

WFD Compliance Assessment

OGN 72 Appendix 2 WFD Compliance Assessment template

- In completing this template for a WFD compliance assessment, refer to OGN72 ([link](#)) for definitions, processes and further links to useful websites.

If there are any problems or issues with the information in this desk instruction, you must report it to the responsible Manager Team member named as the owner and guidance.development@cyfoethnaturiolcymru.gov.uk

Version History

Document Version	Date Published	Summary of Changes	Authorised by
1	September 2020	Document created and ready for trialling	
Review Date: [Month & Year]			

WFD Compliance Assessment template

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Consultation with technical advisors/specialists

Figure 1: Stage 1 Screening

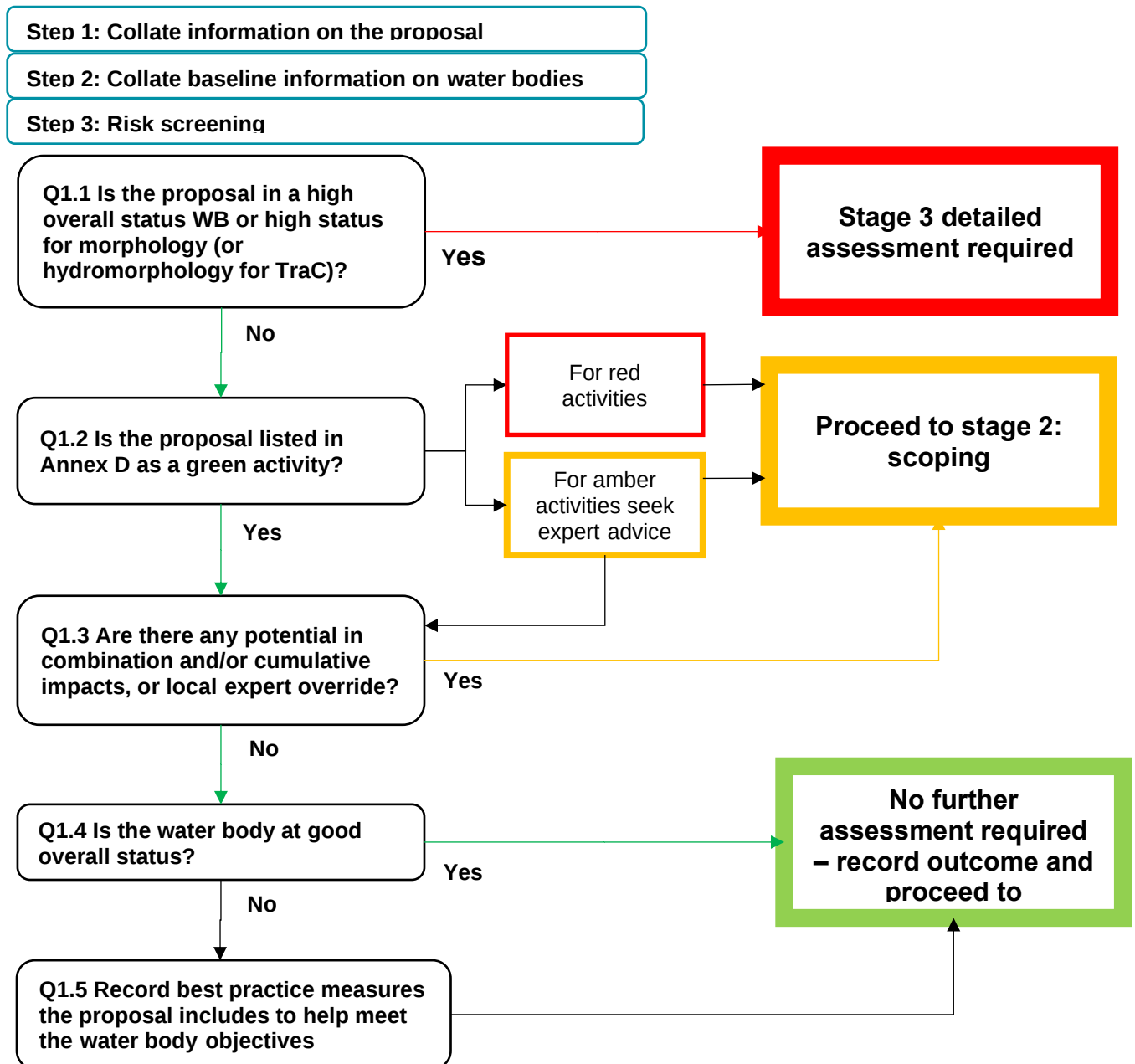
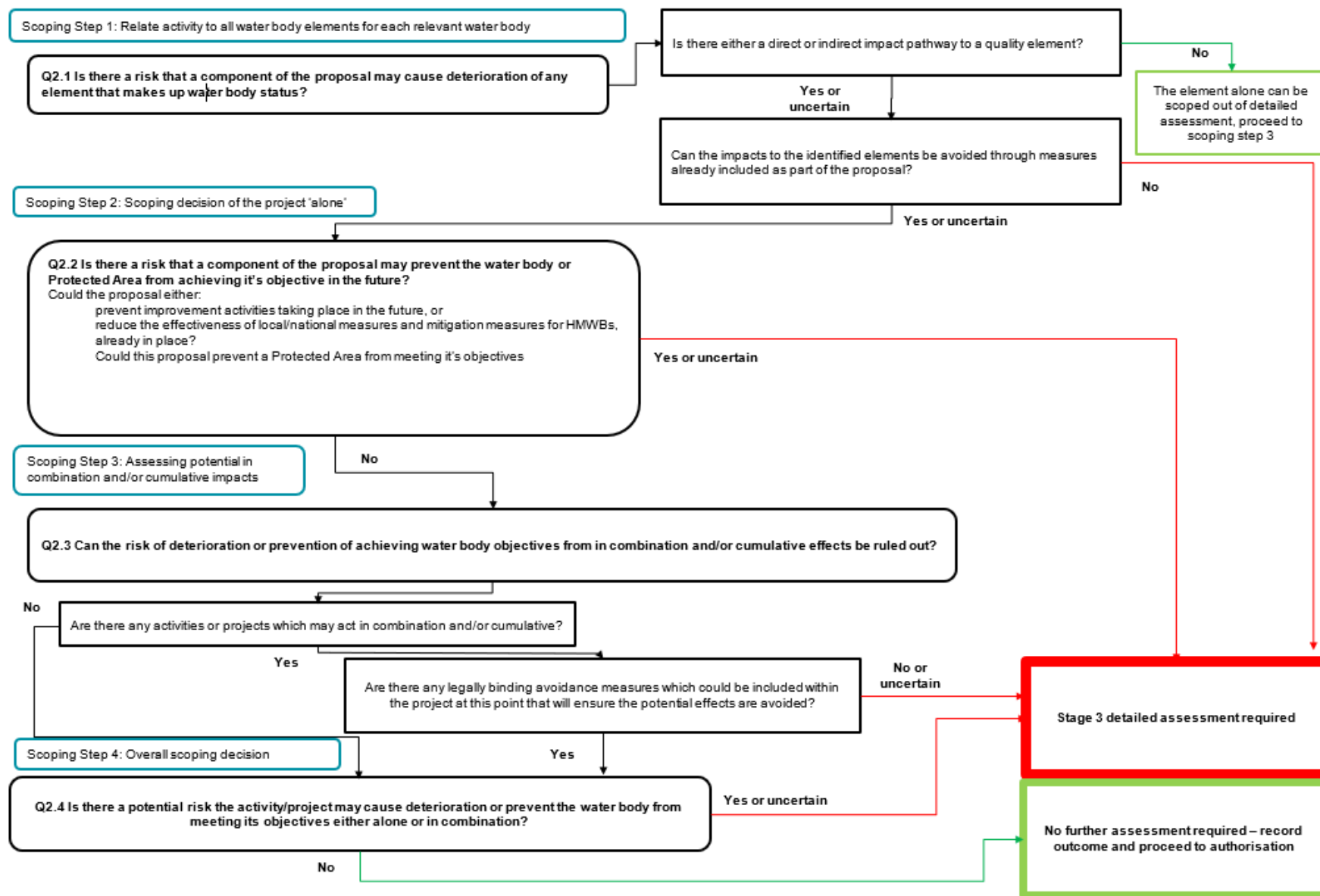


