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Environmental Impact Assessment Written Confirmation of the EIA Consent Decision

**Marine Works (Environmental Impact Assessment) Regulations
2007 (as amended) (“the Regulations”)**

Menter Môn Morlais Limited

Holy Island, Anglesey

Tidal stream demonstration project off the west coast of Holy Island

Variation application reference no: ORML1938v1

Variation to amend parameters to allow Surface Emergent Seabed Mounted Device deployment within the Marine Development Zone.

27 April 2026

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1. Introduction

- 1.1 This document is the Environmental Impact Assessment ('EIA') Written Confirmation document for a variation to a regulated activity, consented under Marine Licence ORML1938 to Menter Môn Morlais Limited to provide a consented tidal technology demonstration zone, specifically designed for the installation and commercial demonstration of multiple arrays of tidal energy devices up to an installed capacity of 240 Megawatts ("the Project").

The variation application seeks to amend the Project parameters to allow Surface Emergent Seabed Mounted (SESM) devices to be deployed within the Marine Development Zone (MDZ).

The *Written Confirmation of the EIA Consent Decision* issued 14 December 2021 which supported the granting of Marine Licence ORML1938 for the Project can be found on our Public Register.

2. The Project

2.1 Project Background

- 2.1.1 A Marine Licence for the Project was issued by NRW Marine Licensing Team (NRW MLT) to Menter Môn Morlais Limited on 14 December 2021.
- 2.1.2 The Project comprises a tidal technology demonstration zone, specifically designed for the installation and commercial demonstration of multiple arrays of tidal energy devices up to an installed capacity of 240 Megawatts (MW). The offshore development area covers an area of 35km² to the west of Anglesey. The Project will include communal infrastructure for tidal technology developers which provides a shared route to a local grid connection via nine export cables, an onshore landfall substation, and an onshore electrical cable route to a grid connection via an existing grid connection substation located to the west of Holyhead, Anglesey.
- 2.1.3 The variation application sought to include the deployment of Surface Emergent Seabed Mounted (SESM) devices and to amend the following parameters;
- Device swept area amended from 982m² to 1200m² across the whole MDZ.
 - Blade width amended from 2m to 3m across the whole MDZ.
 - Inclusion of devices with Height above Lowest Astronomical Tide (LAT) of up to 18m compared to 6.5m above surface level, with the change in height limited to the geographic area described in the new Figure 4-5 submitted with this application as the Green Hatched Restricted Area.

