



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Form

Record of a Habitats Regulations Assessment of a project

March 2016

OGN 200 Form 1

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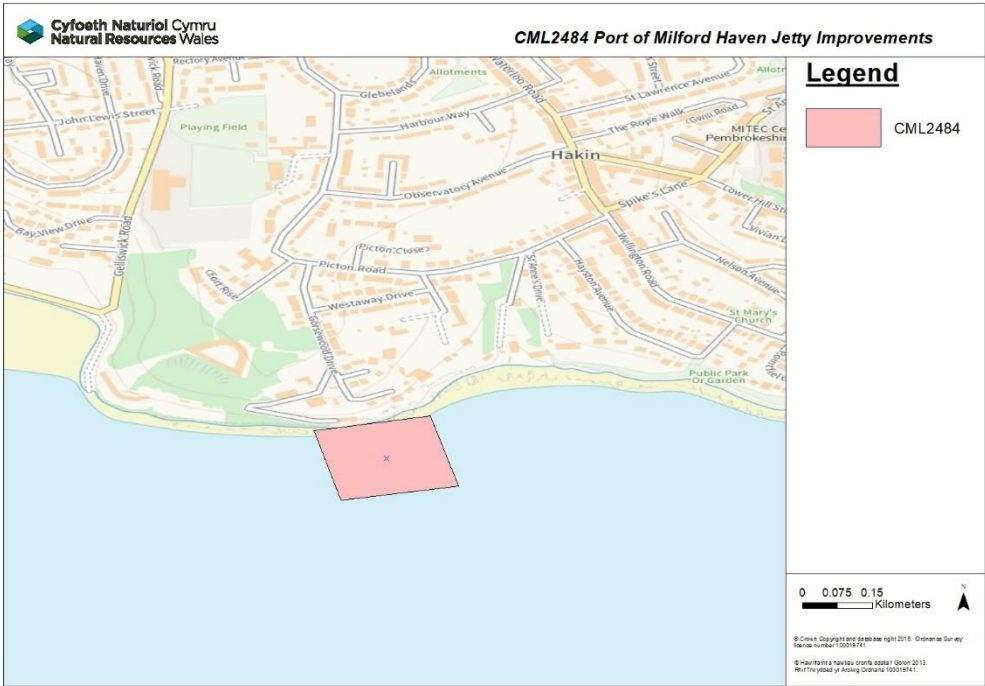
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1. Project Details

1(a): Project details where an external party has applied to NRW for any form of authorisation											
Application reference number (if applicable)	CML2484										
Date application duly made	18 December 2024										
Applicant details	Milford Haven Port Authority										
Activity proposed	Milford Haven Port Authority Jetty Improvements • Removal of the existing welfare cabin, gangway (once new gangway is in place), pontoons and two restraining piles. • Installation of a new gangway and full-length pontoon (West to East leg of jetty) adjacent to the jetty head extending its full length. The gangway and pontoon will be attached to the existing West-East Jetty leg via vertical fender piles that are affixed to the jetty itself and do not require installation into the seabed. • Installation of a new finger pontoon, extending perpendicular from the North-South jetty • leg at its northern extent, supported by up to 6 piles up to 600mm • Installation of one new and one replacement welfare cabins on the jetty deck. One on the short leg and the other on the long leg. • Installation of a replacement diesel fuel hose as part of the existing fuel dispensing station on the jetty head as well as one additional fuel dispenser and an onshore diesel storage tank. • Reinstallation of water and electrical systems from existing landside services										
Relevant legislation	Marine and Coastal Access Act 2009										
Location	Milford Haven Port Authority Jetty <table> <tr> <th>Latitude</th><th>Longitude</th></tr> <tr> <td>51.707200</td><td>-5.052491</td></tr> <tr> <td>51.707479</td><td>-5.050263</td></tr> <tr> <td>51.706143</td><td>-5.049699</td></tr> <tr> <td>51.705876</td><td>-5.051969</td></tr> </table>	Latitude	Longitude	51.707200	-5.052491	51.707479	-5.050263	51.706143	-5.049699	51.705876	-5.051969
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51.705876	-5.051969										

