

Sent via email

1 July 2025

Dear Dafydd Gruffydd,

**SCREENING AND SCOPING OPINION UNDER THE MARINE WORKS
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (as amended)**

Proposed variation to Marine Licence ORML1938 (Morlais Demonstration Zone), to amend the Project Design Envelope which includes changes to the swept area and blade width across the whole project, while also seeking a variation to the device height localised to berth GR1

I am writing further to your request for a Scoping Opinion, dated 4 April 2025, made in accordance with The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("The Regulations").

The purpose of the Environmental Impact Assessment (EIA) screening procedure is to determine whether the proposed works require an Environmental Impact Assessment and submission of an Environmental Statement (ES). The purpose of the scoping procedure is to determine what information should be provided in the ES.

In reaching our Screening Opinion we have considered the proposed works against Schedule A1 and A2 of the above regulations. In reaching our Scoping Opinion we have had regard to the information provided in the "Morlais Variation Scoping Report v3", dated 2 May 2025, and considered the requirements of Schedule 3 of the Marine Works Regulations. We have also consulted with the bodies that we consider have an interest in the project by reason of their environmental responsibilities, or local or regional competences, as required by the above regulations, and had regard to their comments.

Screening Opinion (ref ORML1938) for the Project (Morlais Tidal Stream Demonstration Project) was issued on the 19 November 2019. The Screening Opinion concluded that the Project fell under paragraph 13 and/or 20 of Schedule A2 of the above regulations and having considered the criteria listed in Schedule 1 of the regulations it was concluded that due to the scale of the project a statutory Environmental Impact Assessment was required. The Scoping Report dated 2 May 2025 relates to a change to the consented Morlais Tidal Stream Demonstration Project (Marine Licence ORML1938) specifically to the swept area and blade width across the whole project, while also seeking a variation to the device height above sea level localised to berth GR1 from 6.5m to 18m. We consider this change

falls under paragraph 89 of Schedule A2 of the above regulation and as the proposed variation seeks to make changes to the parameters of the Morlais Tidal Stream Demonstration Project due to the scale of the project and the changes being outside what was originally assessed we consider that a statutory Environmental Impact Assessment will be required.

Scoping Opinion

This letter sets out the additional information that we consider necessary to be included and/or assessed in the ES for this change to the Project.

Please note our Scoping Opinion is based on the information available to us at this time. The information provided is not a definitive list of the ES / EIA requirements and further information may be required following an application for this project, to ensure a full assessment is carried out.

This Screening and Scoping Opinion will be provided to all those bodies that were consulted and will be publicised on our website and on our Public Register.

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

Scoping Opinion (SC2502)

Summary of the proposal

Proposed variation to Marine Licence ORML1938 (Morlais Demonstration Zone), to amend the Project Design Envelope which includes changes to the swept area and blade width across the whole project, while also seeking a variation to the device height localised to berth GR1 as denoted in Figure 2 of the Scoping Report.

Location

The Morlais Tidal Demonstration zone offshore development area where device deployment can take place covers an area of 35km² to the West of Anglesey. The project includes a grid connection onshore.

Consultation Responses Received

NRW considered it appropriate to consult the bodies listed in the table below on 6 May 2025, due to their particular expertise. These bodies were consulted for a period of 28 days. For those bodies which responded to the consultation an 'Y' can be found in the response received column, and those which did not respond to the consultation an 'N':

Consultee	Response received (Y/N)	Date(s) of receipt
The Crown Estate	Y	2 June 2025
NRW Advisory	Y	10 June 2025
Ministry of Defence - Safeguarding	Y	8 May 2025
Maritime & Coastguard Agency	Y	3 June 2025
Trinity House	Y	4 June 2025
UK Hydrographic Office	N	
Royal Yachting Association	N	
Local Biodiversity Officer - Isle of Anglesey County Council	N	
Local Planning Authority - Isle of Anglesey County Council	Y	4 June 2025
Snowdonia National Park Authority	N	
Local Harbour Authority - Stenaline	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government Marine Enforcement Officers	N	
Welsh Archaeological Trust	N	

Royal Commission on the Ancient and Historical Monuments of Wales	Y	27 May 2025
Department for Transport - wrecks	N	
Cadw	Y	28 May 2025
Chamber of Shipping	N	
NATS Safeguarding	Y	9 May 2025
National Federation of Fishermen's Organisations (NFFO)	Y	29 May 2025
Welsh Fishermens Association (WFA)	N	NFFO note their response was sent following consultation with WFA
Public Health Wales	Y	15 May 2025
Inshore Fisheries and Conservation Authorities	Y	28 May 2025
Planning Environment Decisions Wales	N	
Joint Nature Conservation Committee (JNCC)	Y	3 June 2025
Natural England	Y	29 May 2025
Department of Agriculture, Environment and Rural Affairs – Northern Ireland	Y	3 June 2025
Isle of Man Government	N	
Department for Energy Security and Net Zero (decommissioning)	N	

Consultees who did not provide a response were assumed to have no comment.

0. General comments

0.1. We agree with the approach proposed of providing an ES addendum in principle. Section 6.2 of the Scoping Report details the proposal to produce an ES addendum that includes; an update to chapter 4 (Project Description) of the original ES, to highlight changes in parameters, while an addendum is proposed to be produced for chapter 24 (Seascape Landscape & Visual Impact Assessment (SLVIA)) of the original ES. We consider that the proposed changes to the ES must be clear. Where an updated chapter is produced, a clean and tracked

changed copy must be provided. Please note that throughout the Scoping Opinion below, we refer to requirements for the ES under the assumption that these will be satisfied through an appropriate updated chapter or addendum to the original Environmental Statement.

