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Navigational Risk Assessment Clarification Note

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Document Reference: N/A

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Making Sense of the Marine Environment™



Morlais Document No.
MOR/RHDHV/DOC/0136

Status:
Final

Version No:
1.0

Date:
03/07/2020

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Introduction

This document provides the Applicant's responses to Natural Resources Wales (NRW) comments dated 5th June regarding the additional information supplied on the 22nd May.

Response to NRW comments

NRA

There is some confusion around the NRA and its level of completion. Although we appreciate that some aspects may require revisiting post-consent, once technologies are confirmed, it is recommended that such justification is clearly laid out in the NRA.

Finalised device layout was not available during the NRA and specifics regarding which devices will be deployed in the various parts of the development zone will be finalised post consent. As such the NRA assumes any combination of device types may be deployed up to a maximum 240MW (worst case) capacity to ensure this covers all range of options and is complete in this regard as outlined in the NRA.

The project has committed to undertake device specific NRA's prior to initial deployment of specific device types i.e. once exact locations and scale/type of device deployment is known and this has been agreed as an additional mitigation measure with the MCA and TH and would be undertaken post consent. We would anticipate this being a condition of the ML and that these NRA's would be undertaken by an independent contractor and would require approval from NRW, in consultation with Trinity House and MCA, prior to construction. If the device specific NRAs determine that there is no increased risk to navigation compared to that assessed in the original NRA and consented, then deployment could proceed. If the post consent NRA's found an increased risk and that risk was above as low as reasonably practicable (ALARP) then there would be a requirement for redesign of the proposed device deployment to lower risk within the consented envelope to reduce the risk to ALARP before deployment could proceed.

We have noted that documents MORMMDOC0011 (Ref no. 36) details that supplementary information is still to be provided to address an additional item for the impact assessment therefore it appears that the NRA is incomplete. The NRA should be updated to include the supplementary information referenced. This is required as part of the further information request.

We previously stated that to address safety issues from interactions of kayakers with project infrastructure that the NRA is being reviewed with reference to this specific point and supplementary information regarding this point will be provided. This work has now been completed and the following statement provides the supplemental information as requested.

Response on the consideration of Canoeists and Kayakers within the Navigation Risk Assessment:

The purpose of a Navigation Risk Assessment is to identify and assesses the hazards and risks affecting all vessel navigation within an area of interest, before then considering the current controls to mitigate risks and further identify controls that could be adopted to minimise risk as low as reasonably practicable (ALARP). Consequently, and in support of this marine license application, Canoeists and Kayakers have received the same level of navigational risk scrutiny as other vessel-based sea-users operating within the vicinity of the Morlais Development Zone (MDZ). Whilst recreational vessels within the NRA are not subdivided further, the concerns of the Canoeists and Kayakers have been covered within the Navigation Risk Assessment and specifically under

‘recreational vessel contact with surface devices’. This considers the paddler/people element (in terms of consequence i.e. personal injury to fatality) not just the impact to the recreational vessel.

Hazard scoring undertaken here was based on a range of information collected during stakeholder consultation meetings, as well as drawing on the extensive experience of the Consultant Mariner engaged to undertake the risk assessment. Furthermore, noting that the types of device to be deployed across the MDZ had not been finalised at the time of the NRA, the hazard frequency scoring erred more towards the cautious i.e. a higher likelihood, resulting in higher risk scores. Despite this, the risk to Canoeists and Kayakers [recreational vessels] navigating in proximity to surface devices remains low.

Nevertheless, in wanting to demonstrate a responsible approach here, the developer is interested to further mitigate risk to Canoeists and Kayakers via further consultation and consider whether additional mitigation measures would provide them with the reassurance they seek. Typically measures here may include:

- *Each device to be fitted with grab chains; and*
- *A number of devices in each array to be fitted with a ladder to enable a person in the water to get onboard the device as a refuge in an emergency.*

Confidentiality of documents

We require clarification as to why the Chough figures (Figures F.1) and the NRA document (marked confidential in footnote from page 57 onwards) submitted as part of the ‘request for further information’ process are marked as Confidential. As detailed within letter dated 16 April 2020, clear reasoning for any claim of confidentiality should be provided for our consideration. If elements of the NRA are considered confidential a redacted version of the document must also be provided.

No parts of the NRA are considered Confidential and the “confidential” in footnote from page 57 onwards is a formatting error.