

Holyhead Marina Ltd  
Newry Beach  
Holyhead  
LL65 1YA

Date 04 February 2020

Dear Geoff Garrod

## **SCREENING AND SCOPING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (as amended)**

### **Holyhead Marina Rebuild**

I am writing further to your request for a screening and scoping opinion, submitted **05 November 2019**, made in accordance with The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("The Regulations").

The purpose of the Environmental Impact Assessment (EIA) screening procedure is to determine whether the proposed works require an Environmental Impact Assessment and submission of an Environmental Statement (ES). The purpose of the scoping procedure is to determine what information should be provided in the ES.

In reaching our Screening Opinion we have considered the proposed works against Schedule A1 and A2 of the above regulations. In reaching our scoping opinion we have had regard to the information provided in the SC1906 Holyhead Marina Scoping Report, dated **31 October 2019**, and considered the requirements of Schedule 3 of the Marine Works Regulations. We have also consulted with the bodies that we consider have an interest in the project by reason of their environmental responsibilities, or local or regional competences, as required by the above regulations, and had regard to their comments.

## Screening Opinion

It is our opinion that the works fall within the categories of project listed within Schedule A2, paragraph 69 and 83, see below, of the above regulations, and therefore must be considered in terms of its size, nature and location having regard to the relevant criteria listed in Schedule 1 of the above regulations.

**69.** *Coastal work to combat erosion and maritime works capable of altering the coast through the construction of, for example, dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.*

**83.** *Marinas.*

We have carefully considered the views of the consultation bodies alongside the criteria as set out in Schedule 1 of the regulations, and have determined, based on the information provided; that the project has the potential to have a significant effect on the environment and therefore a statutory Environmental Impact Assessment is required.

We have come to this conclusion on the basis of the likely significant impacts of the project, specifically with regard to impacts on Marine Mammals and the proximity of the project to North Anglesey Marine SAC and Holy Island SAC. In addition, due to the scale and nature of the project there is potential for significant impacts on other areas, including but not limited to impact of construction of a rubble mound breakwater on coastal processes, benthic biodiversity and the potential spread of Invasive Species during construction and operation.

## Scoping Opinion

This letter sets out the additional information that we consider necessary to be included and/or assessed in the ES for this Project.

Please note our scoping opinion is based on the information available to us at this time. The information provided is not a definitive list of the ES / EIA requirements and further information may be required following an application for this project, to ensure a full assessment is carried out.

This Screening and Scoping Opinion will be provided to all those bodies that were consulted and will be publicised on our website and on our Public Register.

## **The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)**

### **Scoping Opinion (SC1906)**

#### Summary of the proposal

Holyhead Marina is looking to redevelop the existing marina following storm damage in 2018. The Marina Rebuild Project will follow a similar layout to the original design but will be protected by a solid rubble mound breakwater. The Holyhead Marina rebuild consists of constructing a Rubble mound breakwater from quarried rock, protected by a cover layer of heavy armour stones or concrete armour units.

The berths/pontoons within the marina will be tethered to the seabed using a proprietary system which stretches and returns with the tidal range. The tethers will be anchored by concrete clump anchor blocks placed on the seabed. The floating breakwater element will re-use the TTI combination chain/rope/chain system with 10 tonne clump anchors.

#### Location

The Holyhead marina is located in the south west corner of Holyhead harbour on the eastern side of the Great Breakwater.

The proposed rubble mound breakwater will permanently occupy approximately 1.15 Hectares (11,500m<sup>2</sup>) of seabed. The total area occupies an area of 6.5 hectares (65,000m<sup>2</sup>).

#### Consultation Responses Received

In considering the scoping report, the NRW PS consulted with various consultation bodies. The consultation bodies that responded are listed below:

- Natural Resources Wales Advisory
- Maritime and Coastguard Agency (MCA)
- Royal Yachting Association (RYA)
- The Crown Estate
- Trinity House
- Local Biodiversity Officer
- Local Harbour Authority
- NERL Safeguarding
- Welsh Archaeological Trust
- Cadw

