

Record of a Habitats Regulations Assessment of a project or spatially-specific plan

OGN 200 Form 1B (with structured tables for likely significant effect screening and appropriate assessment)

Document owner: Head of Business for Natural Resource Management

Version History:

Document Version	Date Published	Summary of Changes
2.0	21/10/2024	Following 2023/24 review of HRA OGNs

Next review date: October 2025

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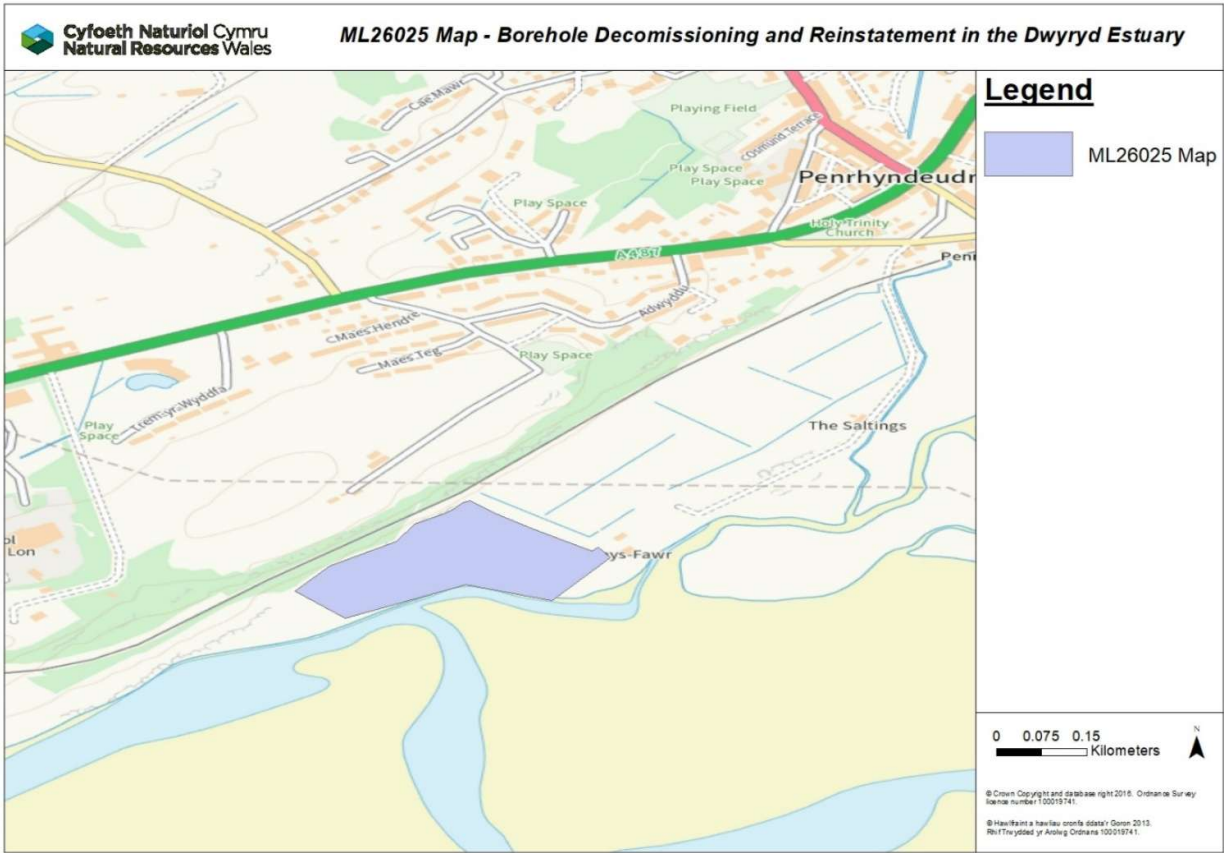
OGN 200 Form 1B

Record of a Habitats Regulations Assessment

Plan or project name, brief description or application reference number	ML26025 – Borehole Decommissioning and Reinstatement in the Dwyryd Estuary
HRA iteration/version	N/A

