.3.2.2.1 Adverse effects on qualifying features**

101. The Applicant concluded that seabed preparation and the installation of offshore export cables may cause an increase in SSC (suspended sediment concentration) and sediment deposition during the **construction phase** of the proposed activities and that the Annex 1 designated features of the Y Fenai a Bae Conwy/ Menai Strait and Conwy Bay SAC are potentially vulnerable to reduced water clarity and smothering.
102. NRW (A) acknowledges the commitment of the Applicant to the development of an offshore construction method statement (CMS) that will minimise the potential impacts on the designated features by not permitting sandwave clearance within the SAC.
103. NRW (A) agrees with the HRA conclusion that there will be no adverse effect on the qualifying features of the SAC from SSC or sedimentation during the **construction phase** of the project if the proposed mitigation to be developed for the CMS is adhered to.
104. NRW (A) agrees with the HRA conclusion that the impacts of activities related to the **operations and maintenance phases** of the project are likely to be substantially lower than during the construction phase. As such we agree with the conclusion of no adverse effect on the qualifying features of the SAC from SSC or sedimentation during this phase of the proposed activity.

#### **7.3.2.2.2 Recommendation**

105. We advise NRW MLT to include mitigation of adverse effects of SSC through the development of and adherence to an offshore construction method statement (CMS), which includes a Cable specification and installation plan (CSIP), as a licence condition to the proposed activity.

#### **7.3.2.2.3 In-combination effects**

106. NRW (A) agrees with the HRA conclusion that there will be no adverse effects on the qualifying features linked to the conservation objectives of the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC from an in-combination increased SSC and associated sediment deposition during the **construction and decommissioning phases** of the Mona Offshore Wind Project (E1.2 para 1.5.4.16) or the **operations and maintenance phases** (E1.2 para 1.5.4.40).
107. The HRA concluded that the effects associated with sediment deposition will be limited in spatial extent and of short duration. The potential for in-combination effects is limited as the majority of other activities in the region are occurring outside of the SAC and their impacts are unlikely to overlap with the sediment plume generated by activity from the Mona Offshore Wind proposed activity.

### **7.3.2.3 Adverse effect on site integrity (accidental pollution)**

#### **7.3.2.3.1 Adverse effects on qualifying features**

108. **NRW (A) agrees with the Applicant's conclusion that although without mitigation** there is potential for LSE on Annex I habitats of the Menai Strait and Conwy

Bay/Y Fenai a Bae Conwy SAC from accidental pollution during the **construction and decommissioning phases** and the **operations and maintenance phases** of the proposed activities, these impacts can be mitigated through the implementation of an Offshore EMP and MPCP.

109. NRW (A) agrees that the source of this pressure is likely to occur from the vessels operating in the transmission cable corridor.
110. NRW (A) agrees that should an event occur, effects will be temporary, reversible and limited in spatial extent for both reefs and sandbanks.

#### **7.3.2.3.2 Recommendation**

111. We advise NRW MLT to include mitigation through the development of and adherence to an offshore EMP and MPCP as a licence condition to the proposed activity. The plans should set out industry good practice and OSPAR (Oslo-Paris), IMO (International Maritime Organization) and MARPOL (International Convention for the Prevention of Pollution from Ships) guidelines for preventing pollution at sea.

#### **7.3.2.3.3 In-combination effects**

112. NRW (A) agrees that based on the assessment, there will be no in-combination effects from other plans or projects where no LSE alone has been concluded.

#### **7.3.2.4 Adverse effect on site integrity (remobilisation of sediment bound contaminants)**

##### **7.3.2.4.1 Adverse effects on qualifying features**

113. Disturbance/remobilisation of sediment-bound contaminants may result in harmful and adverse effects on benthic communities. The highly localised nature of the proposed activities combined with the low levels of contaminants found in the site-specific sediment samples are unlikely to cause significant effect. We have previously advised that this impact pathway can be screened out for assessment (E1.4 HRA stage 1 screening report). We therefore have no concerns that this impact pathway has not been included for assessment in the HRA.

##### **7.3.2.4.2 In-combination effects**

114. The in-combination effects of the remobilisation of sediment bound contaminants from other plans or projects with the proposed activities do not need to be assessed for its potential for LSE.

