

# **Environmental Impact Assessment Written Confirmation of the EIA Consent Decision**

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

**Laying an interconnector cable between Freshwater West beach and the Ireland and  
Wales median line**

**CML1929**

**16 February 2021**

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## 1. Introduction

- 1.1 This document is the Environmental Impact Assessment ('EIA') Written Confirmation document for CML1929, Laying an interconnector cable between Freshwater West beach and the Ireland and Wales median line.

## 2. The Project

### 2.1 Project Background

- 2.1.1 An application for a Marine Licence for the Project was submitted to NRW by Greenlink Interconnector Limited duly made on 27 September 2019.

Laying an interconnector cable between Freshwater West beach and the Ireland and Wales median line.

- 2.1.2 Laying an interconnector cable between Freshwater West beach and the Ireland and Wales median line under the following conditions:

- Deposit of two HVDC electricity cables and one fibre optic cable with a Maximum length of 73.9km corridor width 20m.\*
- The deposit of concrete mattresses or rock berm over a maximum area of 16.5km x 10m wide.\*
- A maximum of 5 discrete repairs.\*
- A maximum of 1 UXO deflagration.\*
- Dredge of sand waves and the subsequent deposit at designated disposal site LU172, up to a maximum of 612,000 tonnes using a trailing suction hopper dredger.\*

- 2.1.3 All activities listed in 2.1.2 with a \* require a Marine Licence under Part 4, (Chapter 1) Section 66 of the Marine and Coastal Access Act.

### 2.2 Location

- 2.2.1 The Project is the deposit of cables connecting Ireland and Wales. The Marine Licence application submitted to NRW Permitting Service (NRW PS) if only applying for licenced activities between the Ireland and Wales median line and Freshwater West beach Mean High Water Spring (MHWS) mark. The consented area is bounded by the following coordinates:

Longitude	Latitude
-6.1001	51.6813
-6.0239	51.6732
-5.7903	51.6583
-5.6623	51.6605
-5.4630	51.6503
-5.4267	51.6505
-5.4233	51.6524
-5.3888	51.6527

-5.3097	51.6648
-5.2264	51.6646
-5.1707	51.6448
-5.1490	51.6437
-5.1211	51.6440
-5.1054	51.6442
-5.1050	51.6498
-5.0977	51.6553
-5.0907	51.6583
-5.0703	51.6638
-5.0629	51.6609
-5.0810	51.6563
-5.0915	51.6527
-5.0979	51.6479
-5.0986	51.6424
-5.1147	51.6379
-5.1736	51.6407
-5.2292	51.6604
-5.3084	51.6604
-5.4011	51.6461
-5.4634	51.6459
-5.6627	51.6560
-5.7904	51.6538
-6.0248	51.6688
-6.1001	51.6768

## 2.3 Statement of need

- 2.3.1 The objectives of the Project is to provide a new interconnector between EirGrid's Great Island substation in County Wexford (Ireland) and the National Grid's Pembroke substation in Pembrokeshire (Wales). Greenlink aims to deliver increased security of supply for electricity consumers, by diversifying energy sources and providing additional import and export capacity in both countries. Greenlink aims to increase interconnection capacity between Ireland and UK and contribute to each country's interconnection targets. Greenlink also aims to improve the integration of renewable technologies in Ireland and GB supporting the growth of the green energy sector, which offers significant economic and environmental benefits to both countries.

## 2.4. Regulating regimes

- 2.4.1 The Project overlaps between six 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. Aspects applied for via a Marine Licence are identified by \* in section 2.1.2.
- 2.4.3 A Full Major Development application was submitted for the onshore cable route installation to Pembrokeshire County Council under the Town and Country

Planning Act 1990 for additional aspects of the project. This was granted on 28 July 2020 and given reference 20/0044/PA.

- 2.4.4 An Outline Major Development application was submitted for the converter station and access to Pembrokeshire County Council under the Town and Country Planning Act 1990 for additional aspects of the project. This was granted on 28 July 2020 and given reference 20/0041/PA.
- 2.4.5 A Full Major Development application was submitted for the onshore cable route installation, within the Pembrokeshire Coast National Park Authority jurisdiction to Pembrokeshire County Council under the Town and Country Planning Act 1990 for additional aspects of the project. This was granted on 15 July 2020 and given reference NP/20/0222/FUL.
- 2.4.6 A foreshore licence under the Foreshore Act 1933 for additional aspects of the project. This was given reference FS007050 and is yet to be granted.
- 2.4.7 Planning permission under the Planning and Development Act 2000 for additional aspects of the project. This has not been provided a reference and is yet to be granted.