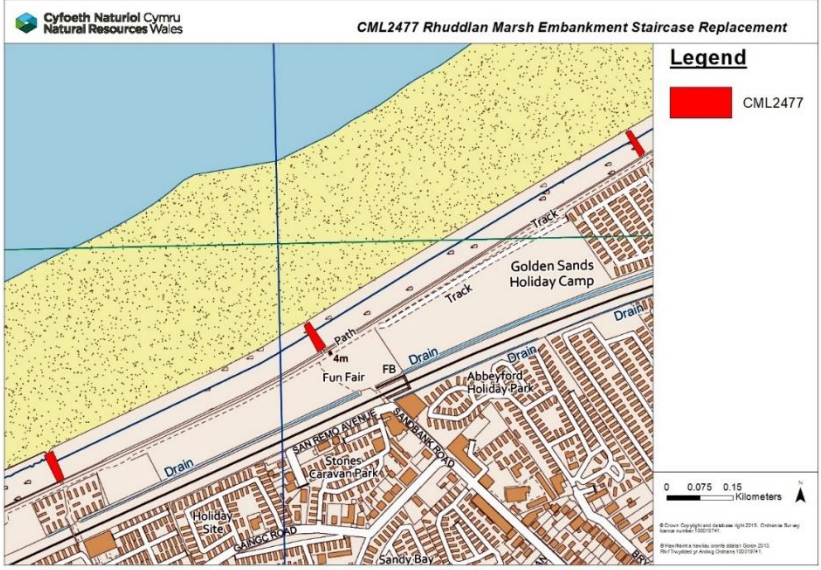
Figure 2: Stage 2 Scoping



WFD Compliance Assessment

Stage 1 step 1: proposal details.

a): Project details where an <u>external party</u> has applied to NRW for any form of authorisation		
Project details	Application reference number (if applicable)	CML2477
	Date application received	31 October 2024
	Applicant details	MPH Construction
	Activity proposed	Rhuddlan Marsh Embankment Staircase Replacement The works will involve the following steps: • Locate lifting equipment in a safe and agreed positions as necessary. • Disconnect corroded steel balustrades from existing concrete staircase. • Detach the existing staircase units from concrete plinths. • Remove existing concrete units and dispose. • Check suitability of existing sub-strata (existing concrete plinth). • Drill dowel bars into existing concrete plinth, ready for installation of new staircase. • Lift new staircase units into position onto existing plinth, using dowel bars as guidance. • Provide polyurethane sealant at joint between new staircase and existing plinth. Allow time to set. • Install new steel balustrades onto new staircase. This sequence will be repeated for each of the three staircases.
	Relevant legislation	Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
	List other permissions that may be required where known	N/A
	Location (include map where appropriate)	Rhuddlan Marsh Embankment, Towyn

	
Application documents <i>Include: Project purpose and background, site map, scaled plan, site photographs and working method statement.</i>	CML2477 - 1010A_WAL_MPH - marine-works-licence-application-form CML2477 - 1010A_WAL_MPH - Location Plan CML2477 - 1010A_WAL_MPH - Site Plan (Part 1) CML2477 - 1010A_WAL_MPH - Site Plan (Part 2) CML2477 - 23047W-DRG-000 B02 – Staircase Specification CML2477 - 23047W-DRG-003 B02 – Staircase 1 CML2477 - 23047W-DRG-004 B02 – Staircase 2 CML2477 - 23047W-DRG-005 B02 – Staircase 3 CML2477 - 23047W-DRG-006 B02 – Staircase Schematics CML2477 - Staircase 1 -297234-1250-1010A_WAL_MPH CML2477 - Staircase 2 -297234-1250-1010A_WAL_MPH CML2477 - Staircase 3 -297234-1250-1010A_WAL_MPH CML2477 - 1010A_WAL_MPH - Marine License Continuation Sheet CML2477 - 1010A_WAL_MPH - WNMP Signposting Document_Completed CML2477 - 23047W-FRM-G-001 – B02 – Design Check CML2477 - 23047W-RAR-001 B02 – Design Risk Assessment
Environmental Statement	N/A
List ongoing maintenance requirements. All structures will require maintenance	N/A
Timing of works	Applicant has requested the following licence dates: 03 March 2025 – 31 May 2025
Pre-application correspondence	N/A