	 Cyfoeth Naturiol Cymru Natural Resources Wales CML2484 Port of Milford Haven Jetty Improvements Legend CML2484 0 0.075 0.15 Kilometers © Crown Copyright and Database right 2016. Ordnance Survey licence number 100019741. © Environment & Heritage Wales 2016. Ordnance Survey licence number 100019741.
Application documents	CML2484 MLA Form_CLEAN CML2484 PC1477 MHPA 2020 Pilot Boat Jetty Environmental Report_CLEAN CML2484 - PC1477 MHPA 2020 Pilot Boat Jetty HRA CML2484 - PC1477 MHPA 2020 Pilot Boat Jetty WER CML2484 PBJ_area_coordinates CML2484 Applicant Response Document 2
Environmental Statement	N/A
Pre-application correspondence	N/A
NRW team responsible for drafting this HRA	Jack Thompson – Marine Licensing Team

report, and name of lead officer	
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2. Determining the need for a Habitats Regulations Assessment

2.1 Is the whole of the project directly connected with or necessary to the management of one or more Natura 2000 sites, for the purposes of conserving the habitats or species for which the Natura 2000 site(s) is/are designated?	No
2.2 Is there a possibility that the project could affect a different Natura 2000 site to the one(s) the project is intended to conserve?	N/A
2.3 Is it necessary to carry out an HRA?	Yes

3. Considering the likelihood of a significant effect (LSE)

3.1 Renewal of a permission on the same or more restrictive terms as the extant permission

Is this project a renewal of a current permission which complies with NRW approved criteria for ruling out significant effects of renewals (see section 6.2A of OGN 200) without conducting a project-specific LSE test?	No
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3.2 Likelihood of significant effects (LSE) test

3.2.1 Which Natura 2000 sites might be affected by the proposal?	Based on the project specification or information provided in the application, it is considered that the following Natura 2000 sites have features which could be affected by the project: Pembrokeshire Marine SAC West Wales Marine / Gorllewin Cymru Forol SAC Cardigan Bay SAC – Bottlenose Dolphin Pen Llyn a’r Sarnau SAC – Bottlenose Dolphin The potential for the project to affect the following Natura 2000 sites was also initially considered, but can be ruled out without further consideration: North Anglesey Marine / Gogledd Môn Forol SAC Bristol Channel approaches / Dynesfeydd Môr Hafren SAC The above had initially been considered for Harbour porpoise as the activity falls within the OSPAR Region III (Marine Mammal Management Unit). However, the impact upon harbour porpoise has already been considered in the assessment of the West Wales Marine SAC which the works are located within 4.5km of. As such, given these sites are located further away, further consideration does not need to be given as any impacts and mitigation regarding this feature have already been determined. Cardigan Bay SAC – Grey Seal Pen Llyn a’r Sarnau SAC – Grey Seal The above had initially been considered for Grey Seal as the activity falls within the OSPAR Region III (Marine Mammal Management Unit). However, the impact upon grey seal has already been considered in the assessment of the Pembrokeshire Marine SAC which the works are located within. As such, given these sites are located further away, further consideration does not need to be given as any impacts and mitigation regarding this feature have already been determined.
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3.2.2 Screening assessment

There is no impact pathway from the proposal to the designated feature

There is an impact pathway in principle, but significant effects from the proposal when considered alone can be ruled out

There is an impact pathway and significant effects cannot be ruled out

Assessment of likelihood of significant effect		
	I Relevant conservation objectives	II Potential impact pathway
Pembrokeshire Marine SAC		
Large Shallow Inlets & Bays	<u>RANGE</u> The overall distribution and extent of the habitat features within the site, and each of their main component parts is stable or increasing. For the inlets and bays feature these include; • The embayment of St.Brides Bay • The ria of Milford Haven • Peripheral embayments and inlets For the coastal lagoons feature this is subject to the requirements for maintenance of the artificial impoundment structure and maintenance of the lagoons for the original purpose or subsequent purpose that pre-dates classification of the site. <u>STRUCTURE AND FUNCTION</u> The physical biological and chemical structure and functions necessary for the long-term maintenance and quality of the	The works are located within this feature. Installation of a total of 6 piles (up to 600mm diameter) is required as part of the proposed works. The rock socket method will be used where possible for pile installation involving the use of a vibrating hammer and a rock socket drill. The underream method may also be used for pile installation involving the use of a vibrating hammer, under reaming drill and percussive piling. The use of percussive piling will be minimal and would only be used in combination with other methodologies to fully secure the piles where required. As a result of the piling, a small area of habitat loss is expected. The expected loss has been calculated as up to 1.68m². Use of spud legs on the jack up barge may also result in habitat loss. During construction, piling activities have the potential to resuspend sediments resulting in short term, localised increases in turbidity, which may temporarily lead to increased sediment deposition within the vicinity of the proposed works. Any plume of suspended sediment is expected to be small and quickly dispersed by tidal and surface currents. By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance dredging operations such as those under marine licence DML2166, effects on water