1. Plan or Project Details

Information about the plan or project		
1	Date application received	04/03/2026
2	Applicant details	Hochtief UK Construction Ltd
3	NRW team responsible for carrying out, or requiring to be carried out, the plan or project, and name of lead officer	N/A
4	Activity/ies proposed	Locating, filling & sealing of boreholes with cement bentonite grout mix

5	Relevant legislation or statutory basis	Marine and Coastal Access Act 2009
6	Location	2 boreholes (BH304 & BH305) deemed within the Marine Licensable Area, as detailed in ML26025 P2560-LOC-004-A.pdf and ML26025 C0233-HUK-GHS-ZZ-MS-W-0012 Boreholes decommissioning reinstatement P04.docx  Cyfoeth Naturiol Cymru Natural Resources Wales ML26025 Map - Borehole Decommissioning and Reinstatement in the Dwyryd Estuary Legend ML26025 Map 0 0.075 0.15 Kilometers © Crown Copyright and database right 2016. Ordnance Survey license number 100019741. © Haverhill a hawliau orffwrdd ddata'i Gorn 2013. Rhif Treidded yr Arolwg Ordnance 100019741.

7	Plan or project documents, including any application documents	ML26025 Application Form.pdf ML26025 Application Amendments Form.pdf ML26025 HENEB Correspondence.msg ML26025 Letter of Consent - Marine Licence application.pdf ML26025 MCA Correspondence.msg ML26025 RCHMW Correspondence - Dr Julian Whitewright.msg ML26025 Trinity House Correspondence.msg ML26025 Access Routes.png ML26025 C0233-HUK-GHS-ZZ-MS-W-0012 Boreholes decommissioning reinstatement P06 updated ML26025 P2560-LOC-004-A.pdf ML26025 updated project area_coordinates.csv
8	Environmental Statement	ML26025 C0233-HUK-GHS-ZZ-MS-W-0012 Boreholes decommissioning reinstatement P04.docx
9	Pre-application correspondence	N/A
10	NRW team responsible for preparing this HRA report, and lead officer	Dylan Morgan – Marine Licensing Officer – Marine Licensing Team
11	Team or person responsible for approving the plan or project (competent authority role)	As row 10.

2. Determining the need for a Habitats Regulations Assessment

2.1 Is there any possibility that the plan or project could negatively affect any European sites?	YES
2.2 Is the whole of the plan or project directly and only connected with or necessary to the management of one or more European sites, for the purposes of conserving the habitats or species for which the European site(s) is/are designated?	NO
2.3 Is there a possibility that the plan or project could affect any other feature of the European site(s) concerned, or of another European site, in a way that would undermine that feature's conservation objectives?	

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

3.1 Renewal of a project authorisation on the same or more restrictive terms as an extant authorisation

Is this a renewal of an extant authorisation which complies with NRW approved criteria for ruling out significant effects of renewals (see Part 2 of OGN200) without conducting a project-specific LSE test?	NO
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3.2 Likelihood of significant effects (LSE) test

3.2.1 Which European sites might be affected by the plan or project?

(a)	Based on the plan or project specification, or information provided in the application, it is considered that these European sites have features which could be negatively affected by the plan or project	Pen Llyn a'r Sarnau/Lleyn Peninsula and the Sarnau SAC [UK0013117]
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(b)	The potential for the plan or project to negatively affect these European sites was also initially considered, but can be ruled out without further consideration	Northern Cardigan Bay / Gogledd Bae Ceredigion SPA – ruled out due to distance from the works and short-term nature of the works.
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3.2.2 Screening for likelihood of significant effect

Table 3.2.2 Screening assessment			
Designated site feature	Relevant conservation objectives	Screening conclusion – ‘SCREEN OUT’, ‘SCREEN IN’ or ‘IN COMB’	Explanation
Pen Llyn a'r Sarnau/Lleyen Peninsula and the Sarnau SAC			
Reefs	NRW conservation objectives: conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf	SCREEN OUT	No impact pathway and as such no LSE predicted due to the distance between the features and the proposed works.
Large Shallow inlets and bays			
Sandbanks which are slightly covered by seawater at all times			
Estuaries	NRW conservation objectives : conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf	SCREEN IN	Reduction and damage of feature: Whilst sensitive habitats are to be avoided where practicable and protective matting is to be used for light vehicles/plant to cross sensitive habitats. Impacts to the feature's physical structure and flow dynamics cannot be ruled out.