### 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 Pursuant to Regulation 5 of the Regulations, it was agreed between NRW and Greenlink Interconnector Limited that the proposed works constitute an EIA development under the Regulations. Accordingly, the Marine Licence application required for the Project was accompanied by an Environmental Statement (ES).
- 3.0.4 NRW provided comments on a Scoping Report entitled “Greenlink Interconnector Environmental Scoping Report” - Uk Marine Route” submitted by Greenlink Interconnector Limited on 30 October 2018 (case reference: SC1816).

#### 3.1 The Environmental Statement (ES)

- 3.1.1 The Environmental Statement outlined the proposed project organised under the following topic headings
- 3.1.2 Technical chapters:
  - Introduction

- Policy and Legislative Framework
- Development of the Project and Alternatives
- Project Description
- Impact Assessment Methodology
- Physical Conditions and Marine Processes
- Benthic and Intertidal Ecology
- Fish and Shellfish
- Birds
- Marine Mammals and Reptiles
- Protected Sites
- Commercial Fisheries
- Shipping and Navigation
- Offshore Infrastructure and Other Marine Users
- Marine Archaeology
- Cumulative Effects Assessment (CEA)
- Schedule of Mitigation
- Conclusion

3.1.3 The ES is considered to satisfy the requirements of Regulation 12 (2) and Schedule 3 of the Regulations. Specific comments pertinent to each ES chapter can be found in section 7.

## 3.2 Other Legislative and Policy Framework

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

### 3.2.1 Marine and Coastal Access Act 2009, Section 66, Part 4 (Chapter 1) ('the Act')

3.2.1.1 Council Directive 2011/92/EU 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. The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("the Regulations") transpose the EIA Directive into UK law for marine licence applications.

### 3.2.2 Water Framework Directive (Council Directive 2000/60/EC)

3.2.2.1 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'.

3.2.2.2 The Potential effect of the Project was also screened against the Water Framework Directive objectives for the following Water Bodies:

- Pembrokeshire South
- Milford Haven Waterbody

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

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

### **3.2.3 Waste (England and Wales) Regulations 2011 (as amended) (2011/988)**

3.2.3.1 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).

### **3.2.4 The Conservation of Habitats and Species Regulations 2017 (as amended)**

3.2.4.1 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").

3.2.4.2 The proposal is located within a European Protected Site.

3.2.4.3 The effects of proposal on the following European Sites, their features and conservation objectives have been considered by NRW during the licence determination:

- Pembrokeshire Marine SAC
- West Wales Marine SAC
- Bristol Channel Approaches SAC
- North Anglesey Marine SAC
- Cardigan Bay SAC
- Camarthen SAC
- Skomer, Skokholm and the seas off Pembrokeshire SPA
- Castlemartin Coast SPA
- Grassholm SPA
- Pen Llyn a'r Sarnau SAC

3.2.4.4 A test of likely significant effect (TLSE) was undertaken and potential significant effects on features of the all the European Sites listed in section 3.2.4.3 could not be ruled out. It was concluded that the proposal, when considered alone and in-combination, will only adversely affect the integrity of the Pembrokeshire Marine SAC.

3.2.4.5 Following the conclusion of adverse effects on the integrity of a European Site, the licence determination proceeded under Article 6(4) of the Habitats Directive which provides a derogation which would allow a plan or project to be approved in limited



circumstances even though it would or may have an adverse effect on the integrity of a European site. Under article 6(4) a plan or project can only proceed provided three sequential tests are met:

- There must be no feasible alternative solutions to the plan or project which are less damaging to the affected European site(s).
- There must be imperative reasons of overriding public interest for the plan or project to proceed.
- All necessary compensatory measures must be secured to ensure that the overall coherence of the network of European sites is protected.

3.2.4.6 It was considered that there were no feasible alternatives to the project and a Statement of Case was produced by NRW PS identifying the imperative reasons of overriding public interest for the plan. A Compensation Plan was agreed with NRW TE in principle and the Statement of Case was sent to Welsh Government on the 04 November 2020. Approval to grant a licence under Article 6(4) of the Habitats Directive was provided by Welsh Government on 09 February 2021.