## 0. General comments

- 0.1. Marine and coastal guidance produced by NRW that may provide useful information to help with your project is available here:  
<https://naturalresources.wales/guidance-and-advice/business-sectors/marine/marine-and-coastal-guidance/?lang=en>
- 0.2. The ES must demonstrate consideration of the points raised in this scoping opinion. It is strongly recommended that a table is provided in the ES summarising the scoping opinion comments and how they are addressed in the ES.
- 0.3. The EIA must be undertaken by a competent person and the ES must include a competent expert statement.
- 0.4. Throughout the ES robust evidence should be presented so that the potential environmental impacts can be properly understood and evaluated; and appropriate measures identified to avoid, reduce or, where necessary, compensate for those impacts.
- 0.5. The study area is not clearly defined for the various assessments presented within the scoping report, this must be addressed in the submitted ES.
- 0.6. We note that navigation safety has been scoped out of the Report and is intended to be described further in the Project Description. Navigation safety must be scoped into the submitted ES.
- 0.7. We recommend you engage with the MCA and Trinity House to further discuss how navigation could be affected, which includes:
  - high constructions, which inhibit line of sight of microwave transmissions, or the performance of port radar, or interfere with the line of sight of aids to navigation;
  - high constructions, which potentially affect wind patterns; and
  - lighting of a shore development in such a manner that the night vision of mariners is impeded, or that navigation lights, either ashore and onboard vessels are masked, or made less conspicuous.
- 0.8. The MCA also remind you that you must comply with the Port Marine Safety Code (PMSC) and its Guide to Good Practice to ensure safe navigation.
- 0.9. The UK left the EU on 31 January 2020. – all legal obligations relating to compliance with environmental licences/permits and legislation will continue to apply. NRW on behalf of Welsh Ministers will continue to issue licenses in line with our current practice.
- 0.10. Early engagement with relevant stakeholders is encouraged. You are able to obtain further advice from NRW Advisory through the NRW discretionary advice planning service, please see here:  
<https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/our-service-to-developers/?lang=en> .

## 1. Non-technical Summary

- 1.1. A non-technical summary must be provided with the ES.

## 2. Introduction

- 2.1. No comments were received from consultees in relation to the Introduction and we have no comment to make on this section of the report (section 1).

## 3. Project Description

- 3.1. Greater clarity regarding the project description must be provided within the ES. Whilst Figure 2-4 in the Scoping Report details the proposed marina layout, Section 2.3 of the Scoping Report would benefit from a concise summary of what the proposal entails. For example, confirming the total or maximum number of berths to be provided.
- 3.2. Clarification must be provided within the ES on whether the proposed number of berths is the same as previously or whether an increase in capacity is being proposed.
- 3.3. The ES must include:
  - Description of the nature of the project (as a whole), including the regulated activity.
  - The methods to be used in the project and regulated activity.

## 4. Legislation and Consenting Requirements

- 4.1. The ES must include:
  - A description of the likely significant effects of the project, whether direct, indirect, secondary, cumulative, transboundary, short-term, medium-term, long-term, permanent, temporary, positive and negative.
  - A description of the methods used to make the assessment of the significant effects and difficulties encountered in compiling the information, and uncertainties involved.
  - A description of measures to avoid, prevent, reduce or offset identified significant adverse effects, and proposed monitoring arrangements.
  - A description of the expected significant adverse effects of the project on the environment resulting from the vulnerability of the project to risks of major accidents or disasters
- 4.2. You must ensure that reference is made to, and consideration of compliance with, the UK Marine Policy statement and the now published Welsh National Marine Plan and its associated policies within the submitted ES, alongside any further regional planning documentation. The published plan can be found here:

<https://gov.wales/welsh-national-marine-plan-document>

- 4.3. Where possible, other environmental assessments should be coordinated with the EIA process. However, it is important to note that HRA and WFD assessment (and any other assessment) are separate processes to the EIA.
- 4.4. EU Water Framework Directive (Directive No.2000/60/EC)
- 4.4.1. There was a lack of consideration of Water Framework Directive (WFD) within the Scoping Report and Appendices. The reports submitted do not consider the potential implications of the project in the context of the objectives of the WFD.
- 4.4.2. As the proposed marina rebuild will include an extension to the existing rubble mound breakwater, resulting in an increased footprint in comparison to the initial marina and associated structures of approximately 11,500m<sup>2</sup>, the project will need to be screened in under the provisions of the WFD and will be required to carry out a screening and scoping exercise for the purposes of the WFD assessment. This can be carried out and provided as an appendix to the detailed assessment.
- 4.4.3. Please refer to “Clearing the Waters for All”, which provides guidance on assessing the impact of activities and projects in estuarine and coastal waters for the WFD. Guidance available here:  
<https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>
- 4.5. *Conservation of Habitats and Species Regulations 2017 – Regulation 63*
- 4.5.1. The proposals are located within or adjacent to the boundary areas designated as a European site of conservation importance under the provisions of the Conservation of Habitats and Species Regulations 2017. The sites are:
- Anglesey Terns SPA
  - Holy Island SAC
  - Holy Island SPA
  - North Anglesey Marine SAC
- 4.5.2. As part of the HRA test of likely significant effects, we also recommend that the following sites are considered with respect to marine mammals:
- West Wales Marine SAC
  - Bristol Channel Approaches SAC
  - Pen Llyn a’r Sarnau SAC
  - Cardigan Bay SAC
  - Pembrokeshire Marine SAC
- 4.5.3. We recommend that detailed and comprehensive information is submitted with the application to address the potential implications of the proposed development on the designated features of the sites.
- 4.5.4. Please see comments in Section 6, 8 and 12 relating to the scope of the EIA and information required for robust environmental assessment of the proposal, which would also inform the HRA.