	habitat are not degraded. Important elements include; - geology, - sedimentology, - geomorphology, - hydrography and meteorology, - water and sediment chemistry, - biological interactions.	quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.
Estuaries & Milford Haven Waterway Complex	This includes a need for nutrient levels in the water column and sediments to be: • at or below existing statutory guideline concentrations • within ranges that are not potentially detrimental to the long term maintenance of the features species populations, their abundance and range. Contaminant levels in the water column and sediments derived from human activity to be: • at or below existing statutory guideline concentrations • below levels that would potentially result in increase in contaminant concentrations within sediments or biota • below levels potentially detrimental to the long-term maintenance of the features species populations, their abundance or range. <u>Restoration and recovery</u> As part of this objective it should be noted that; the Milford Haven waterway complex would benefit from restorative action, for example through the removal of non-natural beach material, and the removal, replacement or improved maintenance of rock filled gabions. There is also need for some restoration of the populations of several typical species of the Milford Haven waterway complex that are severely	The works are located within this feature. Installation of a total of 6 piles (up to 600mm diameter) is required as part of the proposed works. The rock socket method will be used where possible for pile installation involving the use of a vibrating hammer and a rock socket drill. The underream method may also be used for pile installation involving the use of a vibrating hammer, under reaming drill and percussive piling. The use of percussive piling will be minimal and would only be used in combination with other methodologies to fully secure the piles where required. As a result of the piling, a small area of habitat loss is expected. The expected loss has been calculated as up to 1.68m². Use of spud legs on the jack up barge may also result in habitat loss. During construction, piling activities have the potential to resuspend sediments resulting in short term, localised increases in turbidity, which may temporarily lead to increased sediment deposition within the vicinity of the proposed works. Any plume of suspended sediment is expected to be small and quickly dispersed by tidal and surface currents. By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance dredging operations such as those under marine licence DML2166, effects on water quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.

	depleted with respect to historical levels as a consequence primarily of human exploitation. In the Milford Haven waterways complex inputs of nutrients and contaminants to the water column and sediments derived from human activity must remain at or below levels at the time the site became a candidate SAC. For the lagoons feature this is subject to the requirements for maintenance of the artificial impoundment structures of coastal lagoons and maintenance of the lagoons for their original purpose or subsequent purpose that pre-dates classification of the site.	
Atlantic Salt-Meadow		The works are located approximately 2km from this feature and as such, there is no impact pathway.
Mud-Flats And Sand-Flats Not Covered By Seawater At Low Tide	TYPICAL SPECIES The presence, abundance, condition and diversity of typical species are such that habitat quality is not degraded. Important elements include - species richness: - population structure and dynamics, - physiological health, - reproductive capacity - recruitment, - mobility - range	The works are located adjacent to areas of mudflat and sandflat and therefore, there is an impact pathway. During construction, piling activities have the potential to resuspend sediments resulting in short term, localised increases in turbidity, which may temporarily lead to increased sediment deposition within the vicinity of the proposed works. Any plume of suspended sediment is expected to be small and quickly dispersed by tidal and surface currents. By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance dredging operations such as those under marine licence DML2166, effects on water quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.
Coastal Lagoons	As part of this objective it should be noted that:	The works are located approximately 8.5km away from this feature and as such, there is no impact pathway.
Reefs	• populations of typical species subject to existing commercial fisheries need to be at an abundance equal to or greater than that required to achieve maximum sustainable yield and be secure in the long term • the management and control of activities or operations likely to adversely affect the	The works are located within this feature. Installation of a total of 6 piles (up to 600mm diameter) is required as part of the proposed works. The rock socket method will be used where possible for pile installation involving the use of a vibrating hammer and a rock socket drill. The underream method may also be used for pile installation involving the use of a vibrating hammer, under reaming drill and percussive piling. The use of percussive piling will be minimal and would only be used in combination with other methodologies to fully secure the piles where required.