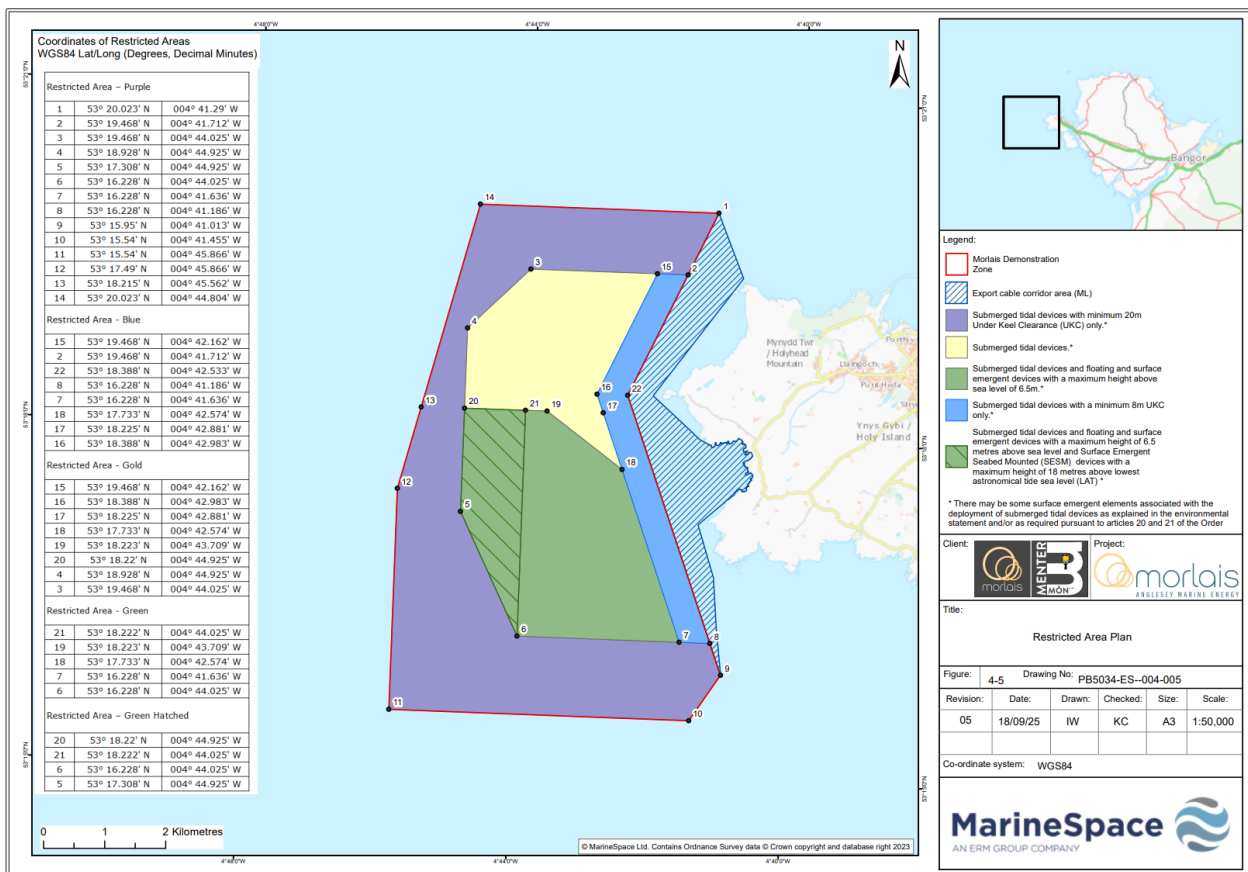


Figure 1: Location and boundary of the Morlais Demonstration Zone and Export Cable Corridor. Reproduced from Figure 4-5 of variation application information.

2.2 Location

2.2.1 The offshore development area covers an area of 35km² to the west of Holy Island, Anglesey, combined with an export cable corridor with an area of 4.75 km² with landfall near Penrhos Feilw, plus associated onshore infrastructure contained within an onshore development area of 1 km²

2.3 Statement of need

2.3.1 The objectives of the Project remain as those detailed within Section 1.2.5 of the Environmental Statement (ES) submitted in 2019 and are as follows;

- Generation of long-term financial income / resources for reinvestment in socio-economic and environmental projects to support the wider community;
- Development of locally based skills;
- Attracting investment to the area;
- Becoming a centre of excellence for tidal stream technologies;
- Providing a world class facility for tidal technology development;
- Preserving the environment; and
- Securing a sustainable energy supply for the area.

The variation is needed to allow for SESM which is a hybrid of the seabed emergent and seabed mounted device types currently listed in the Marine Licence. The inclusion of the device type supports the overall objectives of the Morlais Project.

2.4. Regulating regimes

- 2.4.1 The Project overlapped between two consenting main regimes.
- 2.4.2 A Marine Licence under the Marine and Coastal Access Act 2009, administered by Natural Resources Wales acting on behalf of the Licensing Authority, Welsh Ministers.
- 2.4.3 A Transport for Works Act Order under the Transport & Works Act (1992) for the Project, was made by Welsh Ministers on the 17 December 2021.

3. Environmental Impact Assessment

- 3.0.1 Council Directive 2011/92/EU (as amended) on the assessment of the effects of certain public and private projects on the environment (“the EIA Directive”) aims to protect the environment and the quality of life by ensuring that projects which are likely to have significant environmental effects by virtue of their nature, size or location are subject to an EIA before permission is granted.
- 3.0.2 The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (“the Regulations”) transpose the EIA Directive in Wales and England for marine licence applications.
- 3.0.3 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.
- 3.0.4 Screening Opinion SC502 was issued on 01 July 2025, considering the proposed changes to the consented Morlais Tidal Stream Demonstration Project (Marine Licence ORML1938). The Screening concluded that the changes proposed fell 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 NRW MLT considered that a statutory Environmental Impact Assessment was required.
- 3.0.5 NRW MLT provided a Scoping Opinion to the applicant in relation to the proposed changes on the 01 July 2025, reference SC2502.

3.1 The Environmental Statement (ES)

3.1.1 The ES that supported determination of Marine Licence ORML1938 submitted in 2019 assessed the Project under the following topic headings:

3.1.2 Technical chapters:

- Introduction
- Policy and Legislation
- Site Selection and Consideration of Alternatives
- Project Description
- EIA Methodology
- Consultation
- Metocean Conditions and Coastal Processes
- Marine Water and Sediment Quality
- Benthic and Intertidal Ecology
- Fish and Shellfish Ecology
- Marine Ornithology
- Marine Mammals
- Offshore Archaeology and Cultural Heritage
- Commercial Fisheries
- Shipping and Navigation
- Marine Infrastructures and Other Users
- Water Resources and Flood Risk
- Ground Conditions and Contamination
- Onshore Ecology
- Onshore Archaeology and Cultural Heritage
- Noise and Vibration
- Air Quality
- Traffic and Transport
- Seascape, Landscape and Visual Impact Assessment
- Socio-Economics, Tourism and Recreation
- Cumulative, Transboundary and In-Combination Impact Assessment
- Summary.

3.1.3 The ES was considered to satisfy the requirements of Regulation 12 (2) and Schedule 3 of the Regulations.

3.1.4 To support the proposed changes to the Project the applicant provided an addendum to the Original ES. The addendum provided an update to the following chapters of the Original ES;

- Project Description
- Seascape, Landscape and Visual Impact Assessment

All other chapters of the Original ES remained unchanged.