## 5. Consultations

- 5.1. No Comments were received in regard to section 4 *Consultations* of the scoping Report. We would recommend early engagement with relevant stakeholders is continued as you conduct relevant assessments. It is recommended that a table is provided in the ES summarising any engagement.

## 6. Biodiversity

- 6.1. North Anglesey Marine SAC was designated in February 2019. Reference to the pSAC should be amended.
- 6.2. In addition to the North Anglesey Marine SAC, Holy Island Coast SAC and SPA, and Anglesey Terms SPA which are listed in the Scoping Report, we recommend that the following sites should also be considered within the assessment (and the test of likely significant effect as part of the HRA):
  - West Wales Marine SAC
  - Bristol Channel Approaches SAC
  - Pen Llyn a'r Sarnau SAC
  - Cardigan Bay SAC
  - Pembrokeshire Marine SAC
- 6.3. The sections on benthic biodiversity (5.1.1.2 and 5.1.3) are very brief. We acknowledge however that a desk study and a full marine ecology assessment will be undertaken as part of the EIA. The ES must highlight any protected species and habitats in the zone of influence. Guidance on designing and conducting the marine survey can be found [here](#).
- 6.4. We welcome the focus on the invasive species *Didemnum vexillum*. “*The CEMP will include Biosecurity Management Plans*”, we would highlight that these will have to be detailed and thorough in order to minimise any spread of this invasive species at all stages of the project. This is particularly important as new structures are more likely to be colonised by invasive species. NRW Advisory note that this would represent an excellent opportunity to monitor the settlement of *Didemnum vexillum* via settlement plates and/or dive surveys and you are encouraged to discuss possible opportunities with NRW Advisory.
- 6.5. NRW Advisory have raised significant concerns surrounding the use of polystyrene in the construction of the marina/pontoons, due the lessons learnt from Storm Emma, both in terms of pollution and as a potential vector for the spread of invasive species. Should polystyrene be proposed justification for this must be provided and early engagement with NRW Advisory would be highly recommended.
- 6.6. Given the scale and nature of the proposed project, a desk-based review of the levels of underwater noise and vibration that are likely to occur as a result of the construction activities (i.e. rock placement and vessel movements), supplemented with marine mammal field surveys if necessary, is considered an appropriate approach. The potential range of effects in marine fauna for these different activities should be reviewed taking account of the latest available scientific evidence of the

observed responses of marine fauna to different types of underwater sounds and/or published exposure criteria or acoustic thresholds.

- 6.7. Further information on underwater noise from construction must be provided in the ES to allow an assessment of the likely impact to marine mammals, and what mitigation may be required. NRW Advisory strongly recommend that construction avoids activities likely to generate loud underwater noise – such as piling wherever possible. The site is within North Anglesey Marine SAC, designated for harbour porpoise, any noise impacts would need to be carefully managed.
- 6.8. The underwater noise assessment must consider the latest guiding principles for assessing the impact of underwater noise and set out any associated limitations or constraints of the approach taken forward.
- 6.9. We note that the proposed mitigation follows the standard best practice guidelines for minimising the risk of injury and disturbance to marine mammals. This includes use of Marine Mammal Observer (MMO) during construction operations and restricting noise producing activity to daylight hours. The proposed mitigation should be reviewed once further underwater noise assessment has been carried out.
- 6.10. The potential effects of underwater noise on fish, benthic invertebrates and diving seabirds is not considered in the Scoping Report. These receptors are sensitive to changes in sound pressure levels and/or particle motion (vibration) and therefore the potential effects of the proposed construction activities and whether they should be scoped in or out of the assessment requires further consideration.
- 6.11. Little detail has been provided regarding proposed bird surveys. Whilst we agree with identification of Potential Environmental Effects in relation to ornithology (section 5.2.1, page 34), more clarity on the scope of baseline data collection for birds is required; including what any survey will entail and which seasons will be covered. We recommend early engagement with NRW Advisory to ensure an appropriate assessment is undertaken.