	habitat feature is appropriate for maintaining it in favourable condition and is secure in the long term. <u>Restoration and recovery</u> For the inlets and bays features this includes the need for some restoration of the populations of several typical species which are severely depleted with respect to historical levels as a consequence, primarily of human exploitation. In the Milford Haven waterways complex inputs of nutrients and contaminants to the water column and sediments derived from human activity must remain at or below levels at the time the site became a candidate SAC.	Given the nature of the area, with regular vessel movement and occasional maintenance dredging operations, the likelihood of Annex I reef habitat within this area is minimal and no loss of this habitat is expected. During construction, piling activities have the potential to resuspend sediments resulting in short term, localised increases in turbidity, which may temporarily lead to increased sediment deposition within the vicinity of the proposed works. Any plume of suspended sediment is expected to be small and quickly dispersed by tidal and surface currents. By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance dredging operations such as those under marine licence DML2166, effects on water quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.
Submerged Or Parti Ally Submerged Sea Caves		The works are located approximately 3.5km away from this feature and as such, there is no impact pathway.
Sandbanks Which Are Slightly Covered By Seawater All The Time		The works are located approximately 9km away from this feature and as such, there is no impact pathway.
Grey Seal	<u>POPULATIONS</u> The population is maintaining itself on a long-term basis as a viable component of its natural habitat. Important elements are population size, structure, production, and	Installation of a total of 6 piles (up to 600mm diameter) is required as part of the proposed works. The rock socket method will be used where possible for pile installation involving the use of a vibrating hammer and a rock socket drill. The underream method may also be used for pile installation involving the use of a vibrating hammer, under reaming drill and percussive piling. The use of percussive piling will be minimal and would only be used in combination with other methodologies to fully secure the piles where required.
Otter		
Shad		
River Lamprey		
Sea Lamprey		

	condition of the species within the site. As part of this objective it should be noted that for otter and grey seal; • Contaminant burdens derived from human activity are below levels that may cause physiological damage, or immune or reproductive suppression For grey seal, populations should not be reduced as a consequence of human activity. <u>RANGE</u> The species population within the site is such that the natural range of the population is not being reduced or likely to be reduced for the foreseeable future. As part of this objective it should be noted that for otter and grey seal • Their range within the SAC and adjacent inter-connected areas is not constrained or hindered • There are appropriate and sufficient food resources within the SAC and beyond • The sites and amount of supporting habitat used by these species are accessible and their extent and quality is stable or increasing <u>SUPPORTING HABITATS AND SPECIES</u> The presence, abundance, condition and diversity of habitats and species required to support this species is such that the distribution, abundance and populations dynamics of the species within the site and population beyond the site is stable or increasing. Important considerations include; - distribution, - extent, - structure.	By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance dredging operations such as those under marine licence DML2166, effects on water quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. Noise generated from the works, particularly through percussive piling has the potential to impact migratory fish and marine mammals. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.
Shore Dock		Shore dock grows on rocky, sandy and raised beaches, shore platforms and the lower slopes of cliffs, and rarely in dune slacks. It only occurs where there is a constant source of freshwater. As such, the works site does not present a suitable habitat for shore dock, and it is unlikely to be present, therefore no impact pathway exists.

	- function and quality of habitat, - prey availability and quality. As part of this objective it should be noted that; • The abundance of prey species subject to existing commercial fisheries needs to be equal to or greater than that required to achieve maximum sustainable yield and secure in the long term. • The management and control of activities or operations likely to adversely affect the species feature is appropriate for maintaining it in favourable condition and is secure in the long term. • Contamination of potential prey species should be below concentrations potentially harmful to their physiological health. • Disturbance by human activity is below levels that suppress reproductive success, physiological health or long-term behaviour • For otter there are sufficient sources within the SAC and beyond of high quality freshwater for drinking and bathing. <u>Restoration and recovery</u> In the Milford Haven waterways complex inputs of nutrients and contaminants to the water column and sediments derived from human activity must remain at or below levels at the time the site became a candidate SAC. As part of this objective it should be noted that for the otter, populations should be increasing	
West Wales Marine / Gorllewin Cymru Forol SAC		
Harbour Porpoise (Phocoena phocaena)	To avoid deterioration of the habitats of the harbour porpoise or significant disturbance to the harbour porpoise, thus ensuring that the integrity of the site is maintained and the site makes an appropriate	Installation of a total of 6 piles (up to 600mm diameter) is required as part of the proposed works. The rock socket method will be used where possible for pile installation involving the use of a vibrating hammer and a rock socket drill. The underream method may also be used for pile installation involving the use of a vibrating hammer, under reaming drill and percussive piling. The use of percussive piling will be minimal and