3.2 Other Legislative and Policy Framework

Relative considerations under other legislation and / or policy are set out below:

3.2.1 Water Framework Directive (Council Directive 2000/60/EC)

3.2.1.1 The sea from the mean low water mark up to 1 nautical mile from shore is protected under the WFD which requires a project or activity does not cause or contribute to deterioration in status of European Union (EU) water bodies or 'prevent the water body achieving 'good status'.

3.2.1.2 The Potential effect of the Project and the Proposed changes to the Project was also screened against the Water Framework Directive objectives for the following Water Bodies:

- Caernarfon Bay North – Coastal
- Holyhead Strait - Coastal
- Holyhead Bay – Coastal
- Ynys Mon Secondary – Ground water

3.2.1.3 A Water Framework Directive Compliance Assessment concluded that the proposal, when considered alone and in-combination, will not pose a risk to deterioration of the above listed waterbodies

3.2.1.4 Further details are described within the Water Framework Directive Compliance assessment.

3.2.2 Waste (England and Wales) Regulations 2011 (2011/988)

3.2.2.1 'Establishes a legal framework for treating waste in the EU. This is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.' Waste generated by a project or activity must be dealt with in an environmentally friendly way. To do this it applies the waste hierarchy from the Waste Regulations, which gives an order of preference for how waste is dealt with (prevention, re-use, recycling, recovery, disposal at sea).

3.2.2.2 See consideration under section 7

3.2.3 The Conservation of Habitats and Species Regulations 2017 (as amended)

3.2.3.1 European sites are those designated under The Conservation of Habitats and Species Regulations 2017 (as amended) ("Habitats Regulations") as Special Protection Areas ("SPAs"), Special Areas of Conservation ("SACs") or Sites of Community Importance ("SCIs").

3.2.3.2 The proposal is located within and overlaps with the following European Protected Site.

- Anglesey Terns SPA
- Holy Island Coast SAC
- Holy Island Coast SPA
- North Anglesey Marine SAC

3.2.3.3 Within the HRA a likely significant effect (LSE) from the proposed activities seaward of Mean High Water Springs (MHWS) could not be ruled out on the following sites with marine features:

- Afon Gwyrfai a Llyn Cwellyn SAC
- Bristol Channel Approaches
- Cardigan Bay/ Bae Ceredigion SAC
- Llyn Peninsula and the Sarnau SAC
- North Anglesey Marine SAC
- North Channel SAC
- Pembrokeshire Marine/ Sir Benfro Forol SAC
- The Maidens SAC
- West Wales Marine SAC
- Aberdaron Coast and Bardsey Island SPA
- Ailsa Craig SPA
- Anglesey Terns SPA
- Copeland Islands SPA
- Grassholm SPA
- Irish Sea Front SPA
- Morecambe Bay and Duddon Estuary SPA
- Morecambe Bay Ramsar
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar
- Skomer, Skokholm and the Seas off Pembrokeshire SPA
- Lambay Island SAC
- Lambay Island SPA
- Howth Head Coast SPA
- Ireland's Eye SPA
- Rockabill to Dalkey Island SAC
- Saltee Islands SAC
- Saltee Islands SPA

3.2.3.4 Following application of mitigation measures, including the commitment to a detailed Environmental Mitigation and Monitoring Plan (dEMMP), incorporating the backstop mitigation of device operation cessation if needed, it was concluded that the proposal activities would not lead to an Adverse Effect On Site Integrity, either alone or in-combination, on any marine features of designated sites. This mitigation remained appropriate for the proposed changes to the Project.

3.2.3.5 Further details are described within the Habitats Regulations Assessment.

3.2.4 Marine Conservation Zones

3.2.4.1 Section 116 of the Act provides powers to Welsh Ministers to designate Marine Conservation Zones (“MCZs”) with the aim of contributing to the achievement of a network of ecologically coherent and well-managed marine protected areas.

3.2.4.2 The Project is not within a Marine Conservation Zone, and was not identified to have an impact on any Marine Conservation Zone.

3.2.5 Wildlife and Countryside Act 1981 (as amended)

3.2.5.1 Sites of special scientific interest (“SSSIs”) are protected by law to conserve their wildlife or geology. The Wildlife and Countryside Act 1981 (as amended) ensures that SSSIs are protected and managed effectively.

3.2.5.2 See consideration under section 7.

3.2.6 Marine Policy Statement and Welsh National Marine Plan

3.2.6.1 The UK Marine Policy Statement (“MPS”) is the framework for preparing Marine Plans and taking decisions affecting the marine environment. NRW MLT must make licensing decisions in accordance with the MPS and the Welsh National Marine Plan unless relevant considerations indicate otherwise.

