

A494 River Dee Bridge Replacement Scheme

NRW - Marine Area Management and Advice Team – Application CML2563 - Marine Advice Memo – Response Tracker

NRW Reference	Response	RAG Rating	Response Owner	Response	Actions/ Closed out
Receptor – Development Flood Risk					
DFR1	No comments provided in regard to development flood risk at this stage. Discussions ongoing with the Applicant via Development Planning Advice Service (DPAS)		Mott MacDonald (MM)	Review in process.	MM to undertake more work on flood modelling and consult with NRW.
Receptor – Geology and Soils (G&S)					
G&S1	The proposed development site is located on land with previous potentially contaminative land uses. We are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.	AMBER	Welsh Government	WG response dated 28 th January 2026 (Points 1-6) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	The latest versions of the CEMP, EMMP and REAC will be shared with NRW at least eight weeks prior to site mobilisation. A Controlled Waters Risk Mitigation Strategy (CWRMS) will be developed by the appointed Contractor to address potential risks prior to development commencing.
Receptor - Marine Water and Sediment Quality					
W&SQ 1.	We commend the Applicant's reference and commitment to best practice guidelines as set out on the NetRegs website. We note the commitment from the Applicant to ensuring the mitigation provisions to be set out in the proposed final Construction Environment Management Plans (CEMP) are operating as intended through the allocation of Environmental Managers and will contain	GREEN		WG response dated 28 th January 2026 (Point 8) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	The latest versions of the CEMP, EMMP and REAC will be shared with NRW at least eight weeks prior to site mobilisation.

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	procedures for checking, auditing and corrective action. We recommend that the commitment to an appropriately detailed CEMP and its adherence forms a part of the conditions of any licence or consent to undertake the proposed works.				
W&SQ2	No details of the proposed remediation of existing infrastructure have been provided.	AMBER	MM/RML	No remediation of existing infrastructure is currently proposed. ES Chapter 16 updated to remove references to existing river piers	Revised ES Chapter 16 to be issued to NRW. MM/RML to action.
W&SQ 3.1	We agree with the screening decision to include the Dee (North Wales) waterbody for assessment of compliance with the WFD regulations for the proposed activity and any in combination impacts.	GREEN	MM/RML	No further action required.	Closed Out
W&SQ 3.2	We agree with the conclusion that the eco-gen and eco-bio water quality quality-elements are not at risk of impact from the proposed activities and can be scoped out from detailed assessment for the Dee (North Wales) waterbody on the basis that suitable mitigation and avoidance measures will form a condition of any licence or consent to proceed with the proposed development. This condition will be dischargeable subject to adherence to a CEMP.	GREEN	MM/RML	CEMP, EMMP and REAC will be shared with NRW at least eight weeks prior to site mobilisation.	Closed Out
W&SQ 3.3	We agree with the conclusion that chemical contamination from accidental pollution can be scoped out from detailed assessment for	GREEN	MM/RML	CEMP, EMMP and REAC will be shared with NRW at least eight weeks	Closed Out

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	the Dee (North Wales) waterbody subject to adherence to a CEMP.			prior to site mobilisation.	
W&SQ 3.4 & 3.6	Contaminated sediment remobilisation should be included for assessment under both Water Framework Directive (WFD) and Habitats Regulations Assessment (HRA) regulations.	AMBER	MM/RML	WG response dated 28 th January 2026 (Point 4 & 6) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	The appointed Contractor shall prepare a targeted Controlled Waters Risk Mitigation Strategy (aligned to LCRM and the WLGA/NRW developer guide and share this with NRW and Flintshire CC prior to works commencing.
W&SQ 3.5	We do not agree with the conclusions of the Marine Licensing Team WFD assessment that there is no potential for the proposed works to cause deterioration of the Dee (North Wales) waterbody.	AMBER	MM/RML	Noted. No further action proposed.	Closed Out
W&SQ 3.6	We advise that assessment of the remediation of the existing bridge structure should be included within the HRA. The effect of the remobilisation of contaminated sediment should be included for assessment of impacts on the intertidal sand and mudflats feature (mudflats and sandflats not covered by seawater at low tide) and the Estuary feature of the Dee Estuary SAC. Likewise, the Salicornia and Atlantic Salt Meadow features should be identified at	AMBER	MM/RML	Any remediation works to the existing bridge structure ie. bridge piers is not part of the current scheme. Should remediation be brought forward in the future, WG commit to providing NRW with full design and method information	Closed Out