	contribution to maintaining Favourable Conservation Status (FCS) for the UK harbour porpoise. To ensure for harbour porpoise that, subject to natural change, the following attributes are maintained or restored in the long term: 1. The species is a viable component of the site. 2. There is no significant disturbance of the species. 3. The supporting habitats and processes relevant to harbour porpoises and their prey are maintained.	would only be used in combination with other methodologies to fully secure the piles where required. By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance dredging operations such as those under marine licence DML2166, effects on water quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. Noise generated from the works, particularly through percussive piling has the potential to impact migratory fish and marine mammals. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.
Cardigan Bay SAC and Pen Llyn a'r Sarnau SAC		
Bottlenose Dolphin	The population is maintaining itself on a long-term basis as a viable component of its natural habitat. Important elements are population size, structure, production, and condition of the species within the site. As part of this objective it should be noted that : - for bottlenose dolphin, contaminant burdens derived from human activity are below levels that may cause physiological damage, or immune or reproductive suppression - Disturbance by human activity is below levels that suppress reproductive success, physiological health or long-term behaviour”. RANGE	Installation of a total of 6 piles (up to 600mm diameter) is required as part of the proposed works. The rock socket method will be used where possible for pile installation involving the use of a vibrating hammer and a rock socket drill. The underream method may also be used for pile installation involving the use of a vibrating hammer, under reaming drill and percussive piling. The use of percussive piling will be minimal and would only be used in combination with other methodologies to fully secure the piles where required. By resuspending sediment, there is the potential for sediment bound contaminants to be released. To support marine licence DML2166, sediment samples from each dredge area within the Milford Haven waterbody were collected in 2021 and analysed for heavy metals and polycyclic aromatic hydrocarbons. The WFD Compliance Assessment concluded the sediment throughout Milford Haven contains low concentrations of contaminants and that maintenance dredging will not have a non-temporary effect on water quality or cause the deterioration of the Milford Haven Outer and Inner water bodies. Therefore, given that these works will not disturb significant volumes of sediment (both spatially or temporally), particularly in comparison to existing maintenance

	The species population within the site is such that the natural range of the population is not being reduced or likely to be reduced for the foreseeable future. As part of this objective it should be noted that for bottlenose dolphin -Their range within the SAC and adjacent inter-connected areas is not constrained or hindered -There are appropriate and sufficient food resources within the SAC and beyond The sites and amount of supporting habitat used by these species are accessible and their extent and quality is stable or increasing SUPPORTING HABITATS AND SPECIES The presence, abundance, condition and diversity of habitats and species required to support this species is such that the distribution, abundance and populations dynamics of the species within the site and population beyond the site is stable or increasing. Important considerations include; -distribution, -extent, -structure, -function and quality of habitat, -prey availability and quality. As part of this objective it should be noted that; -The abundance of prey species subject to existing commercial fisheries needs to be equal to or greater than that required to achieve maximum sustainable yield and secure in the long term. -The management and control of activities or operations likely to adversely affect the species feature, is appropriate for maintaining it in favourable condition and is secure in the long term.	dredging operations such as those under marine licence DML2166, effects on water quality, and therefore designated protected features and sub features, through the release of sediment bound contaminants are not predicted. Noise generated from the works, particularly through percussive piling has the potential to impact migratory fish and marine mammals. A potential exists for accidental pollution associated with both the construction and operation of the diesel storage facility. This has the potential to impact marine water quality and poses a risk to habitats and species.
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	-Contamination of potential prey species should be below concentrations potentially harmful to their physiological health.	
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3.2.3 Screening decision of the project 'alone'

(a) If ALL rows in column II of Table 3.2.2 are GREEN	The project is not likely to have a significant effect on any Natura 2000 site, because there is no impact pathway from the project to any Natura 2000 features, and no further consideration under the Habitats Directive/Regulations is required in order to determine the application.
(b) If there are NO rows coloured RED in column II of Table 3.2.2, and there are ANY rows which are BLUE	The project is not likely to have a significant effect on any Natura 2000 sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.
(c) If ANY rows in Column II of Table 3.2.2 are RED	The project is likely have a significant effect on one or more Natura 2000 sites and therefore an appropriate assessment is required.