## **8 DESIGNATED LANDSCAPES**

### **8.1 Detailed Comments**

115. Our landscape advice relates to the Isle of Anglesey (IoA) National Landscape (NL), Eryri National Park (ENP), and the Clwydian Range and Dee Valley (CRDV) NL, and the statutory purpose of these designations to conserve and enhance their natural beauty.

For the purposes of this advice, these designations are referred to collectively as Statutory Designated Landscapes (SDLs).

116. Transmission assets proposed as part of the Mona Offshore Windfarm Project comprise:

- up to 4 x export cables,
- 3 x interconnector cables, and
- 4 x offshore substation platforms (OSPs).

117. The export and interconnector cables would not impact on landscape or visual receptors within SDLs because they would typically be buried beneath the seabed, and at landfall in Llanddulas, the export cables would be buried from seaward of MLWS up to the onshore Transition Joint Bays (TJBs). The TJBs would be backfilled and reinstated once construction is completed.

118. The four OSPs would be located within the Mona Array Area and have the potential to impact on landscape and visual receptors within SDLs. The main structure of the OSPs would have a maximum height of 70m above Lowest Astronomical Tide (LAT), a maximum length of 80m and maximum width of 60m. The maximum height of lightning protection and ancillary structures on the OSPs, e.g. helideck, is 90m above LAT. The OSPs would be subject to regular operations and maintenance visits.

119. The OSPs are shown together with the wind turbines on the wirelines and photomontages (visualisations) prepared by the Applicant.

120. Comments on the latest submission are as follows:

- *S\_NRWML\_3 Applicant's Responses to NRW (A) Submission F01 13 November 2024*

121. The Applicant's Response acknowledges our previous comments, and therefore we have no further comment.

- *F2.8 Volume 2, Chapter 8: Seascape and visual resources (clean) F02, 22 January 2025*
- *F2.8 Volume 2, Chapter 8: Seascape and visual resources (tracked) F01\_F02, 22 January 2025*
- *F6.8.4 Volume 6, Annex 8.4: Seascape, landscape and visual resources impact assessment methodology F02, 22 January 2025*

122. The above documents were submitted at Deadline 7 of the DCO application, in January 2025. The updates relate to errata identified during the DCO examination. The Applicant's corrections do not change our previous, separate, advice on the DCO application.

- *S\_D3\_15 Seascape and Visual Resources Cumulative Wirelines F01, 13 November 2024*

123. We understand the cumulative wirelines are the same as those submitted at Deadline 3 of the DCO application. We commented on these in our Deadline 4 submissions [[REP 4-105](#)] and have nothing further to add.
124. Regarding the Marine Licence Principles Document, January 2025, we note the inclusion of a condition for the colour of infrastructure above any height directed by Trinity House to be coloured grey (RAL 7035) unless otherwise directed by the Licensing Authority (NRW). We are satisfied with the inclusion and wording of this condition, as proposed in the ML Principles Document January 2025.

## **9 Materials and Waste**

125. NRW (A) notes that the final Site Waste Management Plan (J26.9) will be approved by the Local Planning Authority (LPA). We agree with this approach and consider that waste will be appropriately managed. NRW (A) should be consulted, in writing, on the final Site Waste Management Plan as part of the Code of Construction Practice (J26).

## 10 REFERENCES

JNCC, Natural England and Cefas (2025) Position on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations. <https://data.jncc.gov.uk/data/e1d38ce8-9bc6-4fb5-b867-f7f595caa25a/jncc-ne-cefas-noise-abatement-joint-position.pdf>

Fliessbach, K.L., Borkenhagen, K., Guse, N., Markones, N., Schwemmer, P. & Garthe, S. (2019) A ship traffic disturbance vulnerability index for Northwest European seabirds as a tool for marine spatial planning. *Frontiers in Marine Science*, **6**: 192.

Kaiser, M., Elliott, A., Galanidi, M., Rees, E., Caldow, R., Stillman, R., Sutherland, W. & Showler, D. (2002) Predicting the displacement of common scoter *Melanitta nigra* from benthic feeding areas due to offshore windfarms. COWRIEæBEN-03-2002.