3.2.4.7 Information which supports the Statement of Case is detailed in the Greenlink Marine HRA, dated October 2020.

3.2.4.8 Further details are described within the Habitats Regulations Assessment and sections 7 and 8.

### **3.2.5 Marine Conservation Zones**

3.2.5.1 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.

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

### **3.2.6 Wildlife and Countryside Act 1981 (as amended)**

3.2.6.1 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.

3.2.6.2 Appropriate consultation has been undertaken within NRW and the responses raised no concerns relating to any SSSI.

### **3.2.7 Marine Policy Statement and Welsh National Marine Plan**

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

3.2.7.2 NRW PS agree with the conclusions set out in ‘Appendix A – WMP Objectives’, dated June 2020.

### **3.2.8 Environment (Wales) Act 2016**

- 3.2.8.1 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.
- 3.2.8.2 NRW considers that the procedures outlined in this Written Confirmation in the consideration of EIA consent are consistent with this requirement.

### **3.2.9 Well-being of Future Generations (Wales) Act 2015**

- 3.2.9.1 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.
- 3.2.9.2 NRW considers that the EIA process is consistent with the sustainable development principle described in the Act, and that the processes outlined in this Written Statement are sufficient to properly demonstrate the sustainable development principle. In particular, NRW 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 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 No further information was requested from the applicant pursuant to a notification under Regulation 14 (1).

## **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 works and give any interested parties or members of the public an opportunity to make representation on the application as necessary.
- 4.1.2 The application documents were made available as follows;
- A translated public notice was placed in the the Western Telegraph on 13 November 2019 and 20 November 2019. It was also placed in Fishing News on 14 November 2019 and 21 November 2019.

- The application documents were made available to the public at Pembroke Library and Information Centre, Commons Road, Pembroke, Pembrokeshire, SA71 4EA. They could also be requested from Natural Resources Wales Marine Licensing Team, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP, for 42 days following the publication of the first public notice.

4.1.3 Three public representations were received

4.1.4 All representations received from members of the public were dealt with according to the Schedule 5 of the Regulations. Representations which were not capable of being dealt with under Schedule 5 are not considered further in this consent decision.

4.1.5 Representations which were not relevant to the EIA consent decision, but may be relevant to another regulator or authority were forwarded to that regulator or authority in accordance with Schedule 5 paragraph 2 of the Regulations.

4.1.6 Representations capable of being dealt with according to Schedule 5 of the Regulations are further described in section 7 of this decision.

## 5. Consultation of EEA States

5.0.1 A Transboundary Screening Assessment did not identify potential for effects to any other EEA State.

5.0.2 Consequently, no material was provided to other EEA member States in relation to the application

## 6. Technical consultation

6.0.1 The Marine Licence application was consulted upon on 13 November 2019 for a period of 42 days, in accordance with Regulation 17 of the regulations. It was sent to the following consultation bodies:

- The Crown Estate (TCE)
- Natural Resources Wales Technical Experts (NRW TE)
- Ministry of Defence (MoD)
- Maritime & Coastguard Agency (MCA)
- Trinity House (TH)
- Royal Yachting Association (RYA)
- Local Biodiversity Officer – Pembrokeshire County Council
- Local Planning Authority – Pembrokeshire County Council
- Local Harbour Authority
- Local Port Authority – Milford Haven
- Royal Society for the Protection of Birds (RSPB)
- Welsh Government
- Welsh Archaeological Trust

- Royal Commission on the Ancient and Historical Monuments of Wales (RCHAMW)
- Cadw
- Department for Transport (DFT)
- Chamber of Shipping
- NATS En-route Limited (NERL)
- Centre for Environment, Fisheries and Aquaculture Science (CEFAS)
- Joint Nature Conservation Committee (JNCC)
- Pembrokeshire National Park Authority

6.0.3 The following organisations submitted comments:

- Natural Resources Wales Technical Experts (NRW TE)
- Ministry of Defence (MoD)
- Maritime & Coastguard Agency (MCA)
- Trinity House (TH)
- Royal Yachting Association (RYA)
- Local Planning Authority – Pembrokeshire County Council
- Welsh Government
- Cadw
- Centre for Environment, Fisheries and Aquaculture Science (CEFAS)
- Joint Nature Conservation Committee (JNCC)

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

6.0.5 Consultees who did not provide a response were assumed to have no comment.

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

7.0.1 Material issues that were highlighted by the ES and consultation process and the extent to which they have been addressed are detailed in this section.