3.2.7 Environment (Wales) Act 2016

3.2.7.1 Article 4 of the Natural Resources Body for Wales (Establishment) Order 2012, as amended by the Environment (Wales) Act 2016 requires NRW to pursue the sustainable management of natural resources in relation to Wales, and apply the principles of sustainable management of natural resources in the exercise of its functions, so far as consistent with their proper exercise.

3.2.7.2 NRW MLT considers that the procedures outlined in this Written Confirmation in the consideration of EIA consent are consistent with this requirement.

3.2.8 Well-being of Future Generations (Wales) Act 2015

3.2.8.1 This Act requires NRW, as a public body, to take reasonable steps in exercising its functions to work in accordance with the sustainable development principle, as set out in Section 5 of the Act.

3.2.8.2 NRW MLT considers that that the EIA process is consistent with the sustainable development principle described in the Act, and that the processes outlined in this Written Confirmation are sufficient to properly demonstrate the sustainable development principle. In particular, NRW MLT acknowledges that the principles of sustainable management include taking account of all relevant evidence and gathering evidence in respect of uncertainties, and taking account of the short, medium and long term consequences of actions. NRW MLT further acknowledges that it is an objective of sustainable management to maintain and enhance the

resilience of ecosystems and the benefits they provide and, in so doing meet the needs of present generations of people without compromising the ability of future generations to meet their needs, and contribute to the achievement of the well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.

3.3 Further information provided by the applicant pursuant to a notification under regulation 14(1)

3.3.1 NRW MLT requested further information from the applicant on the 17 December 2025. The following further information was submitted on the 12 February 2026;

- ORML1938v1 Morlais Demonstration Zone Navigation Risk Assessment Issue03 MGN654 Annex 6 MGN checklist
- ORML1938v1 Morlais Demonstration Zone Navigation Risk Assessment Issue03
- ORML1938v1 MMML Responses on NRA to NRW

3.3.2 Pursuant to Regulations 16 and 17 of the Regulations, consultation with the public and technical consultees was carried out on the further information submissions, see Sections 4 and 6.

4. Consultation with the public

4.1 Public Notices

4.1.1 Pursuant to Regulation 16, public notices were advertised to notify interested parties of the proposed changes to the Project and give any interested parties or members of the public an opportunity to make representation on the application as necessary.

4.1.2 The variation application documents were made available as follows;

- A translated public notice was placed in the Holyhead, Anglesey and Bangor Mail on 22 October 2025 and 29 October 2025
- The application documents were made available to the public at: Llangefni Town Hall, for 42 days following the publication of the first public notice.

4.1.3 No public representations were received

4.1.3 Following submission of further information detailed in Section 3.3.1 public notices were advertised to notify interested parties of the provision of further information and give any interested parties or members of the public an opportunity to make representation on the application and further information submissions as necessary.

4.1.4 The application documents and further information documents were made available as follows;

- A translated public notice was placed in the Holyhead, Anglesey and Bangor Mail on 18 February 2026 and 25 February 2026

- The application documents were made available to the public at: Llangefni Town Hall, for 42 days following the publication of the first public notice.

4.1.5 One public representation was received.

4.1.6 All representations received from members of the public were dealt with according to the Schedule 5 of the Regulations. These are acknowledged within Section 7 of this decision.

5. Consultation of EEA States

5.0.1 The Transboundary Screening Assessment carried out during the determination of Marine Licence ORML1938 identified the potential effect on European Protected Sites in other EEA states, namely Ireland. Consequently, notification was provided to Ireland on 06 December 2019 and a Transboundary Notice was placed in the London Gazette on 07 January 2020. No responses were received.

5.0.2 As part of the determination of Marine Licence ORML1938 it was concluded as part of the HRA that following application of mitigation measures, including the commitment to a dEMMP that the Project would not lead to an Adverse Effect On Site Integrity, either alone or in-combination, on any marine features of designated sites.

5.0.3 NRW MLT consider that in taking account of mitigation which is already secured through Marine Licence ORML1938 that the proposed changes to the Project are not likely to have significant effects on another EEA state.

5.0.4 Consequently, no material was provided to other EEA member States in relation to the variation application.

6. Technical consultation

6.0.1 NRW MLT considered it appropriate to consult the bodies listed in the table below on 22 October 2025, due to their particular expertise. These bodies were consulted for a period of 42 days. Those bodies have responded to the consultation an 'Y' can be found in the response received column, those who did not respond to consultation an 'N' can be found in the response received column:

Consultee	Response received (Y/N)	Date(s) of receipt
The Crown Estate	N	
NRW Advisory	Y	20 November 2025
Ministry of Defence - Safeguarding Defence	Y	30 October 2025