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	<p>TLSE as sensitive to chemicals mobilised through resuspension of contaminated sediment.</p> <p>Notwithstanding the presence of the aforementioned Annex 1 habitats downstream from the proposed works, we would not expect the remobilisation of contaminated sediment to have an adverse effect on site integrity, but it should be recognised as a pressure of concern in the HRA.</p>			and an accompanying effects assessment. Refer to points 10-13 of WG letter dated 28 th January 2026.	
W&SQ 3.7	<p>TLSE Section 3.2.2, P.6: We note the absence in the Marine Licensing HRA for the operational use of the bridge and withhold comment on the basis that this activity will be covered under the Welsh Government Draft Orders HRA as it is not a marine licensable activity.</p>	GREEN	MM/RML	Noted. No further action proposed.	Closed Out
W&SQ 3.8	<p>Section 4.1, P.24, Appropriate Assessment Alone: We agree not to rule out adverse effect of accidental pollution on the basis that the final details of a CEMP have not been made available to the Competent Authority.</p> <p>We also agree that any increase in suspended sediment concentration (SSC) is likely to be temporary and that since the estuary and the designated SAC features already exist in an environment of high background turbidity, SSC is unlikely to cause</p>	GREEN	MM/RML	Noted. No further action proposed.	Closed Out

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	an adverse effect on any feature or site integrity.				
W&SQ 3.9	Further information / justification is required to support the assessment of no impact on designated features of remobilisation of chemical contaminants.	AMBER	MM/RML	WG response dated 28 th January 2026 (Point 4 & 6) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	The appointed Contractor shall prepare a targeted Controlled Waters Risk Mitigation Strategy (aligned to LCRM and the WLGA/NRW developer guide and share this with NRW and Flintshire CC prior to works commencing.
W&SQ 3.10	We cannot agree with the conclusions of the HRA at present as insufficient assessment has been undertaken.	AMBER	MM/RML	WG response dated 28 th January 2026 (Point 14) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	The HRA has been revised and updated and will be forwarded to NRM MLT.
Receptor – Benthic Ecology					
B1	We agree with the assessment and proposed mitigation measures in relation to direct impacts on intertidal and subtidal benthic ecology features particularly in relation to impacts on the Afon Dyfrdwy (River Dee) Site of Special Scientific Interest (SSSI) intertidal mudflat and sandflats and saltmarsh features, and indirect impact on the Dee	GREEN	MM/RML	Noted. No further action proposed.	Closed Out

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	Estuary Special Area of Conservation (SAC). We welcome the inclusion of an Environmental Monitoring and Management Plan (EMMP) and Construction and CEMP and advise that review of agreement of these documents with NRW is included as a condition of any licence issued				
B2	Production of a Biosecurity Risk Assessment (BRA) is required – with particular attention to Chinese mitten crab (<i>Eriocheir sinensis</i>).	AMBER	MM/RML	WG response dated 28 th January 2026 (Point 58) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	Biosecurity measures are included within the REAC and will be undertaken as part of the commitments in the CEMP. The latest versions of the CEMP will be shared with NRW at least eight weeks prior to site mobilisation.
Receptor – Marine Ornithology					
O1	We note that overwintering bird surveys were conducted in three wintering months (December, January and February). We advise for future applications, that overwintering bird surveys should be carried out through the entire wintering period (October to March inclusive). However, given that there is four years' worth of data, and low numbers of wintering species recorded in all surveys, we conclude that there are no concerns for marine ornithology.	YELLOW	MM/RML	Noted. No further action proposed.	Closed Out