	Are the works located within a WFD waterbody? Or do they have the potential to impact upon a WFD water body? Waterbodies include surface waters (rivers, lakes, transitional waters, and coastal waters out to 1 nautical mile) and groundwaters	The works are located adjacent to the North Wales coastal waterbody and the Clwyd Permo-Triassic groundwater body,
	NRW team responsible for drafting this WFD Compliance Assessment report, and name of lead officer	Jack Thompson – Marine Licensing Team
	Date of assessment	03 December 2024

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

Date of classification information:

WB ID	Water body name	WB type	Management catchment	HMWB	Overall water body status	Ecological status	Chemical status	Hydro-morphology status*	Relevance to the proposal
GB641011650000	North Wales	Coastal	Western Wales	Yes	Moderate	Moderate	Moderate	Good	Proposal is: adjacent to the water body
GB41001G202100	Clwyd Permo-Triassic Sandstone	Groundwater	Western Wales	No	Good	N/A	N/A	N/A	Proposal is: in the water body

**where there is no information, or a null value then assume it is at good status for morphology (or hydromorphology for TraC water bodies)

The potential for the proposal to affect the following water bodies was also initially considered, but can be ruled out without further consideration:

River Gele - GB110066059980 – This water body was ruled out as it is located >1km landward of the works site. Given the scale and localised nature of the works, there is no impact pathway.

Stage 1, Step 3: Risk Screening

Question number	Risk screening questions	Name of activity	Screening decision – delete as appropriate
Q1.1	Is the proposal in a water body at high status or high status for morphology or hydromorphology?	N/A	<u>North Wales</u> Yes – complete detailed assessment for each water body <u>Clwyd Permo-Triassic Sandstone</u> No – go to Q1.2
Q1.2	Is the activity listed in Annex D as a green activity? Complete new row for each activity		<u>Clwyd Permo-Triassic Sandstone</u> No – complete scoping assessment for each water body

Question number	Risk screening questions	Name of activity	Screening decision – delete as appropriate
Q1.3	Are there any potential cumulative/in combination impacts? Or is there Local Expert Override*?	Yes/No	Yes – complete scoping assessment for each water body No – go to Q1.4
Q1.4	Is the water body at Good overall status?	Yes/No	Yes, no further WFD assessment needed – Go to Authorisation No – Go to Q1.5
Q1.5	Record best practice measures that the works include to help achieve the objectives of the water body.	Include all measures then proceed to Authorisation section	

**Expert judgement may be required i.e. for complex or cumulative interactions; or a particularly sensitive site/activity (including target water bodies).*

Stage 2: Scoping Assessment

Each component of the works should be included, for example: a hydropower scheme may include in-channel impoundment, creation of depleted reach, and bank reinforcement for turbine house. Include vegetation removal/management as a scheme component. Where there is a lack of confidence on whether there is potential risk to an element then these should be scoped in for further assessment.

Stage 2, step 1 – relate activity to all water body elements for each relevant water body

Scoping table for Groundwater bodies			
Water body name: Clwyd Permo-Triassic Sandstone Water body ID: GB41001G202100			
Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
Groundwater	Choose one of the following: Direct – risk of direct impact Indirect – risk of indirect impact N/A – no impact pathway N/A – other – include additional text to explain	Further detail on potential impacts. Where N/A is included then provide detail to explain.	Colour text in green if all impacts can be avoided through measures already included in the scheme. Or red for schemes which require detailed assessment
Identify if the activity/project has the potential to impact on the quality or quantity of ground water.			
Hydrological regime: Could the proposal lead to:			
a significant change to groundwater flows, for example, below ground structures which restricts or alters baseflow to dependent surface water or wetlands	N/A – no impact pathway	Works will be taking place within this groundwater waterbody, however, the proposed works will be taking place at surface level and are not predicted to impact subsurface assets. Therefore, the	

Scoping table for Groundwater bodies

Water body name: Clwyd Permo-Triassic Sandstone

Water body ID: GB41001G202100

Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
abstraction of groundwater in large volumes or near sensitive locations		impacts of the construction and operational phases of the works are not expected to present a significant impact to the WFD quality elements.	
a significant change to groundwater chemistry due to inputs of pollutants to the ground over a large area	Direct	Although the works are taking place at surface level, and are not expected to impact subsurface assets, there is still a potential pollution risk if spillage were to occur.	Any materials or fuels stored on site will be a minimum of 10mts above high tide levels, and stored to both manufacturer and COSHH guide lines including bunded drip trays and spill mats where applicable. All plant and machinery needing to access below the high tide level will run on bio diesel and fluids, be fitted with non-drip plant nappies and have additional spill kits in the cab with full instructions attached for the containment of any spills on site. Should the base of the steps require any further improvement then c40 marine grade concrete will be used with a fast set additive to allow setting times within the return tide time frame. All waste materials and packaging will be removed at the end of each shift and disposed of at licenced skip sites. All plant and equipment will be washed down clean and serviceable with proven test certification before access is granted to the access road and beach.
potential impact on ground water dependant terrestrial ecosystems e.g. wetlands			