Maritime & Coastguard Agency (MCA)	Y	21 November 2025
Trinity House	Y	02 December 2025
UK Hydrographic Office	Y	24 October 2025
Royal Yachting Association	Y	11 December 2025
Local Biodiversity Officer [Anglesey]	N	
Local Planning Authority [[Anglesey]	Y	03 December 2025
Local Harbour/Port Authority [Stenaline]	N	
Snowdonia National Park Authority	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government Marine Enforcement Officers	Y	01 December 2025
Welsh Archaeological Trust	Y	03 December 2025
Royal Commission on the Ancient and Historical Monuments of Wales	Y	03 November 2025
Cadw	Y	26 November 2025
Chamber of Shipping	N	
NATS Safeguarding	Y	24 October 2025
National Federation of Fishermen's Organisation	N	
Welsh Fishermens Association	N	
Public Health Wales	N	
Department for Transport - wrecks	N	
Inshore Fisheries Conservation Authority (North West)	Y	28 November 2025
PEDW	N	

JNCC	Y	29 November 2025
Department for Energy Security and Net Zero (decommissioning)	N	

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

6.0.3 Following a submission of further information, received on the 12 February 2026, NRW MLT consulted the bodies listed in the table below on the 18 February 2026, due to their particular expertise in matters arising in relation to this application. These bodies were consulted for a period of 42 days. For those bodies that 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	N	
NRW Advisory	Y	26 February 2026
Ministry of Defence - Safeguarding Defence	N	
Maritime & Coastguard Agency (MCA)	Y	05 March 2026
Trinity House	Y	01 April 2026
UK Hydrographic Office	N	
Royal Yachting Association	N	
Local Biodiversity Officer [Anglesey]	N	
Local Planning Authority [[Anglesey]	N	
Local Harbour/Port Authority [Stenaline]	N	
Snowdonia National Park Authority	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government Marine Enforcement Officers	Y	24 February 2026

Welsh Archaeological Trust	Y	18 February 2026
Royal Commission on the Ancient and Historical Monuments of Wales	Y	11 March 2026
Cadw	N	
Chamber of Shipping	Y	20 February 2026
NATS Safeguarding	N	
National Federation of Fishermen's Organisation	N	
Welsh Fishermens Association	N	
Public Health Wales	Y	19 February 2026
Department for Transport - wrecks	N	
Inshore Fisheries Conservation Authority (North West)	N	
PEDW	N	
JNCC	Y	31 March 2026
Department for Energy Security and Net Zero (decommissioning)	N	

6.0. Details of the issues raised by the Consultation Bodies and how they have been addressed is set out in section 7.

7. Issues arising during the consideration of the Environmental Statement, Marine Licence Application and representations received

NRW MLT issued a *Written Confirmation of the EIA Consent Decision* on 14 December 2021, containing the conclusion about Environmental Impact arising from the Project and the EIA Consent Decision. NRW MLT concluded that the environmental impacts of the Project had been adequately identified, described and assessed. Accordingly, NRW MLT concluded a favourable determination and consent was granted for the Project (Marine Licence ORML1938).

The proposed changes include increasing the maximum swept area to 1,200 m² per unit (compared to 982 m² currently consented) and a blade width of up to 3 m (compared to 2 m currently consented). The applicant considered that these increases were minor in nature

and did not give rise to any materially different environmental effects to that previously assessed. The applicant highlighted that mitigation secured to the Marine Licence remain applicable and capable of mitigating the proposed changes, including through provision of a dEMMP and Device Deployment Protocol (DDP) which will need to be submitted and approved prior to deployment. As such a number of matters assessed as part of determination of Marine Licence ORML1938 granted were scoped out of requiring further assessment (Scoping Reference SC2502). In these instances it was considered that the proposed changes to the Project did not change the conclusion of the assessments that are detailed within *Written Confirmation of the EIA Consent Decision* issued on the 14 December 2021. This document can be found on NRW's Public Register.

The matters considered further as a result of the proposed changes to the Project are detailed below.

7.1 Seascape, Landscape and Visual Impact Assessment

The proposed change included increasing the permissible device height above Lowest Astronomical Tide (LAT) to 18m compared to 6.5m above surface level, with this change restricted to a geographic area described in the new Figure 4-5 submitted with this application as the Green Hatched Restricted Area.

The applicant submitted an addendum to *Chapter 24 Seascape, Landscape and Visual Impact Assessment* submitted 10 October 2025 in order to assess the proposed increase in device height. The assessment concluded that the proposed change did not increase the magnitude of landscape or visual effects previously identified as significant as part of the 2019 Environmental Statement.

NRW Advisory (NRW A) in representation dated 23 October 2025 and Isle of Anglesey County Council (IACC) in representation dated 03 December 2025, confirmed that they considered the proposed change would lead to impact at a broadly similar level to what had been previously assessed and consented as part of the existing Marine Licence. NRW A welcomed the commitment by the developer to restrict deployment of the SESM devices to a location far as possible offshore within the MDZ. Both NRW A and IACC did note the potential for greater incoherence across the array through the inclusion of a differing device type and height, however were satisfied that this could be mitigated through the existing mechanism of a DDP. The DDP of the existing Licence requires that device specific SLVIA consideration is given prior to deployment which would include an assessment of cumulative impacts. NRW A and IACC note this should include consideration of appropriate colour to reduce impact while also maintaining navigation safety.