4. Appropriate assessment of the project when considered alone

4.1 Assessment of project as currently defined

Natura 2000 site feature (from Table 3.2.2 – RED rows only)	Impact pathway(s) (from Table 3.2.2)	Description of impacts	Assessment in view of conservation objectives	Can adverse effect on site integrity be ruled out?

Pembrokeshire Marine SAC				
Grey Seal Otter Shad River Lamprey Sea Lamprey	Underwater noise	Changes in underwater noise resulting from the piling activities included in the proposed works has the potential to impact migratory fish and marine mammal species should they be present within the vicinity of the works while percussive piling is being undertaken.	The conservation objectives seek to maintain and support marine mammal and migratory fish species. Noise generated through piling has the potential to cause serious auditory injury and permanently displace species if conducted for an extended period of time.	No
Large Shallow Inlets & Bays Estuaries & Milford Haven Waterway Complex Mud-Flats And Sand-Flats Not Covered By Seawater At Low Tide Reefs Grey Seal Otter Shad River Lamprey Sea Lamprey	Pollution	There is potential for accidental pollution resulting from a spill either during construction works or during the operation of the refuelling facilities.	Accidental pollution may impact marine water quality and presents a risk to habitats and species.	No
Large Shallow Inlets & Bays Estuaries & Milford Haven Waterway Complex	Habitat Loss	As a result of the piling, a small area of habitat loss is expected. The expected loss has been calculated as up to 1.68m ² . Use of spud legs on the jack up barge may also result in habitat loss.	The 1.68m ² of loss represents a small proportion of the overall SAC area (approximately 0.00000012%), and a small proportion of the feature itself. As such, the scale of the loss in comparison to the size of the feature is negligible. Additionally, the removal of the existing pontoon piles could expose previously lost habitat areas (up to 0.32m ²).	Yes

			Although use of spud legs may also result in habitat loss, they are temporarily deployed and are not a permanent fixture. The holes created will take a significant amount of time to infill (i.e. more than 6 years), and therefore, recovery of the seagrass habitat will not be immediate. However, given the relatively small area of potential loss which could occur, it is unlikely this would result in an adverse effect on site integrity.	
West Wales Marine / Gorllewin Cymru Forol SAC				
Harbour Porpoise	Underwater noise Pollution	Changes in underwater noise resulting from the piling activities included in the proposed works has the potential to impact marine mammal species should they be present within the vicinity of the works while percussive piling is being undertaken. Noise generated from the works, particularly through percussive piling has the potential to impact migratory fish and marine mammals. There is potential for accidental pollution resulting from a spill either during construction works or during the operation of the refuelling facilities.	The conservation objectives seek to maintain and support harbour porpoise. Noise generated through piling has the potential to cause serious auditory injury and permanently displace species if conducted for an extended period of time. Accidental pollution may impact marine water quality and presents a risk to habitats and species.	No
Cardigan Bay SAC and Pen Llyn a'r Sarnau SAC				
Bottlenose Dolphin	Underwater noise Pollution	Changes in underwater noise resulting from the piling activities included in the proposed works has the potential to impact marine mammal species should they be present within the vicinity of the works while percussive piling is being undertaken.	The conservation objectives seek to maintain and support harbour porpoise. Noise generated through piling has the potential to cause serious auditory injury and permanently displace species if conducted for an extended period of time. Accidental pollution may impact marine water quality and presents a risk to habitats and species.	No

		Noise generated from the works, particularly through percussive piling has the potential to impact migratory fish and marine mammals. There is potential for accidental pollution resulting from a spill either during construction works or during the operation of the refuelling facilities.		
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4.2 Assessment of the project taking into account additional mitigating measures, conditions or restrictions