			INNS & Biosecurity Potential for contamination from bentonite pellet deposit activity and any hydrocarbon refuelling.
Coastal lagoons	NRW conservation objectives: conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf	SCREEN OUT	No impact pathway and as such no LSE predicted due to the distance between the features and the proposed works.
Mudflats and Sandflats	NRW conservation objectives: conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf	SCREEN IN	Reduction and damage of feature: Whilst sensitive habitats are to be avoided where practicable and protective matting is to be used for the light vehicles/plant to cross sensitive habitats. Impacts to the feature's physical structure and flow dynamics cannot be ruled out.
Atlantic salt meadow	NRW conservation objectives: conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf		Potential for contamination from bentonite pellet deposit activity and any hydrocarbon refuelling.
Salicornia and other annuals colonising mud and sand feature	conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf		INNS & Biosecurity
Submerged or partially submerged sea caves	NRW conservation objectives: conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf	SCREEN OUT	No impact pathway and as such no LSE predicted due to the distance between the features and the proposed works and the short-term temporary nature of the works.
Bottlenose dolphin <i>Tursiops truncatus</i>			
Grey Seal <i>Halichoerus grypus</i>			
Otter <i>Lutra lutra</i>	NRW conservation objectives: conservation-advice-for-pen-llŷn-ar-sarnau-sac.pdf	SCREEN IN	Otters are likely to use the surrounding areas to feed, especially at night, therefore a potential impact pathway cannot be ruled out due to noise & visual stimuli during the works.

TABLE 3.2.3 Screening decision of the plan or project 'alone'

(a) If the screening conclusion for <u>all</u> features for all sites in Table 3.2.2 is 'SCREEN OUT'	The plan or project is not likely to have a significant effect on any European site, and no further consideration under the Habitats Regulations is required in order to determine the approval/application.
(b) If the conclusion for <u>any</u> features in Table 3.2.2 is 'SCREEN IN'	The plan or project is likely to have a significant effect on one or more European sites and therefore an appropriate assessment is required.
(c) If there are <u>no</u> features in Table 3.2.2 that are 'SCREEN IN' and <u>any</u> features that are 'IN COMB'	The plan or project is not likely to have a significant effect on any European sites when considered alone, but the possibility of significant effects in combination with other plans and projects needs to be considered.

4. Appropriate assessment of the plan or project when considered alone

4.1 Assessment of plan or project as defined

Table 4.1 Appropriate assessment			
European site feature/s	Description of impacts	Assessment in view of conservation objectives	Can adverse effect on site integrity be ruled out? 'YES' or 'NO'
European site name: Pen Llyn a'r Sarnau/Lleyn Peninsula and the Sarnau SAC			
Estuaries Mudflats and Sandflats Atlantic salt meadow Salicornia and other annuals colonising mud and sand feature	• Contamination • Pollutant(s) • Degradation • Damage • INNS	The entire project involves locating, filling & sealing 8 boreholes with cement-bentonite grout mix over an approximated 10-14 day working period. 6 of the boreholes are located terrestrially on farmland, whilst only 2 of the boreholes are within the estuarine environment and as such deemed within the marine licensable area. The works are planned to be undertaken in early Spring 2026, subject to weather, ground conditions and tidal conditions. No plant shall cross sensitive habitats or drainage ditches without protective matting. Sensitive habitats will be avoided wherever reasonably practicable. Where sensitive habitats cannot be reasonably avoided, appropriate protection measures will be implemented in accordance with ECoW advice. Temporary access matting is not expected to be required, as access for the borehole decommissioning works will be limited to light vehicles and pedestrians. However, matting may be used if necessary to protect ground conditions, ensure safe access, and avoid disturbance to sensitive habitats. Any damage will be reinstated by manual labour on completion.	YES