NRW MLT are satisfied that Seascape, Landscape and Visual Impact has been appropriately assessed. NRW MLT consider that in line with Policy SOC_07 of the WNMP, the applicant has taken into account the potential impact on seascape, landscape and visual receptors within the ES and relevant supporting documentation. NRW MLT considers that the applicant has sought to avoid and minimise impacts where possible, including through restricting deployment of the SESM devices to an area of the MDZ furthest offshore and commitment to a DDP. NRW MLT consider it appropriate to secure the restricted zone and the DDP to the Marine Licence.

NRW MLT note that the potential for a significant impact on visual receptors remains after mitigation. The WNMP recognises that changes of the seascape character of the Welsh coastline are inevitable due to the prominence of further marine renewable infrastructure. EL_03 details that proposal for offshore tidal stream generation will be supported where they contribute to the objectives of the WNMP, and comply with the relevant general policies and sector safeguarding policies. Policies ECON_01 and 02 of the WNMP support proposals for economically sustainable activities identifying the renewable sector as a potential significant contributor. The Project promotes renewable energy growth and in so doing minimising climate change through allowing commercial demonstration of different technologies and arrays of tidal devices. In addition, a key objective of the project is to support local economic growth including the potential for job creation. NRW MLT consider that although impacts remain, there has been a clear and convincing case set forward for proceeding with the Project.

7.2 Shipping and Navigation

No further assessment on shipping and navigation was carried out as part of the ES addendum dated 10 October 2025 as the applicant had considered that the assessment conducted as part of the ES submitted in 2019 remained applicable and the conclusion still applied. The conclusion of the assessment was that subject to appropriate mitigation, including the requirement for a deployment specific Navigation Risk Assessment (NRA) that navigation risk can be managed to a level which is acceptable or tolerable.

The MCA raised concerns that the NRA had not been updated to include the assessment of the new device type proposed as part of the change to the Project.

To address this concern the applicant submitted an updated NRA on the 12 February 2026. The applicant had looked to amend the NRA submitted as part of the determination of existing Licence to include the proposed changes to the parameters. The assessment overall concluded that there was no change to the risk identified as a result of the inclusion the SESM devices, and that the navigation risk can be managed to a level which is acceptable or tolerable. The NRA highlights that a device specific NRA will be submitted for approval prior to any deployment which will include consideration of any device specific risk and mitigation requirements.

The applicant acknowledged within *Navigation Risk Assessment Issue03 MGN 654 Annex 6 MGN Checklist* that the vessel traffic survey data used in the updated NRA had not been updated since the original assessment therefore falls outside the required standard, namely data collected within the previous 24 months. However commitment has been made to collect further data in 2026 and submit an update site-wide NRA in line with conditions of the existing Marine Licence which requires a site-wide NRA to be submitted prior to any Licensed Activities and every 2 years thereafter.

The MCA confirmed that the further information submission addressed concerns made surrounding the proposed changes to the Project. MCA agreed that a new site-wide NRA should be completed with the collection of new traffic data, however for the purpose of the variation application were content that the proposed changes had been appropriately assessed.

The UK Hydrographic Office, Trinity House and Royal Yachting Association confirmed they had no objection to the proposal.

Paddle Cymru raised a number of concerns in respect of the NRA within representation dated 26 March 2026, these included;

- Concerns surrounding the methodology used within the NRA.
- Request that search and rescue incidents that have occurred were included in the NRA
- Requested further detail included in the NRA surrounding signage and marking commitments
- Further commitment that all reasonable practical measures including design, and proximity to shore of offshore infrastructure should be considered to minimise risk to vessels
- Inclusion of requirement for early engagement of turbine developers to ensure devices are designed in a manner to minimise snagging hazards

Paddle Cymru welcomed a number of commitments including the promulgation of information to local users.

In relation to the proposed changes to the Project, Paddle Cymru confirmed they had no objection to the changes in height of devices in the restricted area, welcoming that surface emerging devices with a height up to 18 meters would be restricted to an area of MDZ furthest offshore which would reduce the collision risk with unpowered vessels. Paddle Cymru were satisfied that any specific safety assessment and mitigation requirements could be resolved as part of a device specific NRA.

On the 14 April 2026 the applicant provided comment on representation received on the further information, this included confirmation of commitment to undertake further data collection to inform a new site wide NRA. The applicant has also confirmed that they intend to engage with local users, MCA, Trinity House, RNLI and water sport bodies including Paddle Cymru and Anglesey Sea Kayak Alliance as it produces further NRAs.

NRW MLT acknowledge that a number of concerns raised by Paddle Cymru related to the site-wide NRA. As recognised by Paddle Cymru a number of these concerns surrounding the assessment methodology were raised during the determination of Marine Licence ORML1938 in 2021. The *Written Confirmation of the EIA Consent Decision* dated 2021 concluded that that the NRA met the methodology guidance and that all the data that fed into the NRA was reasonable, noting the applicants commitment to update a whole site NRA every 2 years as well as producing a device specific NRA for each deployment which will consider the specific parameters of the each device and proposed location.