Natura 2000 Feature (from Table 4.1 – ‘NO’ rows only)	Description of adverse effect(s)	Can adverse effect(s) be mitigated?	Description of mitigation measures, and how they would be applied (e.g. contractual obligations, consent conditions)	Can adverse effect on site integrity be ruled out?
Grey Seal Otter Shad River Lamprey Sea Lamprey Harbour Porpoise Bottlenose Dolphin	Changes in underwater noise resulting from the piling activities included in the proposed works has the potential to impact migratory fish and marine mammal species should they be present within the vicinity of the works while percussive piling is being undertaken.	Yes	The percussive piling will be relatively short-term however, to minimise the potential for impacts, all percussive piling will be undertaken using a soft-start procedure to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration will be a period of no less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure will be repeated. This will be undertaken in-line with Joint Nature Conservation Committee (JNCC) guidance, to minimise the potential for impacts to migratory fish and mammals that may be present in the vicinity of the works. To secure appropriate mitigation, the following piling conditions will be added to the licence: <i>The Licence Holder must ensure that vibro-piling is used when inserting piles where operationally possible. Where this isn't possible, percussive piling may be used.</i>	Yes

			<i>The Licence Holder must ensure that if percussive piling is used, soft-start procedures are used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration should be a period of no less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.</i> <i>The Licence Holder must ensure there is a 12 consecutive hour break in piling activities in any 24-hour period.</i> <i>The Licence Holder must ensure all precautionary recommendations outlined in the JNCC Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise August 2010 are implemented. Any proposed changes to the actions outlined in this document must be submitted to and approved in writing by the Licensing Authority prior to any changes being enacted.</i> To prevent impacts on migratory fish, particularly lamprey, the following timing restriction will be conditioned: <i>The Licence Holder must ensure that no percussive piling takes place between October to May inclusive, without prior written approval from the Licensing Authority.</i>	
Large Shallow Inlets & Bays Estuaries & Milford Haven Waterway Complex Mud-Flats And Sand-Flats Not Covered By Seawater At Low Tide	There is potential for accidental pollution resulting from a spill either during construction works or during the operation of the refuelling facilities.	Yes	The applicant has explained that an Oil Spill Contingency Plan is in place which is monitored and approved by the Maritime and Coastguard Agency and a quick deployment containment boom is currently located on the jetty platform to prevent oil from spreading in the event of a large-scale accidental oil spill. This equipment will remain in a suitable location during construction and on the jetty or pontoons once installed. The applicant has stated that they will follow all best practice measures such as the use of bunded storage facilities and provision of spill kits to ensure that the risk of a pollution event is minimised. To ensure that these measures are secured, the applicant will need to submit a CEMP which must be signed off by NRW prior to commencing works. The following condition will be included on the licence:	Yes

Reefs Grey Seal Otter Shad River Lamprey Sea Lamprey Harbour Porpoise Bottlenose Dolphin			<i>The Licence Holder must submit a construction environment management plan to the Licensing Authority for written approval at least 6 weeks prior to commencement of the Licensed Activities. No Works may be undertaken prior to written approval from the Licensing Authority.</i> <i>The Licence Holder must ensure that any actions outlined in the documents detailed are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by, the Licensing Authority prior to any changes being enacted.</i>	
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4.3 Concluding the appropriate assessment of the project alone

(a) If the right hand column of Table 4.1 and Table 4.2 (if applicable) is 'YES' for all features	It has been ascertained that the proposal, when considered alone, will not adversely affect the integrity of any Natura 2000 sites.
(b) If there are any 'NO's in the right hand column of Table 4.1 that have not been resolved to 'YES' through mitigation measures identified in Table 4.2	It has not been ascertained that the proposal, when considered alone, will not adversely affect the integrity of one or more Natura 2000 sites.
(c) Are there any residual effects of the project (net of any mitigation measures identified) which, though insignificant on their own, could be significant if	Yes

considered in combination with the effects of other plans or projects?	
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5 In combination assessment