### **7.1 Coastal Processes**

7.1.1 NRW TE considered that the ES did not contain enough information regarding the impacts on changes to suspended solids and that not enough justification had been provided on the likely amount of and distribution of increased sedimentation arising from disturbance plumes in a spatial context was provided to support the conclusions presented in the ES. The applicant provided a response to NRW PS on 20 May 2020. This response provided clarification regarding the coastal processes assessment and the relevant appendices of the ES where referenced. In addition, clarity regarding calculations on total suspended sediments were provided to NRW PS on 20 May 2020 and 26 September 2020. NRW TE were satisfied with the response and consider that the proposal, subject to appropriate mitigation detailed

in Table 6-6 in the Greenlink Environmental Statement, would not have an adverse effect on a designated site or waterbody status.

- 7.1.2 In relation to tidal current, NRW TE stated that a negligible assessment is not justified in all instances and advised that the applicant should specifically assess the likely stability of the seabed sediments at locations where rock protection works are required. The applicant provided a response to NRW PS 20 May 2020. This response provided further evidence and justification as to why a negligible assessment was appropriate. Further discussions surrounding this took place between NRW TE and the applicant 08 July 2020. It was agreed that NRW TE's primary concern is that there is the potential for scour to develop around cable protection used in soft sediments. Scour development can result in changes to physical conditions and marine processes. NRW TE requested that Greenlink undertake periodic monitoring of cable protection to identify scour and if appropriate propose mitigation to minimise the development of scour pits. It was agreed that no additional assessment was required at this stage. Inspection surveys will be carried out on all cable protection in Welsh waters, with a monitoring report provided to the Licensing Authority after each survey reporting on any scour development.

## **7.2 Benthic and Intertidal Ecology**

- 7.2.1 NRW TE provided comment on the impacts on Benthic Habitats and did not agree with the appropriate assessment carried out for Pembrokeshire Marine SAC Annex 1 habitat Reef [1170]. The applicant had originally stated that the cable laying would not cause an adverse effect on site integrity even though there was a direct loss of Annex 1 habitat Reef [1170] from the Pembrokeshire Marine SAC. This was based on rock protection acting as artificial reef and increasing the biodiversity of the otherwise impoverished area of the SAC. However, following consultation, NRW TE deemed this to be compensation and, therefore, the licence can only proceed under Article 6(4) of the Habitats Directive provided a derogation, which would allow a plan or project to be approved in limited circumstances even though it would or may have an adverse effect on the integrity of a European protected site.
- 7.2.2 The applicant provided a response to the NRW PS with the relevant information, as detailed above, on 20 May 2020 and 26 September 2020. NRW TE agreed with the measures proposed in 'Appendix D Habitat Compensation Plan' of the Habitat Regulation Assessment dated October 2020. The applicant will, however, be required to submit a final Compensation Plan for approval prior to any Licensed Activities taking place.
- 7.2.3 A Statement of Case produced by NRW PS, was sent to Welsh Government on the 04 November 2020. Approval to grant a licence under Article 6(4) of the Habitats Directive was provided by Welsh Government on 09 February 2021.

## **7.3 Fish, Shellfish and Commercial Fisheries**

- 7.3.1 NRW stated that a lack of information was provided about the impacts of electromagnetic fields from the cable on fish and crustacean species. The applicant produced an assessments of the impacts from the electromagnetic fields from the cable, detailed in 'GIL Response (P1975\_R5130\_Rev0)', dated 25 September 2020.

NRW TE were satisfied with the assessment carried out and consider that the proposal would not impact fish and crustacean species.

## **7.4 Ornithology**

- 7.4.1. No comments were provided in relation to ornithology. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