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O2	We agree with the conclusions of the HRA assessment undertaken for the ornithological features of the Dee Estuary Special Protection Area (SPA) and Ramsar site.	GREEN	MM/RML	Noted.	Closed Out
Receptor – Marine Fish					
F1	Section 16.6.13 – The Dee Estuary / Aber Dyfrdwy SAC is also designated for river lamprey, and 16.6.14/16.6.15 European smelt are also features of the river Dee and Dee Estuary/ Aber Afon Dyfrdwy SSSIs.	BLUE	MM/RML	Noted. No further action proposed.	Closed Out
F2	Section 16.6.36 - We advise that in accordance with the rationale set out on in Table 16-5, migratory fish features of National Site Networks in the vicinity (Dee Estuary and River Dee and Bala Lake SACS) should be categorised as Very High and that some marine fish are also listed under Section 7 of the Environment (Wales) Act 2016 and should be classed as High	BLUE	MM/RML	Noted.	ES Chapter 16 Marine Ecology updated and will be re-issued to NRW MLT.
F3	Section 16.6.51 – Salmon in both the River Dee and the Wye are currently classed as being 'At risk'.	BLUE	MM/RML	Noted.	ES Chapter 16 Marine Environment updated and will be re-issued to NRW MLT.
F4	Table 16-9 - We advise that smelt (<i>Osmerus eperlanus</i>) is also listed under Section 7 of the Environment (Wales) Act 2016.	BLUE	MM/RML	Noted.	Closed Out
F5	Section 16.7 - Please confirm that in addition to the avoidance and mitigation measures proposed within this section, all piles and pile casings will be installed using no	YELLOW	MM/RML	WG response dated 28 th January 2026 (Point 45) to NRW letter dated 28 th November 2025	Closed Out

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	percussive piling methods. Furthermore, we advise that any piling, whether for installation of pile casings or installation of temporary sheet piling should be subject to the timing restrictions as specified in 16.7.4 a).			(Ref qA2280938 & qA2282120). With the proposed timing restrictions, effects on migratory fish from underwater noise, vibration, and other construction and operational activities are not considered to be significant	
F6	Section 16.9.20 - We advise that any piling, whether for installation of pile casings or installation of temporary sheet piling, should be subject to the timing restrictions as specified in 16.7.4 a), which includes the restriction of no work to be undertaken in the 3hr period leading up to high water at Chester weir.	YELLOW	MM/RML	Noted and as above - see F5.	Closed Out
F7	Section 16.9.20 - Provided the above-mentioned mitigation measures are implemented we agree that disturbance to migratory fish features from underwater noise and vibration can be classed as not significant. We agree that other construction and operational effects on fish can be classified as not significant.	GREEN	MM/RML	Noted and as above - see F5	Closed Out
F8	Table 16-12 - We advise that the proposed mitigation as detailed above should be included in the table. Also, we advise that	YELLOW	MM/RML	WG response dated 28 th January 2026 (Points 46	ES Chapter 16 Marine Environment Table 16-12 updated and

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	the table is corrected to reflect that several migratory fish features have an assigned value of 'International', but all fish appear to be assessed together in the table with a value of 'National'.			& 47) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	will be re-issued to NRW MLT.
F9	Section 16.12 - We agree that provided the above mitigation measures are secured, no in-combination effects are likely to be significant.	GREEN	MM/RML	Noted and as above - see F8	Closed Out
F10	We note the inclusion of the mitigation measure coded RDb8 and ME3, to minimise disturbance to fish, and note that non-percussive piling techniques are specified under ME6. We seek clarification that these mitigation measures apply to any piling required, including for piles and temporary sheet piling.	YELLOW	MM/RML	WG response dated 28 th January 2026 (Points 48, 49 & 50) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	Timing restrictions apply to piling works below MHWS to reduce the risk of disturbance to migratory fish. For piling works above MHWS, these restrictions are not considered necessary due to the low risk of impact. However, it is confirmed that mitigation measures include a commitment to use non-percussive piling techniques. The appointed Contractor will submit a CEMP

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					detailing piling operations to NRW at least eight weeks prior to site mobilisation.
F11	We note that this does not include records of smelt, and request that these be submitted to NRW (A) for consideration.	BLUE	MM/RML	WG response dated 28 th January 2026 (Point 51) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	Records of smelt were obtained from NRW fisheries in 2025 and have been added to Appendix 16D of the ES. This will be re-issued to NRW MLT.
F12	We that the Marine Licensing HRA should be amended to include potential for Likely Significant Effect on sea and river lamprey as fish features of the Dee Estuary and River Dee and Bala lake SACs but would agree that if the same timing restrictions are conditioned, there will be no adverse effect on the fish features.	AMBER	MM/RML	WG response dated 28 th January 2026 (Point 49) to NRW letter dated 28 th November 2025 (Ref qA2280938 & qA2282120).	The HRA has been updated to explicitly include lamprey within LSDE screening and will be re-issued to NRW MLT.