## **7. Geology, Hydrogeology & Hydrology**

- 7.1. No comments were received from consultees in relation to Geology, Hydrogeology & Hydrology and we have no comment to make on this section of the report (section 5.2). The ES should however include an assessment of impacts on Geology, Hydrogeology & Hydrology, as set out in the scoping report.

## **8. Water Quality**

- 8.1. We agree with the identification of Potential Environmental Effects (section 5.3.2, pg 41) for marine water quality. The Scoping Report briefly refers to “surface water sediment grab samples” for physio-chemical monitoring; it is not specified what this will entail. Further detail regarding sampling undertaken must be provided in the ES and we advise that CEFAS should be contacted regarding sediment contaminant and monitoring.

- 8.2. There scoping does not detail if there is to be any discharge of sewage to the environment. The existing dock facilities were designed for 500 berths, 350 were used under the previous marina; no information is provided on the capacity of the rebuild. You must clarify in the ES whether the onshore facilities are still suitable for the planned development. Should any discharge be required this must be appropriately assessed.
- 8.3. In Table 6-1 (pg 75) the operational water quality has been screened out whereas in section 5.3.5. it is scoped in. You must scope in water quality based on 5.3.5 of your scoping report.
- 8.4. It is noted that a CEMP will be drafted as part of its mitigation measures against accidental spills. We recommend engagement with NRW Advisory in producing the CEMP.

## **9. Flood Risk Assessment**

- 9.1. No comments were received from consultees in relation to Flood Risk Assessment and we have no comment to make on this section of the report (section 5.4). The ES should however include an assessment of impacts on Flood Risk, as set out in the scoping report.

## **10. Air Quality & Climate Change**

- 10.1. No comments were received from consultees in relation to Air Quality & Climate Change and we have no comment to make on this section of the report (section 5.5). The ES should however include an assessment of impacts on Air Quality & Climate Change, as set out in the scoping report.

## **11. Noise & Vibration**

- 11.1. No comments were received from consultees in relation to Noise & Vibration other than those already detailed within section 6 of this scoping opinion. The ES should however include an assessment of impacts on Noise & Vibration, as set out in the scoping report.

## **12. Material Assets – Coastal Processes**

- 12.1. Impact of both construction and operational phases on coastal processes must be considered within the ES. The Scoping report is unclear to the extent of the assessment as construction impacts appear to have been omitted within section 5.7.2 which only talks about operational impacts, and are also omitted from table 6-1, However construction impacts are discussed in 5.7.3. Construction impacts must be scoped into the assessment.
- 12.2. Coastal processes must be considered for both construction and operation and potentially decommissioning depending on the lifetime expected of the structure.

- 12.3. It is unclear what rationale has been used to define a 5km study area. We require a rationale and map to clearly understand the area proposed. The study area must include any area that may be affected by the proposal. Modelling of hydrodynamic changes from baseline will help define this.
- 12.4. Clarification is sought over what point the baseline is taken from (pre or post storm Emma - with the old marina or without).
- 12.5. The submitted ES must include sufficient data to define the current baseline. This includes data on waves, sediment characteristics, hydrodynamics etc.
- 12.6. The submitted ES must include a complete construction methodology to inform the assessment of likely impacts.
- 12.7. NRW Advisory note that the modelling approach used for understanding the scale of storm Emma, may not be suitable; too coarse in resolution and data input to evaluate the marina rebuild project. There is no information on the detail of the assessment. We recommend that you engage with NRW Advisory to discuss the modelling approach. Please see evidence reports for an understanding of what is recommended require:
  - [Pye, K., Blott, S., Brown, J. 2017. Advice to Inform Development of Guidance on Marine, Coastal and Estuarine Physical Processes Numerical Modelling Assessments. NRW Report No: 208, 139 pp, Natural Resources Wales, Cardiff.](#)
  - [Brooks, AJ., Whitehead, PA., Lambkin, DO. 2018. Guidance on Best Practice for Marine and Coastal Physical Processes Baseline Survey and Monitoring Requirements to inform EIA of Major Development Projects. NRW Report No: 243, 119 pp, Natural Resources Wales, Cardiff.](#)

### 13. Material Assets – Traffic & Transportation

- 13.1. No comments were received from consultees in relation to Material Assets – Traffic & Transportation and we have no comment to make on this section of the report (section 5.8). The ES should however include an assessment of impacts on Material Assets – Traffic & Transportation, as set out in the scoping report.

### 14. Archaeology & Cultural Heritage

- 14.1. The designated heritage assets below are inside 3km of the application area and are likely to have views of the proposed development. It is likely that the changes to the views from these designated heritage assets will have an impact on their settings and how they are experienced, understood and appreciated.