Scoping table for Groundwater bodies

Water body name: Clwyd Permo-Triassic Sandstone

Water body ID: GB41001G202100

Elements	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
			Tidal conditions to be noted prior to works and work shifts arranged accordingly. Reduced interaction between the waterbody and concrete; all pumped concrete should be injected into void spaces when the tide is receding, opposed to incoming. Plant machinery should avoid movement on the beach, particularly when using concrete, when the tide is in. Work should be conducted during dry conditions. Pollution prevention measures including daily machinery checks to be completed and recorded. Any concrete and fuel left on-site is to be located in the works compound away from the water body. Fuel should be stored in bunded fuel bowers. The works compound will be fenced off and padlocked for security. Spill kits will be available on site in the event of any fuel/chemical spillage.

Invasive Non-Native Species

Refer to the [Check Clean Dry](#) campaign to help prevent the spread of invasive plants and animals in British waters. You can find out more about INNS on the [GB Non-native Species Secretariat website](#)

Risks of introducing or spreading INNS include:

- materials or equipment that have come from, had use in or travelled through other water bodies
- activities that help spread existing INNS, either within the immediate water body or to other water bodies

Does the activity or project have the potential to introduce or spread INNS to a water body?

Add in each relevant WB ID Use a separate row for each WB ID	Applicable	Potential Impact (include direct and indirect potential impacts)	Avoidance measures (briefly describe any measure included within the project at this point that will ensure the potential effects are avoided)
	Choose one of the following: Direct – risk of direct impact Indirect – risk of indirect impact N/A – no impact pathway N/A – other – include additional text to explain	Further detail on potential impacts. Where N/A is included then provide detail to explain.	Colour text in green if all impacts can be avoided through measures already included in the scheme. Or red for schemes which require detailed assessment
Clwyd Permo-Triassic Sandstone - GB41001G202100	Direct	Potential for INNS to be introduced during the operation of machinery if it is not cleaned prior to use.	All plant and equipment will be washed down and ensured it is clean before access is granted to the access road and beach.

WFD Protected Areas

If the proposed activity is within, or hydrologically connected to, a WFD Protected Area. If the activity is hydrologically linked, then as a general rule those Protected Areas within 2 km of the proposed activity will be most at risk.

Protected Areas and Critical sensitive habitats/species		
Consider if WFD protected areas are at risk from your activity. These include:	Applicable	How have you considered the potential impacts?
Protected Areas:		
• SACs/SPAs/RAMSAR	Yes	HRA has been completed and NRW A have been consulted.
• Bathing Waters	Yes	Kinmel Bay (Sandy Cove) Abergele (Pensarn) Due to the small scale, localised nature of the works, it's unlikely there will be any impact on these bathing waters. A series of pollution prevention measures have been included in the project to mitigate any potential impact that may arise from spillage/leakage.
• Shellfish Waters	No	
Other Protected and Priority habitats and species.		
• Nationally or locally protected areas e.g. SSSI, NNR etc	No	
Section 6 Biodiversity and resilience of ecosystems duty (Environment (Wales) Act 2016) here - other Protected and Priority habitats and species. The S6 duty requires that public authorities must seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems. Identify if there is a risk that the activity/project could impact on a water dependant priority habitat and or species which are either critical to the ecological health of the water body or sensitive to changes proposed on the water body.		
• Section 7 list of priority habitats e.g. wetlands	No	
• Section 7 list of priority species e.g. water voles	No	
Ecosystem Resilience		
The Environment (Wales) Act 2016, Section 3 states that the objective of the sustainable management of natural resources is to maintain and enhance the resilience of ecosystems and the benefits they provide now and for future generations		
Consideration of ecosystem resilience – diversity, extent, condition, connectivity.	N/A	

Stage 2, step 2: Scoping decision of the project 'alone'

Scoping assessment	Scoping decisions
Q2.1 Is there a risk that a component of the proposal may cause deterioration of any element that makes up water body status?	No
Q2.2 Is there a risk that a component of the proposal may prevent the water body or Protected Area from achieving its objectives in the future?	No

Stage 2, step 3: Assessing potential in combination and/or cumulative impacts

It is important to consider the in combination and/or cumulative effects of pressures in a water body and the combined impacts of the proposed activity.