		Casing & Waste: To be removed and disposed of in accordance with waste regulations. - Fuel & Oils: Stored within bunded containers >10m away from drainage lines or watercourses. Spill kits on site and all site operatives to be trained to use them. - Silt Fencing / sediment control measures in place. INNS/Biosecurity risks will be mitigated by standard conditions within the licence. Where boreholes are within or near the estuarine environment (BH304 & BH305), additional controls apply: - Work will be carried out only during low tide and under supervision of the ECoW. - All equipment will be inspected for leaks and fitted with drip trays. Considering the above, given the short-term and temporary nature of the works in the marine environment and considering the small scale of the works against the wider designated site area, an adverse effect to the site's integrity can be ruled out.	
Otter <i>Lutra lutra</i>	Disturbance during feeding/travelling	Disturbance/Displacement could occur if otters are near the working area and/or if the works are undertaken at nighttime, however there is no specification of daytime/nighttime working. As per the Method Statement, the EcoW will check for otter feeding/resting sites prior to work commencing. Noise exposure to be managed through adherence to Control of Noise at Work Regulations 2005. The entire project involves locating, filling & sealing 8 boreholes with cement-bentonite grout mix over an approximated 10-14 day working period. 6 of the	YES

		boreholes are located terrestrially on farmland, whilst only 2 of the boreholes are within the estuarine environment and as such deemed within the marine licensable area. Therefore, any disturbance/displacement (if any otters are present) will be temporary and short-term in nature and as such an adverse effect to site integrity can be ruled out.	
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4.2 ~~Appropriate assessment of the plan or project taking into account additional conditions or restrictions imposed by the competent authority~~

Table 4.2 Appropriate assessment of the plan or project taking into account additional conditions or restrictions				
European site name:				
European site Feature	Adverse effect(s)	Can adverse effect(s) be mitigated by additional imposed conditions or restrictions? 'YES' or 'NO'	Additional imposed mitigation measure(s)	Can adverse effect on site integrity be ruled out? 'YES' or 'NO'

4.3 Concluding the appropriate assessment of the plan or project alone

Table 4.3 Conclusion of the appropriate assessment alone
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(a) If Table 4.1, or the right hand column of Table 4.2 if applicable, is 'YES' for all features	It has been ascertained that the plan or project, when considered alone, will not adversely affect the integrity of any European sites.
(b) If there are any 'NO's in the right hand column of Table 4.2	It has not been ascertained that the plan or project, when considered alone, will not adversely affect the integrity of one or more European sites.
(c) Are there are any residual effects of the plan or project (net of mitigation measures) which, though not adverse on their own, could be significant when considered in combination with the effects of other plans or projects?	NO

6. Conclusion

HRA is not required because there is no conceivable impact on any European sites. (As documented in section 2.1)	
HRA is not required because the whole of the plan or project is directly connected with or necessary to the management of one or more European sites, for the purposes of conserving the habitats or species for which the site(s) is/are designated, <u>and</u> the plan or project is not likely to have a significant effect on any other European sites. (As documented in section 2.2 and 2.3)	
This project is a renewal of a current permission which complies with NRW agreed criteria for ruling out likely 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 European sites, either alone or in-combination with other plans or projects. (As documented in section 3.1 of this form)	
The plan or project has been screened for likelihood of significant effects and is considered not likely to have a significant effect on any European sites. (As documented in section 3.2 of this form, and section 5 if applicable)	
In light of the conclusions of an appropriate assessment it has been established that the plan or project will not adversely affect the integrity of any European sites, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans or 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 plan or project will not adversely affect the integrity of any European sites, as documented in section 4 of this form, and section 5 if applicable. Approval for the plan or project <u>cannot</u> be given unless either: - the plan or 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 is prepared, or - the plan or project (not being an SSSI consent*) satisfies the requirements for a derogation and a Derogation Notice is prepared and submitted for consideration by the appropriate authority, normally Welsh Ministers (*SSSI consents cannot be given as derogations)	
Signed:  Name: Dylan Morgan Position: Marine Licensing Officer Date: 30/03/2026	
Was this HRA conclusion an escalated decision? YES or NO	NO