NRW MLT recognise the data used in the in the NRA to support the variation application has not been updated since the original assessment therefore fall outside the standard requirements for data which has been collected in the previous 24 months. However there remains a requirement within the existing Marine Licence (condition 3.36.2) that a site wide NRA is submitted for approval prior to the commencement of Licensed Activities and every 2 years thereafter. Therefore NRW MLT are satisfied that an update site wide NRA will need to be submitted in line with the most recent guidance and using up to date data.

NRW MLT would encourage the applicant to discuss appropriate available data sources with stakeholders and marine users.

NRW MLT acknowledge that Paddle Cymru requested further details surrounding signage, lighting, notices within the NRA, as well as further commitment to consider location and design of devices deployment to ensure risk is minimised as far as reasonably possible. NRW MLT are satisfied that the exact details of mitigation measures required for specific devices can be appropriately controlled through the provision of a device specific NRA which is secured through the existing Marine Licence (condition 3.36.4). NRW MLT recognise that as a tidal demonstration zone that device design can be a matter for the technology developer, however NRW MLT are satisfied that through the requirement for a device specific NRA that appropriate consideration will be given surrounding navigation risk.

8. Mitigation or monitoring measures to be taken

8.1 Features or measures to avoid, prevent, reduce or offset likely significant effects

- 8.1.1 In reaching the Conclusion about Environmental Impact (Regulation 21A of the Regulations), NRW MLT must consider any features of the project, or proposed measures, to avoid, prevent, reduce or offset any likely significant adverse environmental effects (regulation 21A (1)(f)).
- 8.1.2 Within section 8.1 of *Written Confirmation of the EIA Consent Decision* dated 2021, NRW MLT considered a number of features of the Project, or measures included within the project proposal that would avoid, prevent, reduce or offset any likely significant adverse environmental effects. NRW MLT consider that these remain applicable. Of specific relevance to the proposed changes to the Project are;
 - 8.1.2.1 A specific seascape, landscape and visual impact assessment will be carried out for each deployment of tidal energy devices as part of the DDP. Such a requirement ensures continual review and monitoring of the development effects with a continual consideration of cumulative effects to inform any additional mitigation.
 - 8.1.2.2 A deployment (array) specific NRA will be carried out by the developer of each array in accordance with MGN 654 and to seek agreement from NRW MLT (in consultation with relevant organisations) so that the project risk is deemed to be As Low As Reasonably Practicable (ALARP).
- 8.1.3 In addition, as part of the proposed changes to the Project commitment was made that SESM devices up to 18 meters in height would be restricted to an area of the MDZ furthest offshore as detailed in Figure 1 of this document.

8.2 Mitigation or monitoring required to be attached to the consent (Regulation 22 (c)-(e))

- 8.2.1 In reaching the EIA Consent Decision required under Regulation 22, NRW MLT must make consideration of the requirement for any mitigation measures or monitoring required to be attached to the consent.
- 8.2.2 Within section 8.2 of *Written Confirmation of the EIA Consent Decision* dated 2021 NRW MLT considered a number of measures that would be required to be attached to the consent. NRW MLT consider that these remain applicable. Of specific relevance to the proposed changes to the Project are;
- 8.2.2.1 Given that the full details of the devices and deployment location are currently unknown, licence conditions will be required to ensure a DDP is submitted to NRW MLT prior to construction of any tidal devices or operational hubs. The DDP will include details on the number, dimensions, depth and location of specific device types, as well as the construction methodology, measures to minimise effects and considerations such as cumulative effects on seascape during the construction phase.
- 8.2.2.2 Licence conditions will be required to ensure that the site-wide NRA is updated every two years to acknowledge relevant emerging data and consider in-combination effects with the already deployed devices.
- 8.2.2.3 Licence conditions will be required to ensure that a tidal device or array specific NRA is submitted to the Licensing Authority for approval prior to each phase of deployment.

9. Regulation 21A Conclusion about Environmental Impact

- 9.0.1 In reaching a Conclusion about Environmental Impact, as required by Regulation 21A, NRW MLT has considered the following (Regulation 21A(1)):
- The application for a Marine Licence
 - The (ES) submitted
 - Further information provided, as outlined in section 3.3
 - The responses to public consultation outlined in sections 4 and 7
 - The responses to the technical consultation outlined in sections 6 and 7
 - Any comments received from another EEA state, as outlined in section 5 and 7
 - Any features of the project, or proposed measures, to avoid, prevent, reduce or offset any likely significant adverse environmental effects as outlined in section 8
- 9.0.2 NRW MLT, as appropriate authority, has considered the likely significant effects of the project, and reached a conclusion of the likely significant effects of the project with regard to the following (Regulation 21A(2)):
- Population and human health (9.1)
Biodiversity (9.2)
Land, soil, water, air and climate (9.3)
Material assets, cultural heritage and landscape (9.4)
Risk of major accidents and disasters relevant to the project (9.5)

