

12/02/2026

RE: ORML1938v1

FAO Peter Morrison
Dear NRW Marine Licensing,

Please find below responses to the comments made by the MCA and kayakers on the biennial Navigation Risk Assessment (NRA) during the consultation for the relevant ORML1938 condition. These have been drafted with Marico Marine where they concern matters of navigation.

Please note that the NRA has now been accepted by MCA and we do not anticipate that any further changes will be necessary at this stage. Device specific issues will be addressed in the subsequent device specific NRAs.

MCA 1. We notice, that following the meeting with MCA in 2023 and 2025 the project has amended certain aspects like the Marine Coordination Centre- However, we note that a new additional mitigation measure- the Vessel Traffic Coordination System has now been introduced. There is very little information about this with the NRA. It states within Table 27 that- *While remote monitoring of individual devices is assumed as an embedded risk control factor (Table 23 #12), additional monitoring may be appropriate on a site-wide basis and should be determined in site-specific assessments. This will allow a sitewide overview of all deployed devices and give an appropriate means for OREI operators to notify and provide evidence of the infringement of safety zones.* We believe this is a site-wide NRA, and this is the right document where any site-wide assessments/ mitigations should be detailed.

The reason that the Vessel Traffic Coordination System has been introduced is that it is recognised that there is a wide range of possibilities of turbine deployment covered by the site wide NRA. This covers the possibility of a single turbine deployment all the way up to a 240MW multi array project. The relative scale and complexity of these ends of the spectrum are so different that it is not possible to describe a one size fits all vessel traffic coordination system that is both effective and economically viable. For example if there is a single turbine deployed, or a small number of individual turbines, spaced at more than a kilometre from each other, the coordination requirements are very low and could be managed by the vessel operators themselves. Conversely if there are large





arrays in close proximity, a centralised AIS monitoring system may be necessary and justified. In both cases, whilst the MCA's comment is understood that site wide elements could be most appropriately described in the site wide NRA, in practice it is in the array specific NRA's where the specific circumstances around each array and others being deployed or in operation at the same time will be considered. Therefore as the deployment scale and complexity increases with each subsequent deployment, the VTCS requirement would also increase.

At this point it is also important to note that Morlais has identified challenges with the current approach it is taking to site wide and then array specific NRAs and it proposing a change for future iterations where the bi-ennial NRA undertakes a 'look ahead' for the next two years. This would allow a proper understanding of the scale and complexity of what was expected to be installed during that period and hence would allow the nature of the VTCS to be defined. Subsequent array specific NRAs would then be for deployments that were within the parameters of the bi-ennial and making use of the VTCS as described therein. Given that the next bi-ennial NRA is expected to be completed relatively soon, this issue will be address at that time.

MCA 2. We notice within Table 29 that the residual score for ID 68- Grounding / Forced Ashore Powered Recreational Vessel has increased to 5.27 from 4.93. However, we notice within Annexe B Hazard Log, there are no changes to individual scores of Most Likely and Worst Credible Consequences or Frequencies or Additional Mitigations for this hazard.

Apologies for this error it has been corrected in the version attached.

MCA 3. Annexe C- Hazard Log- sitewide- Operational Hazards 25,26 still has Restrict Navigation through the Gold and Green MDZ Zones as additional mitigation measures. The project had agreed to remove this as a mitigation measure.

Apologies for this error it has been removed in the version attached.

MCA 4. As explained previously and within the NRA, the additional mitigation measures are suggested- unless they are committed, we don't believe they should have an impact on residual scores. We also note that most of the Suggested additional mitigation measures are repeated across the Hazard Log- but only some are affecting the residual risk scoring.



The suggested additional mitigation measures will be in place across the site and are suggested to reduce the baseline risk for certain vessel types and hazards. Some mitigations will have more of an impact on certain hazards and vessel types when compared with others. While mitigations may have an impact, they may not prompt a shift in risk bands and therefore their effect on certain hazards may not be visible when compared to others, where the mitigations will reduce the baseline risk to the residual.

MCA 5. We couldn't find any reference to the new device (Tidal Tech Ltd) for which a marine license variation was submitted within the revised 2025 version NRA. Section 2.3 of the site-wide NRA needs revision to capture this variation.

In discussions with Marico it was determined that for the purpose of the Site Wide NRA the Tidal Tech type Surface Emergent Seabed Mounted (SESM) technology is already considered in the assessment because by the nature of the Project Design Envelope approach taken; ie. it is a combination of things that has already been assessed. Our scoping report set out how the SESM device type was already included in the PDE and NRW accepted that these were hybrid devices rather than a new device type. The NRA has therefore been updated to make this clear, that SESM devices are explicitly included in this assessment. It is worthy of note that the height of the SESM devices is no higher than the electrical hubs already considered (18m above LAT) and whilst blade width and swept area also increased slightly, Marico consider that these changes are not significant in terms of navigational risk. Additionally, in any case individual device parameters will be considered in the device-specific NRAs that will be due as part of the ORML1938 Marine Licence conditions.