7. Consultation with the ANCB 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	Correspondence and/or meetings with the ANCB	Description of how the comments from the ANCB have been taken into account
2		
3		
4	15/04/2026 28/04/2026	• Biosecurity/INNS comments – will be covered by standard licence conditions • Ecological Clerk of Works – applicant referred to ECoW in Method Statement, will pass on to applicant in advisory notes as per consultation comments. Have also included as mitigation in Section 4.1. • Access Route – applicant has amended Method Statement to reflect NRW(A) consultation comments
5		

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

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: Dylan Morgan – Marine Licensing Team

FROM: Bridget Randall-Smith – Marine Area Advice and Management Team

SUBJECT: Habitats Regulations Assessment of Borehole Decommissioning and Reinstatement in the Dwyryd Estuary (ML26025)

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

Whilst NRW Advisory (A) can agree in principle with the overall conclusion of the above mentioned HRA, that the project will not adversely affect the integrity Pen Llyn a'r Sarnau/Lleyn Peninsula and the Sarnau SAC [UK0013117], we additionally advise a few minor points for clarification/inclusion in the HRA and method statement for completeness.

Access Route:

NRW (A) welcome the inclusion of controls regarding estuarine working and access, namely pre-approval of the route by the ECoW and that there will be no deviation from the agreed route. We welcome that the route included in the document ML26025 Access Routes.png minimises disturbance to the saltmarsh by tracking around the edge of the saltmarsh and we advise adherence to this route. We additionally advise that care should also be taken to avoid salt pans and that ditches do not collapse when crossing.

NRW (A) note that there is ambiguity relating to the use of plant and matting in the estuarine environment in the provided Borehole Decommissioning and Reinstatement Method Statement (Rev P04). The method statement states:

- In section 1.3 Access and Location of works that "Access to the two estuarine boreholes will require tidal planning and possible use of temporary matting, trackway, or floating platforms."
- In Section 3.1 Plant and Equipment lists "Temporary access matting for estuarine locations."
- In Appendix A Risk Assessment, it states "Track mats, assess ground, avoid edges".
- In Section 2.2 Access it states that "No plant shall cross sensitive habitats or drainage ditches without protective matting."

However, Section 2.2 also then contradicts the above by stating that "Temporary access matting will not be used on the farm track & Estuary. As the borehole decommissioning works will not require large plant or heavy machinery". This ambiguity is also carried over into the HRA appropriate assessment Table 4.1.

NRW (A) seek clarification of the use of matting and plant to cross the estuarine environment.

Pollution Prevention:

NRW (A) welcome the inclusion of pollution prevention measures in the applicant's method statement and HRA. However, NRW (A) note that specific procedures to deal with any leakage of bentonite has not been included in the method statement. NRW (A) also advise standard conditions for a pollution prevention to also be included in the Marine Licence.

Biosecurity

NRW (A) note that the provided method statement does not consider biosecurity risks and advise that measures to prevent introduction of Invasive Non-Native Species to the site, such as ensuring all vehicles, equipment and PPE are thoroughly cleaned and dried prior to arrival on site are included in the method statement and conditioned as part of the licence.

Otter:

The local Environment Team have spoken with the project team and advised that an ecological clerk of works will check for otter resting / feeding sites before commencing work and that all works will be stopped if an otter is seen in the area during works. NRW (A) advise that these additional precautions should be incorporated into the Method Statement provided by the applicant and as mitigation in the HRA.

Signed:

BJRandall-Smith

Bridget Randall-Smith

Senior Marine Advisory Officer

Marine Area Advice and Management Team

Date: 15/04/2026

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

This form should be completed by the team or individual providing the ANCB advice to the competent authority team

TO: Dylan Morgan – Marine Licensing Team

FROM: Bridget Randall-Smith – Marine Area Advice and Management Team

SUBJECT: Habitats Regulations Assessment of Borehole Decommissioning and Reinstatement in the Dwyrdd Estuary (ML26025)

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

NRW Advisory (A) can agree that, in light of the conclusions of an appropriate assessment of the above mentioned HRA, the project will not adversely affect the integrity Pen Llyn a'r Sarnau/Lleyn Peninsula and the Sarnau SAC [UK0013117].