- 0.2. Marine and coastal guidance produced by NRW that may provide useful information to help with your project is available here:
<https://naturalresources.wales/guidance-and-advice/business-sectors/marine/?lang=en>
- 0.3. The ES submitted should demonstrate consideration of the points raised in this Scoping Opinion. It is recommended that a table is provided in the ES summarising the Scoping Opinion comments and how they are addressed in the ES. Reference to the Scoping Report and Scoping Opinion should be included, as well as a list of chapters of the ES that remain unchanged and a summary of the reason of scoping out these chapters.
- 0.4. The EIA must be undertaken by a competent person and the ES must include a competent expert statement.
- 0.5. Where possible, other environmental assessments should be coordinated with the EIA process. However, it is important to note that the Habitats Regulations Assessment (HRA) and Water Framework Directive assessment (WFD), and any other assessment, are separate processes to the EIA.
- 0.6. New Conservation Site Management Packages were released on the 25 June 2025 for a number of Welsh European Designated Sites. These must be taken into account in our decisions. The Project will need to be reviewed considering the updated Conservation Site Management Packages and we would expect information to be presented to inform this assessment.
- 0.7. Throughout the ES, robust evidence should be presented so that the potential environmental impacts can be properly understood and evaluated; and appropriate measures identified to avoid, reduce or where necessary compensate for those impacts.
- 0.8. Early engagement with relevant stakeholders is encouraged. You are able to obtain further advice from NRW A through the NRW Discretionary Advice Service, please see here: <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/our-service-to-developers/>
- 0.9. You must ensure that reference is made to and consideration of compliance with the UK Marine Policy Statement and the Welsh National Marine Plan and its associated policies within the submitted ES, alongside any further regional planning documentation. The published Welsh National Marine Plan can be found here: <https://gov.wales/welsh-national-marine-plan-document>. Implementation guidance

for the Welsh National Marine Plan can also be found here: <https://gov.wales/welsh-national-marine-plan-implementation-guidance>.

1. Project Description

1.1. The ES must make clear the changes proposed to the project from that previously assessed, and should demonstrate what changes are proposed to the Project Description that was provided in Chapter 4 (Project Description) of the original ES. In addition this must identify areas in the existing consent (Marine Licence ORML1938) to which changes are proposed including the proposal for changes to the Device Type Categories to include devices that are both surface emergent and seabed mounted. We consider the proposed change must be set out clearly, there must be no ambiguity to the proposed change set out within the ES.

2. Topics Scoped Out of Assessment

2.1. Cadw concurred with the Scoping Report that the Onshore and Offshore Archaeology, including the settings of the designated historic assets, can be scoped out the EIA. RCAHMW were also in agreement with the Scoping Report that the revised design would not result in any change to the existing assessment of impact on marine archaeology.

2.2. JNCC were satisfied that impact of the proposed changes on collision risk to marine mammals could be scoped out, due to the requirement already within the Marine Licence for an Environmental Mitigation and Monitoring Plan (EMMP). JNCC detail in representation dated 03 June 2025 that as the proposed increase in turbine blade diameters is relatively small they consider that re-assessing the impacts in the ES would not lead to a change in conclusion or mitigation requirements to that already in place. JNCC therefore agree that collision risk for marine mammals can be scoped out.

2.3. Similarly, NRW A agreed with the Scoping Report that no further assessment on Marine Mammals and Marine Ornithology would be required at this stage. This was based on mitigation which is already in place and secured within the Marine Licence (ORML1938) for a EMMP which includes a procedure for updating ERM/CRM models for each phase of the development. NRW A were therefore satisfied that further assessment on Marine Mammals and Marine Ornithology can be scoped out.

2.4. MCA noted that Search and Rescue impacts and layout will need to be considered in detail for surface devices considering their size and dimension. The MCA highlighted that a detailed device specific Navigational Risk Assessment would need to be carried out in line with current MCA guidance, MGN654, and should be accompanied by a detailed MGN654 Checklist. MCA advised that where devices with revised parameters are being considered, the layout of such deployments should be planned in such a way to ensure maximum clearance to any vessel navigating through the array area at all states of weather/tide. The layout should also be compliant with any additional navigation safety and/or Search and Rescue requirements, as per MGN 654 Annexe 5. MCA agreed with the proposed approach set out in the Scoping Report specifically that the aspects of the devices with revised

parameters are captured within the device specific NRA and detailed sitewide NRA (as part of the 2 year revision) which is already secured within the existing Marine Licence and will require approval in consultation with the MCA prior to deployment of the devices.

2.5. Following review of representations received, we agree with topics scoped out of the EIA assessment as detailed in Table 1 and Appendix 1 of the Scoping Report. This agreement is on the basis that the assessment conducted as part of the original consent application remain applicable and where appropriate necessary mitigation has already been secured.

3. Seascape Landscape and Visual Impact Assessment (SLVIA)

3.1. We agree with the Scoping Report that an updated SLVIA assessment is required to consider the proposed changes to device parameters which include increasing the height above sea level of devices from 6.5m to 18m. Both, the Isle of Anglesey County Council (IACC) and NRW A agree that SLVIA should be scoped into the assessment.

3.2. NRW A disagree with limiting the number of viewpoints reassessed to 3, and disagree that Viewpoint 6 allows an appropriate assessment of a visualisation from a sea level viewpoint. NRW A indicated that people at sea level, for example water based recreational users, are likely to be impacted by the change in PDE. Therefore NRW A advise that viewpoint 4 is reassessed. We would advise continued engagement with NRW A and IACC to ensure that the necessary and appropriate viewpoints are selected for assessment.

Yours sincerely

Peter Morrison

Lead Specialist Officer (Marine Licensing)
Marine Licensing Team
Natural Resources Wales

Approved by:

Emmer Litt
Marine Licensing Team Leader
Natural Resources Wales

Cc: All Consultation Bodies