## **7.5 Marine Mammals**

- 7.5.1. NRW TE, JNCC and CEFAS provided comment on the noise modelling and on the impacts of noise from UXO detonation and geophysical surveys on Harbour Porpoise, Bottlenose Dolphins and Grey Seals.
- 7.5.2 NRW TE and CEFAS raised concerns about the noise assessment produced, which identified a likely significant effect on Grey Seals and Harbour Porpoise, as a result of disturbance and injury from UXO clearance. Although both agreed that the assessment could be improved, noting in particular that the predicted impact ranges were higher than anticipated, both consultees concluded that appropriate effort had been undertaken to mitigate the risk of potential impacts from UXO deflagration on all marine mammals following the submission of 'P1975\_R5028\_Rev2 Greenlink MMMP', dated November 2020. This mitigation includes, but is not limited to, the use of marine mammal observers, bubble curtains and UXO deflagration instead of UXO detonation. The applicant will, however, be required to submit a final Marine Mammal Mitigation Plan for approval once UXOs has been identified, prior to any UXO clearance being undertaken.
- 7.5.3 JNCC, CEFAS and NRW disagreed with the categorisation of geophysical surveys as continuous. However, all consultees stated that the pulses produced by sub-bottom profilers like boomers and sparkers, are considered impulsive. Subsequently, potential impacts from these surveys have been assessed against the incorrect thresholds. It was agreed with the applicant, following a conference call 06 March 2020, that the noise from the geophysical survey should be considered as impulsive noise. On 20 May 2020 the applicant submitted an updated 'Appendix D – Underwater Noise Modelling' updated to reflect the aspects raised by JNCC, NRW and Cefas, which closed out any issues surrounding the geophysical surveys.

## **7.6 Shipping and Navigation**

- 7.6.1 MCA and TH provided comments on the impacts the project will have on navigation. Both raised concerns about the cable reducing the clearance level for vessels. Therefore, conditions have been included to ensure that MCA and TH are consulted if navigable water depths are reduced by more than 5%.
- 7.6.2 The MCA also stated that a lack of information was provided about the effect electromagnetic deviation may have on ship compasses and other navigating systems. The applicant produced a desk-based study demonstrating the impacts the cable would have on ship compasses and other navigating systems, detailed in



‘Greenlink Responses (P1975\_R5015\_Rev1), dated 20 May 2020’. The study was consulted on with MCA who responded on 26 June 2020, agreeing with conclusions of the study that the cable would not impact on ship compasses or other navigational aids.

- 7.6.3 It may be that vessels still might report adverse impacts post-installation, resulting in potential safety concerns. If this is the case, there would be a need to explore mitigating measures from which a physical survey might be needed. Therefore, if requested by the Licensing Authority or the MCA, the applicant will still be required to undertake a post-installation compass deviation survey and submit the results to the Licensing Authority for written approval.

## **7.7 Offshore Infrastructure and Other Marine Users**

- 7.7.1 NRW TE raised concerns about the timings on the foreshore and near shore of Freshwater West beach during busy periods. Conditions have been included in the licence to ensure no Licensed Activities on the foreshore or nearshore can take place near bank holidays and/or during the summer period. Therefore, NRW PS concluded that the potential impacts of the project have been adequately addressed.
- 7.7.1 The MoD (Castlemartin Firing Range) raised concerns about the timings of the licensed activities taking place during firing activity. Conditions have been included in the licence to ensure that Castlemartin Firing Range is made aware of the Licensed Activities prior to commencement. Therefore, NRW PS concluded that the potential impacts of the project have been adequately addressed.

## **7.8 Marine Archaeology**

- 7.8.1 Cadw confirmed that a sufficient archaeological assessment was carried out and adequate mitigation proposed within the ES. Cadw are, therefore, satisfied that the works will not cause any impacts on cultural heritage provided that works are carried out in line with the WSI, dated 17 June 2019.

## **7.9 Cumulative Effects**

- 7.9.1 Representations were made by NRW TE on 28 August 2020 to include Erebus Floating Offshore Wind Project during the Cumulative Effects Assessment. However, Erebus Floating Offshore Wind Project is at the very early stages and is still engaging with NRW PS via pre-application. Therefore, requesting that the applicant includes this during the Cumulative Effects Assessment would be unreasonable. The NRW PS concluded that the potential impacts of the project have been adequately addressed in the ES.
- 7.15.1 As detailed in section 3.2.4, NRW PS carried out a Habitat Regulations Assessment, as part of which an in-combination assessment was carried out and concluded subject to appropriate mitigation that the works would not cause a significant impact alone or in combination on a European designated site.

