



**Cyfoeth
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**Natural
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Wales**

Environmental Impact Assessment Written Confirmation of the EIA Consent Decision

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

Holyhead Port Expansion

CML1931

21 July 2021

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1. Introduction

- 1.1 This document is the Environmental Impact Assessment ('EIA') Written Confirmation document for works proposed by Stena Line Ports Limited, in marine licence CML1931 for construction and dredge works associated with the expansion of Holyhead Port, Holy Island, Anglesey ("the Project").

2. The Project

2.1 Project Background

- 2.1.1 An application for a Marine Licence for the Project was submitted to NRW by Stena Line Ports Limited on 19 July 2019.

- 2.1.2 The project proposes the creation of 9ha of new quay storage and handling space together with two berths: a 370m deep-water berth (Salt Island Expansion) and a 280m berth (Pelham Patch Development).

The proposed schemes briefly comprises the following;

- reclamation of two intertidal/subtidal areas (the Salt Island Expansion and the Pelham Patch Development);
- dredging of an approach channel to the new berths at 10m bCD;
- dredging of the new berth at Pelham Patch;
- dredging at the base of quay walls on Salt Island to accommodate the installation of scour protection;
- additional dredging where required for installation of caissons at the new quay walls; and
- disposal of dredged material at Holyhead North disposal site (ISO43).

- 2.1.3 Further detail of the proposed activities are provided below;

- Salt Island Expansion

The Salt Island Expansion is proposed to serve as a new multi-purpose use area, including intermodal freight, Ro-Ro and Lo-Lo freight traffic, heavy and abnormal loads, as well as a new berth for cruise ships. This area works comprise:

- Removal of existing rock armour
- The reclamation of an area extending from the north- and south-east corners of Salt Island, forming approximately 65,750m² of new port land and requiring approximately 830,000m³ of imported fill material (with applied bulking factor);*
- A 370m long berth, referred to as the Main Quay Wall;*
- A 30m wall around the Lighthouse on Admiralty Pier ('the Lighthouse Wall');*
- A 100m wall that forms the northern extent of the reclaimed area, referred to as the North Wall;*
- A 90m long wall extending from the north-eastern extent of the reclaimed area to shelter vessels at berth, referred to as the North Wave Wall;*
- A reinforced concrete heavy lift pad; and

- Two hi-bay workshops, each with an associated office building.

- Pelham Patch Development

The Pelham Patch Development is proposed to serve as a new multi-purpose berth and setdown area, as well as a potential security and customs facility. This area would comprise:

- The reclamation of an area between Marine Yard and Salt Island, forming approximately 24,250m² of new port land and requiring approximately 180,000m³ of imported fill material (with applied bulking factor).*
- The construction of a 280m quay wall;*
- Blocking up the culvert running under Salt Island Bridge;*
- Re-alignment of the service road, which links Salt Island to Holy Island, away from residential and commercial properties; and
- Replacement of the existing perimeter fencing with a more open design to reduce the enclosed character of the area and improve views across the Old Harbour.

- Dredging

- Approach channel would be dredged to a target depth of 10m bCD to provide sufficient water depth for deep-water vessels to access the new Salt Island berth.*
- No dredging is required to provide access to the new berth at the Pelham Patch Development as the water depth (5.5m bCD) is sufficient for the shallower draft vessels that would use this berth; however, a small amount of dredging would be required in-front of the proposed quay wall to reach the target depth of 5m bCD.*
- The capital dredge would remove approximately 2.05 Million m³ of material, the majority of which would arise from the proposed approach channel and a smaller amount from the reclamation areas. All dredged material is proposed to be disposed of immediately at the Holyhead North disposal site (IS043).*

2.1.4 All activities listed in 2.1.3 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 located at Holyhead Port, Holy Island, Anglesey, the boundary of the works is shown in drawing Figure 1 titled 'Location Plan' Revision 3 dated 1 August 2019 and exact co-ordinates have been provided within spreadsheet dated 1 August 2019.

2.3 Statement of need

2.3.1 The objectives and need of the Project are described in chapter 2 of the Environmental Statement. The existing port is currently operating at near full

capacity. In recent years the volume of freight has continued to grow. The port is surrounded by the town of Holyhead, therefore, there is no space available in which the port can expand to meet the current and future demands of operations, the proposal seeks to produce land reclamation to address this, and allow the port to meet its future needs.

Additionally, the port provides support to the cruise industry, with the industry contributing more than £2.4 million per year to the Welsh economy. The current berth jetty used to dock cruise ships may not be available for this purpose in future, therefore, a new deep-water berth is required to support the cruise industry. There is a number of marine renewable energy proposals looking to develop around Anglesey, currently there is very little space within the port that can support this industry, therefore, it is proposed that the expansion would help support and facilitate marine energy proposals in the region. The proposal would also future-proof the port's facilities in anticipation of any additional requirement that may come as a result of the UK leaving the European Union, as there may need to be enhanced security and border control. Currently there is no additional space to locate any of these facilities, the port expansion would provide areas to develop these facilities should they be required.

2.4. Regulating regimes

- 2.4.1 The Project overlaps between two 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 the list in section 2.1.
- 2.4.3 A Harbour Revision Order under section 14 of the Harbour Act 1964 has been submitted to Welsh Government. This was submitted on 7 January 2020 reference DNS/3234821 and is yet to be determined.

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 of Regulation 7 of the Regulations, Natural Resources Wales (NRW) considered under SC1704 that the proposed works fell under Annex I, para 8b of the Regulations, specifically:

"Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1 350 tonnes."

- 3.0.4 Accordingly, the Marine Licence application required for the Project was accompanied by an Environmental Statement (ES).
- 3.0.5 NRW provided comments on a Scoping Report entitled “Holyhead Port Expansion – Environmental Scoping Report”, submitted by Royal HaskoningDHV on behalf of Stena Line Ports Limited on 12 July 2017 (case reference: SC1704).