In terms of the changes to the document, they are as follows:

Page iii) New paragraph: "In January 2026, Marico Marine was requested to review the NRA to reflect additional comments received from regulators and stakeholders following their application for a variation to Morlais Demonstration Zone (MDZ) Marine Licence ORML 1938 ("Marine Licence") to amend specific approved parameters to allow Surface Emergent Seabed Mounted (SESM) device deployment within the MDZ. Minor additions were made to the document to reflect this variation, and to take into accounts comments received from stakeholders, including making minor corrections to the hazard logs. The document issue number has been revised to 03 on 14 January 2026. Overall, no change in the overall risk profile has been"



Page 4) Section 1.4 added to explain changes to document and clarification that the SESM devices are included. Section 1.4.1 references MCA comments and section 1.4.2 references other stakeholder comments that will be addressed separately.

Page 11) Table now explicitly includes the SESM device

Page C-8) Annex C Haz log Risk 25 – Text referencing restricted navigation removed.

Page C-8) Annex C Haz log Risk 26 – Text referencing restricted navigation removed.

ASKA

- 1) We request that the NRA put on record that kayaking is year-round with significant activity in winter.

The data collected during our Winter Vessel Traffic Survey (VTS) determined that recreational activity across the winter period was reduced when compared with the summer period. However, Marico Marine are aware from correspondence with recreational stakeholders that un-powered recreational users can be present during the winter period. This was taken into consideration during the assessment and is evidenced in the report within Figure 15. The plot illustrates GPX kayaker tracks which were supplied from the Sea Kayaking Alliance and contains tracks that were generated during January to October of 2023, tracks in Jan/Feb represent tracks within a winter period.

- 2) The Alliance also pointed out to Marico that although still very much an unusual activity that members have been called on to provide safety cover for open water swimmers within the inshore passage⁹. Correspondence with the swimmers suggest this is something we might expect to increase. The presence of open water swimmers should be monitored and considered as a potential Hazard category – noting also that swimmers also arise from ‘man overboard’ incidents including capsized U-PRV when the person in the water loses contact with their craft.

We have concerns about U-PRV functioning as a safety cover open water swimmers and we assume that you are undertaking your own risk assessments for any activities such as this. It is also noted that people in the water is already considered in the NRA.



- 3) We request greater clarity in the determination and use of incident rates in deriving the risk scores.

Marico Marines NRA methodology follows the guidance outlined within MGN 654 and the IMOs FSA methodology. Specific details, including risk criteria and consequence categories are detailed in Annex A.

- 4) According to Marico the most significant of these is Hazard 62 “An un-powered recreational vessel overwhelmed by sea and swamps / capsizes due to the presence of the devices and their moorings” people may capsize on approach to the device but it does seem more likely that this occurs as a consequence of contact i.e. Hazard 5 & 29 with a high chance of fatality if contact leads to Hazard 68 which has not been scored. In this regard it should be Hazard 5 rather than Hazard 62 which has the highest scores otherwise Hazard 62 should be re-worded.

The descriptions for each hazard category are detailed within table 19. Marico Marine standby the scoring for these hazards and believe that the risks to un-powered recreational vessels has been adequately addressed and subsequently appropriate risk controls have been identified to reduce the risk to an acceptable level.

- 5) We request Table 27 the following changes are made:

Additional Risk Control ID2 – please add OREI arrays are aligned with principal tidal directions such that vessels without steerage to be swept through array rather than onto Devices.

It is not clear what OREI arrays being aligned with principle tidal directions means, as by design the turbines themselves will necessarily largely be aligned with the tidal flow in any event. Given there are different designs being considered under the Morlais project, and they are all considered under the Project Design Envelope (PDE) of the NRA, it is confirmed that this issue is already considered in the NRA.

- 6) Additional Risk Control ID10 please add “These should be designed to avoid snagging hazards themselves and allow for safe boarding and refuge.”



Please add an Additional Risk Control “Early engagement with stakeholders on design of any surface devices to minimise snagging and entrapment risk

Menter Môn will relay this to the turbine developers but won't add this as a Risk Control. Risk Controls are in the navigation aspect, not design. Turbine developers are encouraged to design turbines to minimise snagging hazards.

- 7) Please add an Additional Risk Control “Provide notices of presence of surface devices at launch points and via communication channels to the paddle community including guides and accommodation providers used by kayakers.

Promulgation of information to local stakeholders has been included as an embedded mitigation measure - see table 27.

Paddle Cymru

- 8) It is requested that the NRA records the following as part of this consultation:

The sea scape and tide races to the West of Holy Island are of longstanding international importance to paddlesport and hence are an area of high recreational and commercial paddlesport use.

These matters are not concerning navigational safety. Paddlesport is considered in the NRA.

- 9) There have been a number of incidents², most recently the RNLi rescue of 5 kayakers in June 2024, resulting in persons in the water within the MDZ.

This happened after the NRA was conducted and will be taken into account in the next NRA.

- 10) It is reasonably foreseeable that there will be future incidents where persons will end up in the water within the Morlais Demonstration Zone (MDZ).

The risk to people ending up in the water as a result of a navigational incident has been considered within the assessment. In some hazards, the worst credible outcome is categorised as "Heavy contact, person in the water;"



11) It is requested that the NRA explicitly recognises this requirement as an embedded risk control. We suggest the following inclusion in Table 23:

“Consideration of ALARP Measures” – “Identify and implement any reasonably practical measures, including design and proximity to shore of devices, electrical hubs & platforms, to minimise risk to other vessels.”

Marico Marine have included a list of suggested additional mitigation measures that can be considered to reduce navigational risks to an acceptable level (hazards that were assessed ALARP or above), the impact that mitigation measures will have on hazards is the residual risk.

Kind regards,

Andy Billcliff
Menter Môn Morlais Ltd CEO