## 7.10 Water Quality

- 7.10.1 NRW TE raised concerns regarding the submitted average Suspended Particle Matter (SPM) off the Pembrokeshire coast. They considered that the average was calculated from a large area and did not provide enough information nearshore or offshore to understand background concentrations and potential impacts. At NRW PS's request, the applicant revised their data source and were able to obtain GIS layers showing the breakdown of SPM concentrations but at a higher resolution, and submitted this information 20 May 2020. Following consultation, NRW TE confirmed they were now satisfied in regards to the SPM off the Pembrokeshire coast.
- 7.10.2 NRW TE requested that the applicant provided their calculations and assumptions on impacts on water quality, in order to understand where these values originate from. The applicant provided further clarification and justification on 20 May 2020 for the calculations used. Following consultation, NRW TE confirmed they were no longer concerned about the water quality off the Pembrokeshire coast.
- 7.10.3 Freshwater West is located <500 m from the development area. Given this, NRW TE raised concerns regarding the potential for Elevated suspended sediment concentrations arising from construction phase activities (i.e. HDD exit point) have the potential to impact upon the bathing water. As such NRW TE requested that the bathing water season, 15 May to 30 September, should be avoided for any Licensed Activities located on the foreshore or nearshore area. The applicant was not able to commit to this restriction as the optimal timing for cable installation is from April through to October due to weather conditions. Following a meeting with the applicant and NRW TE, it was agreed that no licensed activities can take place in the nearshore or on the foreshore between 01 July and 31 August and neither can they take place in the nearshore or on the foreshore two days before and after bank holidays. A range of suitable risk-based mitigation can be provided but at the present time the final design information is not available from the Installation Contractor. Therefore, the applicant is also required to submit a bathing water mitigation plan to the licensing authority for approval prior to commencement of works. Following the inclusion of the mitigation listed above, NRW TE confirmed that they are satisfied that the activities do not pose a risk to human health or bathing water classification.

## 8. Mitigation, monitoring and compensation 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 must have consideration of 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 NRW considers that the following features of the project, or measures included within the project proposal as described in the application form, Environmental



Statement and other supporting information, would avoid, prevent, reduce or offset any likely significant adverse environmental effects.

- 8.1.2.1 Route engineering was undertaken during the marine survey to avoid sensitive habitats where possible or to reduce the distance the submarine cable corridor crosses a sensitive feature. The cable route has also been selected to minimise the total loss of all Annex 1 features of the Pembrokeshire Marine SAC.
- 8.1.2.2 The use of Horizontal Directional Drilling for the cable landfalls has been selected as the preference to avoid disturbance of sensitive habitats (e.g. dune system) and disruption on beaches.
- 8.1.2.3 Submarine cables will be bundled together, which reduces the seabed footprint of installation activities and the electromagnetic field generated during operation, thus minimising any potential compass deviation effects.
- 8.1.2.4 Deployment of anchors/anchor chains on the seabed will be kept to a minimum in order to reduce disturbance to seabed.
- 8.1.2.5 If a significant UXO is identified the following decision making process will be followed:
  - 1. Avoid by micro-routeing the marine cables.
  - 2. If it cannot be avoided, consider whether it is safe to move.
  - 3. If it cannot be moved, deflagration of the UXO will take place.
- 8.1.2.7 Post-installation inspection surveys will be conducted along the length of the cables on a regular basis.
- 8.1.2.8 Cable protection material (rock berms and mattresses) will be designed to be over-trawlable.
- 8.1.2.9 Rock and mattresses will only be deployed where adequate burial cannot be achieved. The footprint of the deposits will be the minimum required to ensure cable safety and rock berm stability.
- 8.1.2.10 The installation works will be carried out in line with the Written Scheme of Investigation, dated 17 June 2019.

## **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 must make consideration of the requirement for any mitigation measures or monitoring required to be attached to the consent.
- 8.2.2 Section 7 outlines where NRW PS considers that there is a requirement for mitigation and/or monitoring, and sets out the measures we consider necessary to address potential impacts identified through the EIA process. These are summarised below.