5.1 Identifying possible in combination effects

BLUE impact pathway from Table 3.2 and/or Residual effect (from appropriate assessment in section 4)	Natura 2000 site feature(s) concerned	Other plans/projects with effects that might interact with the effects of the project to render its effects significant (if any)	Nature of the in-combination effect (if any)	Is there likely to be any significant in-combination effect, in view of the site's conservation objectives?
Increased sedimentation	Pembrokeshire Marine SAC	CML2416 - Impala Terminals Infrastructure UK Ltd - Maintenance of Puma Energy jetty located off Gelliswick Bay. Maintenance works consisting of removal of corrosion from steel structure and subsequent repainting. Access will be through the use of a floating barge or suspended scaffold.	Given the nature of the works, there will be no in-combination effects.	No
	Pembrokeshire Marine SAC	DML2166 - Disposal of dredge material	The small scale nature of the works under CML2484, and the minimal volumes of sediment disturbed, mean that the in-combination effects would be negligible.	No
(a) If the right hand column is 'NO' for all rows		The project, when considered in combination with other plans and projects, is either not likely to have a significant effect on, or will not adversely affect the integrity of any Natura 2000 site.		
		The project is likely to have a significant effect in combination with other plans or projects.		

(b) If any rows in the right hand column are 'YES' or 'DON'T KNOW'	
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6. Conclusion

HRA is not required because the whole of the project is directly connected with or necessary to the management of one or more Natura 2000/Ramsar sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, <u>and</u> the project is not likely to have a significant effect on any other Natura 2000/Ramsar sites. (As documented in section 2.1 and 2.2 of this form)	
HRA is not required because there is no conceivable impact pathway to any Natura 2000/Ramsar site (As documented in section 2.3 of this form)	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out significant effects of a renewal without conducting a project-specific LSE test. Therefore it is considered not likely to have a significant effect on any Natura 2000/Ramsar sites, either alone or in-combination with other plans and projects. (As documented in section 3.1 of this form)	
The project has been screened for likelihood of significant effects and, taking account of the advice received from protected sites advisors, is considered not likely to have a significant effect on any Natura 2000/Ramsar site (As documented in section 3.2 of this form, or section 5 if applicable)	
In light of the conclusions of an appropriate assessment, and taking account of the advice received from protected sites advisors, it has been established that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans and projects. (As documented in section 4 of this form, and section 5 if applicable)	X
In light of the conclusions of the appropriate assessment, it has <u>not</u> been ascertained that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, as documented in section 4 of this form, and section 5 is applicable.	

Approval for the project cannot be given unless either:

- the project specification, and/or the terms under which it might be approved, are modified so as to remove the risk of adverse effects, and a revised HRA report is prepared, or
- the project satisfies the requirements of Article 6(4) of the Habitats Directive, an Article 6(4) Statement of Case is prepared (OGN 200 Form 3) and submitted for consideration by the appropriate authority, normally Welsh Ministers

Signed: 

Name: Jack Thompson

Position: Marine Licensing Officer

Date: 16 January 2025

7. Consultation with protected sites advisor(s) and how sections 2, 3, 4 and 5 of this HRA report (as applicable) take into account that advice.

Relevant section of the HRA report	Date(s) of correspondence* and any meeting(s) with protected sites advisor(s)	Description of how the comments from protected sites advisors have been taken into account
2, 3 and 4	27 February 2025 04 March 2025 02 May 2025 01/08/2025 19/08/2025	NRW Advisory did not agree with the conclusions of the HRA. Additional information and assessments from the applicant were requested. Requests for DDV footage due to the potential for habitat loss. Following the change in method, only 6 piles are now being installed as opposed to 32. NRW A now agree with conclusion of HRA. Despite potential habitat loss, no adverse affect is expected given that the area of loss is small. Form 3 provided.

Appropriate nature conservation body (ANCB) response to an internal HRA consultation

OGN 200 Form 3

TO: Jack Thompson, Marine Licensing Team

FROM: Delyth Rowlands, Marine Area Advice and Management Team

SUBJECT: Habitats Regulations Assessment of CML2484 MHPA Jetty Improvements

Thank you for consulting the Marine Area Advice and Management Team on the above. Our comments are as follows:

Many thanks for consulting us on the amended HRA sent on the 4th August 2025. We agree that the project will not adversely affect the integrity of any Natura 2000/Ramsar site, taking into account any conditions or restrictions as applicable, either alone or in combination with other plans and projects.

We would like to highlight a minor editorial issue in Section 3.2.1 of the HRA. When describing the management unit for the grey seal, the HRA refers to the "Celtic & Irish Seas." This should be corrected to "OSPAR Region III". There is no need to re-consult us on this proposed amendment.

Signed: *Delyth Wyn Rowlands*

Date: 19th August 2025