Signed:

BJRandall-Smith

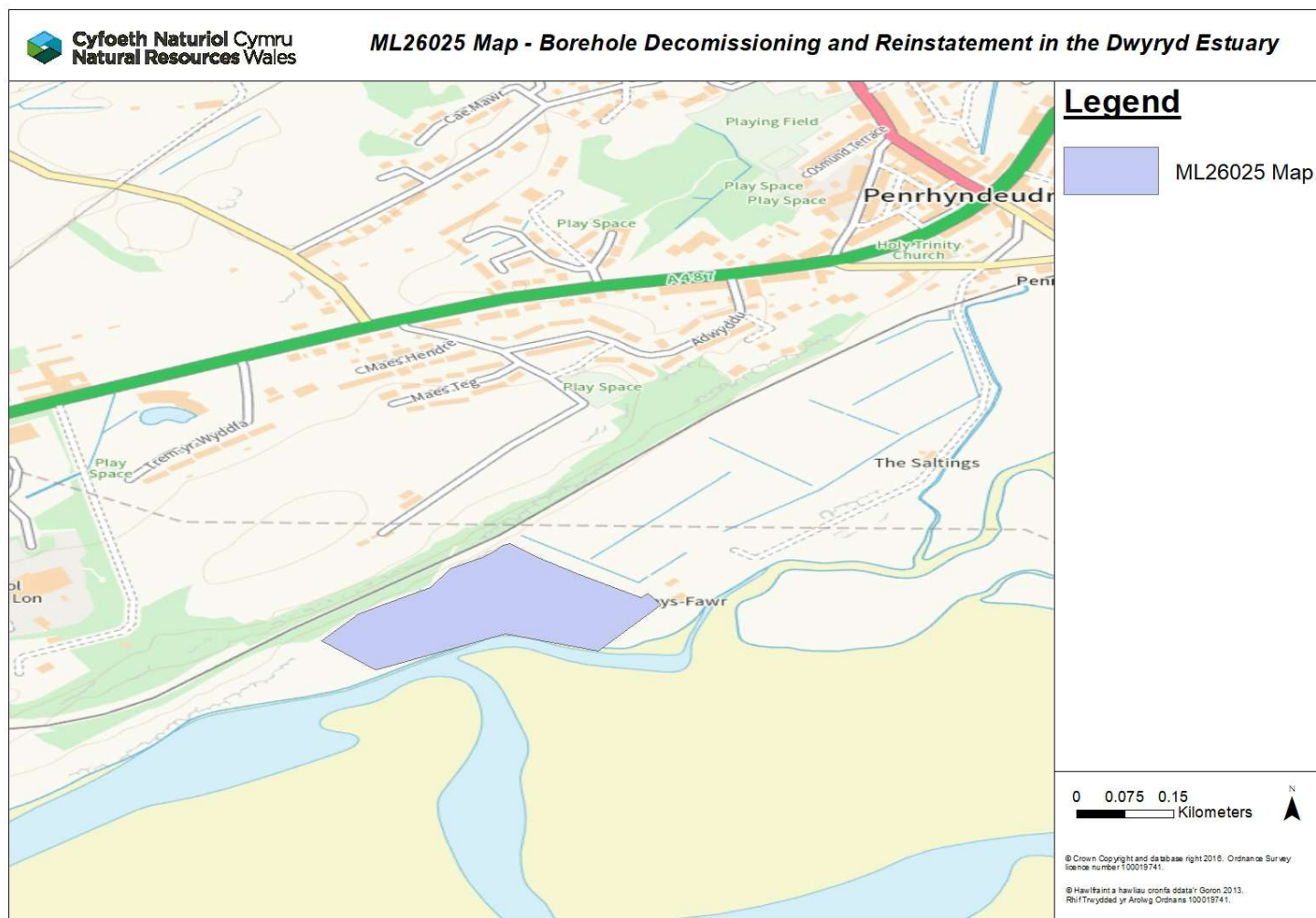
Bridget Randall-Smith

Senior Marine Advisory Officer

Marine Area Advice and Management Team

Date: 28/04/2026

9. Appendix - Map



10. Appendix - Supporting Documents

[ML26025 Application Form.pdf](#)

[ML26025 C0233-HUK-GHS-ZZ-MS-W-0012 Boreholes decommissioning reinstatement P04.docx](#)