Do not include activities which have not yet been applied for, unless the activity is well defined and there are solid reasons for believing that it will be taken forward. Consult with [technical advisors](#) as required.

Avoidance measures - Describe any conditions, restrictions or other measures, if any, applicable to the activity/project, and/or to the other activities giving rise to the in combination / cumulative effect, which could remove the risk of deterioration or prevent of achieving water body objectives. Include details of how such measures would be applied, and who would be responsible for applying them.

If required, further details can be provided in separate clearly referenced documents.

Are there any activities or projects which may act in combination and/or cumulative? <i>If none, put 'N/A'</i>	Nature of the in-combination/cumulative effect (if any)	Avoidance measures Are there any legally binding avoidance measures which could be included within the project at this point that will ensure the potential effects are avoided?	Can the risk of deterioration or prevention of achieving water body objectives from in combination/ cumulative effects be ruled out? 'YES' or 'NO' or 'DON'T KNOW'
N/A			
Scoping decision of the project cumulatively or 'in combination'		Potential cumulative/in combination impacts conclusion	
Q2.3 Can the risk of deterioration or prevention of achieving water body objectives from in combination and or cumulative effects be ruled out?	(a) If the right hand column is 'YES' in all cases	It can be concluded that potential deterioration or prevention of achieving water body objectives from in combination / cumulative effects can be ruled out	
	(b) If any row is 'NO' or 'Don't know' in the right-hand column	It cannot be concluded that potential deterioration or prevention of achieving water body objectives from in combination / cumulative effects can be ruled out	

Stage 2, Step 4: Overall scoping decision

Scoping assessment	Scoping decisions
Overall scoping decision Q2.4 Is there a potential risk that the proposal may cause deterioration or prevent a water body from meeting its objectives either alone or in combination? (choose one of the following options and delete the other)	There is no risk of deterioration or prevention of the water body achieving its objectives as a result of the proposal, either alone or in combination, and no further consideration under the Water Framework Directive/Regulations is required in order to determine the application.

Stage 3: Detailed Assessment

The amount of information provided at this stage will vary depending on the scale and nature of the project and its potential environmental effects. The detail presented at this stage should be proportionate to the scale of the project and its potential risks. For complex cases then a separate report for detailed assessment would be appropriate. For example, if the only aspect of a project being scoped in to stage 3 is the risk of chemical spills during a construction activity and the mitigation being proposed is a Construction Environmental Management Plan to ensure adequate management of the risks are in place then this may be best presented as a simple table. On the other end of the scale, for a complex project we would expect to see the evidence presented of the underpinning assessments for all aspects of the project that had been scoped in to Stage 3. This information is likely to be drawn from modelling studies and other assessments carried out as part of the wider EIA process where relevant and this should cover the following as a minimum:

Assessing for Deterioration

Deterioration in this context refers to deterioration from one status class to a lower one, unless the element is already at bad status and then this also includes within class deterioration.

Temporary effects to not count as deterioration if the water body/ies in question would recover within a short period of time.

Consider if the effects arising from the project are:

- Direct or indirect/secondary
- Alone or in combination; cumulative
- Ensure all stages of the project have been covered in the assessment where relevant, including construction, operation and maintenance, decommissioning

If stage 3 identifies a risk of deterioration, then avoidance of the impact must be considered. If this is not practicable, mitigation should be then considered to reduce the effects as far as is possible. In this context, mitigation can only apply to the water body/ies which are at risk of deterioration, it does not include compensation in other water bodies.

Protected Areas

This stage should also consider the impact of the activity on each of the protected areas identified at the scoping stage.

If it is identified that there is a potential to impact to a SAC/SPA/RAMSAR site, then an HRA must also be carried out; this should be clearly referenced within this section if so.

Assessment of Invasive and Non-native Species (INNS)

If there is a risk of the project introducing or spreading INNS, then a Biosecurity Risk Assessment must also be carried out in association with the project and clearly referenced within this section.