- 8.2.2.1 Licence conditions will be required to ensure that pollution prevention best practice will be adhered to, this would include that appropriate bunding and storage facilities are installed to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. This will reduce impacts on water quality.
- 8.2.2.2 Licence conditions will be required to ensure Castlemartin Firing Range, mariners and fishermen's organisations are aware of the activity and that the HM Coastguard and UK Hydrographic Office are notified prior to commencement of any Licensed Activities. This will prevent interference with navigation and legitimate uses of the sea, as stated in section 7.7.1.
- 8.2.2.3 Licence conditions will be required to ensure a cable burial plan is produced which outlines proposed method statements and cable protection measures is approved by the Licensing Authority prior to the commencement of cable laying, route clearance, deposit of rock protection and dredge and deposit activities.
- 8.2.2.4 Licence conditions will be required to ensure a compensation plan is submitted to the Licensing Authority prior to commencement of Licensed Activities. This will ensure appropriate compensation and monitoring is implemented to compensate for the loss of Annex 1 habitat Reef [1170] of the Pembrokeshire Marine SAC, as stated in section 7.2.
- 8.2.2.5 Licence conditions will be required to ensure a bathing water mitigation plan is submitted to the Licensing Authority for approval prior to commencement of Licensed Activities in the nearshore or on the foreshore. This will prevent changes to the bathing water classification, as stated in section 7.10.3.
- 8.2.2.6 Licence conditions will be required to ensure that once the specific UXO has been identified for clearance, a marine mammal mitigation plan is submitted to the Licensing Authority for approval prior to the clearance of any UXO. This will prevent likely significant effect on marine mammals by ensuring appropriate mitigation is adhered to as stated in section 7.5.2.
- 8.2.2.7 Licence conditions will be required to ensure scour monitoring is carried out and the results are submitted to the Licensing Authority. If the results show scour development, licence conditions have been included to ensure mitigation is implemented as approved by the Licensing Authority. This will prevent the development and impacts caused as a result of scour protection, as stated in section 7.1.2.
- 8.2.2.8 Licence conditions will be required to ensure a compass deviation survey is carried out if requested and the results submitted to the Licensing Authority for approval. If the results show the cable is causing compass deviation, licence conditions have been included to ensure mitigation is implemented as approved by the Licensing Authority. This will prevent impact on navigation as stated in section 7.6.3
- 8.2.2.9 Licence conditions will be required to ensure that no Licensed Activities encroach on any recognised anchorage, either charted or noted in nautical publications, within the proposed consent area.

- 8.2.2.10 Licence conditions will be required to ensure that no more than 5% reduction in surrounding depth referenced to Chart Datum at any point. This will prevent impact on navigation as stated in section 7.6.1.
- 8.2.2.11 Licence conditions will be required to ensure the final (i.e. as laid) cable location and specific details of the locations of buried and surface-laid cables, the location and quantity of rock protection used (placement or mattresses) are submitted to the Licensing Authority.
- 8.2.2.12 Licence conditions will be required to ensure an entry is made into the UK Marine Noise Registry detailing the proposed dates and locations and nature of the UXO clearance.
- 8.2.2.13 Licence conditions will be required to ensure no Licensed Activities can take place in the nearshore or on the foreshore between 01 July and 31 August inclusive, to avoid peak tourist seasons and avoid risk to human health as stated in section 7.10.3.
- 8.2.2.14 Licence conditions will be required to ensure no Licensed Activities can take place in the nearshore or on the foreshore two days before and after bank holidays, to avoid peak tourist seasons and avoid risk to human health, as stated in section 7.10.3.
- 8.2.2.15 Licence conditions will be required to ensure mitigation is implemented to avoid, prevent, reduce impacts of invasive non-native species. This will include ensuring that all equipment, materials, machinery and Personal Protective Equipment are appropriately cleaned. There will also be a requirement to submit a Biosecurity Risk Assessment to the Licensing Authority prior to commencement of Licensed Activities.
- 8.2.2.16 Licence conditions will be required to ensure a cable maintenance method is produced and approved by the Licensing Authority prior to the commencement of any maintenance works.
- 8.2.3 In considering the monitoring requirements outlined above we do not consider that these requirements can be met by existing monitoring arrangements.

## 9. Regulation 21A Conclusion about Environmental Impact

- 9.0.1 In reaching a Conclusion about Environmental Impact, as required by Regulation 21A, NRW has considered the following (Regulation 21A(1)):
- The application for a Marine Licence
  - The Environmental Statement 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, 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 The ES has assessed the impact on population and the human environment. Due to the nature of the project significant impact on population is not predicted during the operational phase. The ES also considered that during the construction phase there was the potential to generate minor (reversible) visual impacts in the nearshore or on the foreshore. Considering the project design, scale and mitigation proposed in section 8.2.2.13 and 8.2.2.14; NRW PS are satisfied that there will be no significant impact on population or human health as a result of the project.