#### Scheduled Ancient Monuments:

- AN019 Caer y Twr

#### Listed Buildings:

- 5743 HOLYHEAD BREAKWATER, SOLDIER'S POINT II\*
- 5744 LIGHTHOUSE ON HOLYHEAD BREAKWATER II

- 5771 CUSTOMS HOUSE, SALT ISLAND II
- 5772 HARBOUR OFFICE, SALT ISLAND II\*
- 5773 GEORGE IV ARCH, SALT ISLAND II\*
- 14729 ZODIAC RESTAURANT, BEACH ROAD (N SIDE) II
- 14730 TRINITY HOUSE OFFICE, BEACH ROAD (N SIDE) II
- 14731 TRINITY YARD LARGE WORKSHOP, BEACH ROAD (N SIDE) II
- 14732 TRINITY YARD SMALL WORKSHOP, BEACH ROAD (N SIDE) II
- 14755 GUNPOWDER MAGAZINE, BREAKWATER QUARRY II
- 14756 COTTAGE ON CORNER OF PENTRE PELLA (INCLUDING FOREGARDEN WALL),
- 14759 PORTHYFELIN HOUSE, SOLDIER'S POINT II
- 14760 SOLDIER'S POINT HOUSE, SOLIDER'S POINT II
- 14761 SCREEN WALL TO SOLDIER'S POINT HOUSE, SOLDIER'S POINT II

Conservation Areas:

- Holyhead Beach

- 14.2. The submitted ES must consider all heritage assets that may be affected by the proposed development, including scheduled monuments and an initial list of these assets are given above. These will need to be checked on site in accordance with Section 1 of the Welsh Government guidance “The Setting of Historic Assets in Wales”.
- 14.3. The submitted ES must include reference to searches made of the Historic Environment Record held by the Gwynedd Archaeological Trust and the Maritime Heritage Assets Section of the National Monuments Record of Wales curated by the Royal Commission for the Ancient and Historical Monuments of Wales. The results of these searches should be assessed in accordance with the Standard and Guidance for Desk-based Heritage Assessment set by the Chartered Institute for Archaeologists and the impact of the development on the settings of the historic assets should be carried out in accordance with the Welsh Government guidance “The Setting of Historic Assets in Wales”. If dive surveys and/or seabed geophysical surveys are undertaken these works should also be carried out in accordance with the relevant standard and guidance set by the Chartered Institute for Archaeologists.
- 14.4. An archaeological assessment must be prepared by an archaeological contractor with appropriate expertise. We recommend you contact the Archaeological Trust to discuss what is required within the assessment.

## **15. Landscape & Visual**

- 15.1. No comments were received from consultees in relation to Landscape & Visual and we have no comment to make on this section of the report (section 5.10). The ES

should however include an assessment of impacts on Landscape & Visual as set out in the scoping report.

## **16. Waste**

- 16.1. No comments were received from consultees in relation to Waste and we have no comment to make on this section of the report (section 5.11). The ES should however include an assessment of impacts on Waste, as set out in the scoping report.

## **17. Population, Human Health & Socio Economics**

- 17.1. No comments were received from consultees in relation to Population, Human Health & Socio Economics and we have no comment to make on this section of the report (section 5.12). The ES should however include an assessment of impacts on Population, Human Health & Socio Economics, as set out in the scoping report.

## **18. Major Disasters & Accidents**

- 18.1. We have no concerns with impact of Major incidents on water quality being assessed and presented within the water quality chapter of the ES. No further comment was received. The ES should include an assessment of impacts on Major Disasters and accidents, as set out in the scoping report.

## **19. Cumulative Effects & Environmental Mitigation**

- 19.1. The ES must include an assessment of cumulative and in-combination effects. There are many projects either approved or being developed at present and therefore caution will be needed with any in-combination assessment and baseline chosen.
- 19.2. The following data sources may provide useful information on other projects for the assessment of cumulative effects:
- The Nationally Significant Infrastructure Projects register:  
<https://infrastructure.planninginspectorate.gov.uk/projects/register-of-applications/>
  - The Developments of National Significance Register:  
<http://gov.wales/docs/desh/publications/180312-dns-register-en.pdf>
  - Planning Policy e.g. Local Development Plans, Transport Plans (National and Local) and National Policy Statements.
  - An up to date list of marine licensable developments can be found at the following link:  
<http://lle.gov.wales/catalogue/item/MarineLicences/?lang=en>

Yours sincerely



**Joe Thomas**

**Permitting Officer**

Marine Licensing Team

Natural Resources Wales

Approved by;



Peter Morrison

Marine Licensing Team

Cc: All Consultation Bodies