Jeopardising Good Status

If the water body being assessed is at less than good status, it will have the objective of achieving good status by a set date. If this is the case, it must be assessed whether the project will jeopardise the attainment of good status. This is done by assessing if the project may impact upon any improvement measures being currently carried out in the water body by conflicting with them or reducing their effectiveness. A list of water body improvement measures can be found in the RBMPs.

HMWBs – Jeopardising Mitigation Measures

If the water body in question is designated as a HMWB, then there will be a set of water body mitigation measures associated with it. This stage of the assessment must also consider if the project is in conflict with the water body mitigation measures either now or in future. The list of water body mitigation measures can be found on [Water Watch Wales](#).

Stage 3 decision table.

Water body name & ID	WFD element/s scoped in	Description of impacts	Mitigation measures	Is there risk of the activity preventing the water body/ PA from meeting its objectives?* 'YES' or 'NO'	Can the risk of deterioration be ruled out?* 'YES' or 'NO'
North Wales - GB641011650000	Water Quality Biology	Pollution as a result of spillage/leakage from plant and machinery.	Any materials or fuels stored on site will be a minimum of 10mts above high tide levels, and stored to both manufacturer and COSHH guide lines including bunded drip	No	Yes

			trays and spill mats where applicable. All plant and machinery needing to access below the high tide level will run on bio diesel and fluids, be fitted with non-drip plant nappies and have additional spill kits in the cab with full instructions attached for the containment of any spills on site. Should the base of the steps require any further improvement then c40 marine grade concrete will be used with a fast set additive to allow setting times within the return tide time frame. All waste materials and packaging will be removed at the end of each shift and disposed of at licenced skip sites. All plant and equipment will be washed down clean and serviceable with proven test certification before access is granted to the access road and beach.		
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			Tidal conditions to be noted prior to works and work shifts arranged accordingly. Reduced interaction between the waterbody and concrete; all pumped concrete should be injected into void spaces when the tide is receding, opposed to incoming. Plant machinery should avoid movement on the beach, particularly when using concrete, when the tide is in. Work should be conducted during dry conditions. Pollution prevention measures including daily machinery checks to be completed and recorded. Any concrete and fuel left on-site is to be located in the works compound away from the water body. Fuel should be stored in bunded fuel bowzers.		
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			The works compound will be fenced off and padlocked for security. Spill kits will be available on site in the event of any fuel/chemical spillage. Noise abatement barriers such as Echo Acoustic Barrier H10 or similar, will be installed to HERAs fencing surrounding large plant when operating at night. Nocturnal lighting is to be kept to access routes & work areas only Nocturnal lighting to be directed away from water to minimise any potential otter disturbance. A construction environmental management plan (CEMP) will be produced and issued to NRW prior to commencement of works. This will give further details on mitigation methods that will be		
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			implemented to prevent the adverse impact of noise and light on the surrounding environment.		
North Wales - GB641011650000	HMWB - Coastal Protection	All mitigation measures for this waterbody have the following status: Not Applicable - Not Required in This Water Body As such, no mitigation needs to be considered as part of this detailed assessment.	N/A	No	Yes

* Where there is uncertainty if the proposed activity may prevent a water body or PA from meeting its objectives or may cause deterioration then we must follow a precautionary approach, contact the Integrated Water Planning team for further advice.

Conclusion of WFD Compliance Assessment & Authorisation

Clwyd Permo-Triassic Sandstone

WFD stage 2 scoping has been completed and the activity/project is considered as having no risk of causing deterioration or preventing any water body or WFD Protected Area from reaching its objectives and taking account of the advice from technical officers - is considered compliant with the Water Framework Directive/Regulations.

North Wales

In light of the conclusions of a detailed compliance assessment (Stage 3), and taking account of the advice received from technical specialist advisors, it has been established that the activity/project has no potential to cause deterioration of any water body or prevent a water body or WFD Protected Area from meeting its objectives, taking into account any conditions or restrictions as applicable, either alone or in-combination with other activities.

Completed by	Jack Thompson
Job title	Marine Licensing Officer

Date

10 December 2024

Consultation with technical advisors/specialists

Relevant section of the WFD compliance assessment	Date(s) of correspondence* and any meeting(s) with technical advisor(s) and include the name of the technical advisor	Description of how the comments from technical advisors have been considered