## 9.2 Biodiversity

- 9.2.1 The location of the project is located within the Pembrokeshire Marine SAC, the West Wales Marine SAC, and a number of other designated areas surround the project location. A Habitat Regulations Assessment was carried out and, subject to appropriate conditions the works will adversely affect the integrity of the Pembrokeshire Marine SAC only as a result the direct loss of Annex 1 habitat Reef [1170], as stated in section 3.2.4. However compensation for the loss of habitat has been secured through the inclusion of licence conditions as stated in section 8.2.2.4. All other European Protected Site features will not be adversely affected subjected to appropriate conditions set out in section 8.2.2.
- 9.2.2 The clearance of a UXO has the potential to cause impacts on Harbour Porpoise and Grey Seals through injury and disturbance. However, as stated in section 8.2.2.6, licence conditions will be included to ensure a marine mammal mitigation plan is submitted to the licensing authority for approval prior to any UXO being cleared.
- 9.2.3 The ES considers the potential further impact on biodiversity including a pollution event, invasive non-native species or increased sedimentation during installation, maintenance and decommissioning. NRW PS conclude that considering mitigation proposed within the ES and the licence conditions outlined in section 8.2.2. no significant impact on biodiversity is predicted.

### **9.3 Land, soil, water, air and climate**

- 9.3.1 The cable laying process in the nearshore area and on the foreshore has the potential to cause changes to nearby bathing water classification. However as stated in section 8.2.2.5, licence conditions will be included to ensure a bathing water mitigation plan is submitted to the licensing authority for approval prior to any licensed activities taking place in the nearshore area and on the foreshore.
- 9.3.2 The ES considers the potential further impact on water quality including that of a pollution event, or increased sedimentation during installation, maintenance and decommissioning. NRW PS conclude that considering mitigation proposed within the ES and the licence conditions outlined in section 8.2.2.1 no significant impact on water quality is predicted.
- 9.3.3 The Greenlink Interconnector Cable project will help to reduce CO<sub>2</sub> emissions and meet climate policy targets in the long-term. The ES also considers the potential impacts on air quality including that of road transport and the offshore development. Given that these emissions will be emitted in the coastal or offshore environment away from any major emission sources, NRW PS conclude that emissions from the Proposed Development are not likely to cause a deterioration in local air quality.

### **9.4 Material assets, cultural heritage and landscape**

- 9.4.1 The ES has assessed the impact on material assets, including architectural and archaeological heritage, valued for socio-economic or heritage reasons and impacts on landscape. A Written Scheme of Investigation has been prepared as part of the ES and the actions proposed will be implemented as approved by Cadw as stated in section 8.1.2.10. NRW PS consider that due to the design, installation methods and proposed mitigation there will be no adverse effect on material assets, cultural heritage and landscape as a result of the project.

### **9.5 Risk of major accidents and disasters relevant to the project**

- 9.5.1 Due to the nature of the operation, the pollution prevention measures proposed to reduce the risk of a major accident or pollution event and conditioned within the marine licence, stated in section 8.2.2.1, NRW PS consider the risk of a major accident or disaster to be extremely low.

### **9.6 Cumulative impacts and in-combination impacts**


- 9.6.1 As detailed in section 3.2.4, NRW PS carried out a Habitat Regulation Assessment, as part of which an in-combination assessment was carried out and concluded subject to appropriate mitigation that the works would not cause a significant impact alone or in combination on a European designated site.
- 9.6.2 NRW PS concluded that the potential impacts due to the project have been adequately addressed in the ES.

Produced By: Joe Thomas

Signed: 

Date: 16 February 2021

Approved by: Wendy Dodds

Signed:   
Date: 16 February 2021

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## 10. Regulation 22 EIA Consent Decision

10.0.1 The Marine Licensing Team has considered the application CML1929 and information provided in support of the application and is now in a position to make an EIA consent decision to Greenlink Interconnector Limited.

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

- The application for a Marine Licence
- The Environmental Statement submitted
- Further information provided, as outlined in section 3.3
- The Conclusion about Environmental Impact (under Regulation 21A(2)) in section 9 (dated 16 February 2021), 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 Adequate mitigation and compensation strategies have been agreed to minimise, or altogether remove, the potential significant impacts associated with the construction and operational phases of the Project.
- 10.0.5 We consider that the monitoring, mitigation and compensation 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:
- Greenlink Interconnector Limited
  - Any person from whom NRW 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 at <https://publicregister.naturalresources.wales/>.


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Produced By: Joe Thomas

Signed: 

Date: 16 February 2021

Approved by: Wendy Dodds

Signed: 

Date: 16 February 2021

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