Cumulative impacts and in-combination impacts (9.6)

9.1 Population and human health

- 9.1.1 NRW MLT consider the conclusion detailed for the Project within *Written Confirmation of the EIA Consent Decision* dated 2021 for the existing Marine Licence ORML1938 remain applicable.
- 9.1.2 In relation to the proposed changes NRW MLT consider risk to navigational safety and human life have been considered as part of the NRA and assessed as ALARP or lower within necessary risk controls and mitigation in place. This includes the requirement to update the site-wide NRA every 2 years and provide a device specific NRA prior to deployment.
- 9.1.3 As discussed in section 7 the potential for a significant impact on visual receptors remains after mitigation. The Project promotes renewable energy growth and in so doing minimising climate change through allowing commercial demonstration of different technologies and arrays of tidal devices. In addition, a key objective of the Project is to support local economic growth including the potential for job creation. NRW MLT consider that although impacts remain to visual receptors, there has been a clear and convincing case set forward for proceeding with the Project.

9.2 Biodiversity

- 9.2.1 NRW MLT consider the conclusion detailed for the Project within *Written Confirmation of the EIA Consent Decision* dated 2021 for the existing Marine Licence ORML1938 remain applicable.

9.3 Land, soil, water, air and climate

- 9.3.1 NRW MLT consider the conclusion detailed for the Project within *Written Confirmation of the EIA Consent Decision* dated 2021 for the existing Marine Licence ORML1938 remain applicable.

9.4 Material assets, cultural heritage and landscape

- 9.4.1 NRW MLT consider the conclusion detailed for the Project within *Written Confirmation of the EIA Consent Decision* dated 2021 for the existing Marine Licence ORML1938 remain applicable.

9.5 Risk of major accidents and disasters relevant to the project

- 9.5.1 NRW MLT consider the conclusion detailed for the Project within *Written Confirmation of the EIA Consent Decision* dated 2021 for the existing Marine Licence ORML1938 remain applicable.

9.6 Cumulative impacts and in-combination impacts

9.6.1 NRW MLT consider the conclusion detailed for the Project within *Written Confirmation of the EIA Consent Decision* dated 2021 for the existing Marine Licence ORML1938 remain applicable.

Produced By: Peter Morrison (Lead Specialist Officer)

Signed: *Peter Morrison*

Date: 27 April 2026

Approved by: Emmer Litt (Marine Licensing Team Leader)

Signed:



Date: 27 April 2026

10. Regulation 22 EIA Consent Decision

10.0.1 The Marine Licensing Team has considered the application ORML1938v1 and information provided in support of the application and is now in a position to make an EIA consent decision to Menter Môn Morlais Limited.

10.0.2 In accordance with Regulation 22 of the Regulations, NRW MLT, as appropriate authority, have considered:

- The application for a Marine Licence
- The ES submitted
- Further information provided, as outlined in section 3.3
- The Conclusion about Environmental Impact (under Regulation 21A(2)) in section 9, which we consider to be up to date
- The responses to public consultation outlined in sections 4 and 7
- The responses to the technical consultation outlined in sections 6 and 7
- Any comments received from another EEA state, as outlined in section 5 and 7
- Whether monitoring of the significant adverse environmental effects of the Project is appropriate (as outlined in section 8), including whether
 - Existing monitoring can be relied upon
 - Conditions should be attached to the regulatory approval
 - Whether conditions to make provision for potential remedial action are required, as outlined in section 8
 - Whether any other conditions need to be attached to the regulatory approval, with respect to the likely significant environmental effects of the Project, as outlined in section 8.

10.0.3 After conducting a full and comprehensive review of the Project and applying appropriate additional external expertise, we conclude that the environmental impacts of the Project have been adequately identified, described and assessed.

Accordingly, we conclude a favourable determination and that EIA consent for the project should be given.

- 10.0.4 We consider the works have been appropriately assessed and adequate mitigation strategies have been incorporated to remove or reduce the potential significant impacts associated with the Project.
- 10.0.5 We consider that the monitoring and mitigation conditions outlined in section 8 should be considered in the regulatory decision.
- 10.1 This Written Confirmation of the EIA Consent Decision will be sent to the following, in accordance with Regulation 23 of the Regulations:
- Menter Môn Morlais Limited
 - Any person from whom NRW MLT received representation arising from the consultation described in section 4
 - Any EEA states consulted (see section 5)
 - All consultation bodies listed in section 6
- 10.2 This Written Confirmation of the EIA Consent Decision is available on the NRW online public register.

Produced By: Peter Morrison (Lead Specialist Officer)

Signed: *Peter Morrison*

Date: 27 April 2026

Approved by: Emmer Litt (Marine Licensing Team Leader)

Signed:



Date: 27 April 2026