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
- The Environmental Impact Assessment Process
- Need for the Proposed Scheme
- The Holyhead Port Expansion Project
- Summary of Predicted Environmental Impacts
 - Coastal Processes
 - Marine Water and Sediment Quality
 - Marine and Coastal Ecology
 - Fish and Shellfish Resources
 - Marine Mammals
 - Commercial Fisheries
 - Ornithology
 - Commercial and Recreational Navigation
 - Traffic and Transport
 - Noise and Vibration
 - Air Quality
 - Archaeology and Cultural Heritage
 - Visual Setting
 - Coastal Defence and Flood Risk
 - Tourism and Recreation
 - Socio-economics
 - Cumulative Impact Assessment
 - Water Framework Directive Compliance Assessment
 - Shadow Habitats Regulation Assessment

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’. The chemical status of the water body is assessed up to 12 nautical miles.

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

- Holyhead Bay
- Holyhead Strait
- Caernarfon Bay North

3.2.2.3 A Water Framework Directive Compliance Assessment 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 Framework Directive (Council Directive 2008/98/EC)

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 WaFD, which gives an order of preference for how waste is dealt with (prevention, re-use, recycling, recovery, disposal at sea).

3.2.3.2 See consideration under section 7.

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 the following European Protected Site;

- Anglesey Terns SPA
- North Anglesey Marine SAC

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:

- Anglesey Terns SPA
- Holy Island SAC
- Holy Island SPA
- North Anglesey Marine SAC
- West Wales Marine SAC
- Bristol Channel Approaches SAC
- Pembrokeshire Marine (Marine Mammals only)
- Cardigan Bay (Marine Mammals only)
- Pen Llyn a’r Sarnau SAC (Marine Mammals only)

3.2.4.4 In light of the conclusions of an appropriate assessment, and taking account conditions or restrictions as applicable, either alone or in-combination with other plans and projects, it has been established that the project will not adversely affect the integrity of any of the European Sites above.

3.2.4.5 Further details are described within the Habitats Regulations Assessment.

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 See consideration under section 7

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 (WNMP) unless relevant considerations indicate otherwise.
- 3.2.7.2 The applicant produced document “*Welsh National Marine Plan Assessment*” submitted on 1 October 2020 which detailed consideration of the development against the WNMP. It is considered that the project is in accordance with the WNMP supporting sustainable economic growth both during the construction phase and the operational phase of the project. The development has considered its impact on the marine ecosystems and has where appropriate looked to avoid, minimise and mitigate potential impacts this is presented in section 7.

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 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 Further information was provided by the applicant on 2 October 2020, following a written notification from NRW PS to the applicant on 20 December 2019.

- 3.3.2 The applicant revised the proposed scheme so that all dredge material would be disposed of offshore at Holyhead North disposal site and would not be used as part of the material for land reclamation. The applicant produced an ES addendum which presented the changes to the proposed scheme and considered the impact of these changes. The addendum was also produced in order to provide further information and clarification in response to the further information request 20 December 2019.
- 3.3.3 Full list of documents submitted as part of the further information submission are below;
- Marine Licence application form (2 forms provided, 1 Marine Works and 1 Dredge Application Form) (*these application forms superseded application forms dated 15 July 2019*);
 - Welsh National Marine Plan (WNMP) Assessment;
 - Signposting Document; and
 - Environmental Statement (ES) Addendum.
- 3.3.4 Pursuant to Regulations 16 and 17 consultation with the public and technical consultees was carried out on the further information submission, see section 4 and 6.

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 Holyhead, Anglesey and Bangor Mail on 8 January 2020 & 15 January 2020.
 - The application documents were made available to the public at: Holyhead Town Hall, Newry Street, Holyhead, for 42 days following the publication of the first public notice.
 - Copies of the application documents were also made available on NRW webpages.
- 4.1.3 0 public representations were received.
- 4.1.4 Following submission of further information detailed in section 3.3, public notices were advertised to notify interested parties of the provision of further information and give interested parties or members of the public the opportunity to make representation on the application as necessary.
- 4.1.5 The application documents and further information submission were made available as follows;

- A translated public notice was placed in the Holyhead, Anglesey and Bangor Mail on 4 November 2020 & 11 November 2020.
- In light of the public health situation surrounding coronavirus a hard copy of the application and supporting documents were not made available to the public during this period.
- Copies of the application documents were made available on NRW webpages.

4.1.6 0 public representations were received.

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 28 August 2019 for a period of 42 days, in accordance with Regulation 17 of the regulations. It was sent to the following consultation bodies:

6.0.2 Natural Resources Wales Technical Experts (NRW TE), The Centre for Environment, Fisheries and Aquaculture Science (Cefas), Ministry of Defence (MoD), Maritime and Coastguard Agency (MCA), The Crown Estate (TCE), Local Planning Authority - Isle of Anglesey County Council (IoACC), Holyhead Harbour Authority (Stenaline), Local Biodiversity Officers (LBO) for Anglesey, Royal Yachting Association (RYA), Royal Society for the Protection of Birds (RSPB), Trinity House (TH), Cadw, Gwynedd Archaeological Trust (GAT), The Royal Commission on the Ancient and Historic Monuments Wales (RCAHMW), Chamber of Shipping, NERL safeguarding, Welsh Government Planning Inspectorate, and Welsh Government Marine and Fisheries Division (including Marine Enforcement Officers).

6.0.3 The following organisations submitted comments: CE, NRW TE, MoD, MCA, TH, RYA, IoACC, Welsh Government Marine and Fisheries Division, Cadw, RCAHMW, Chamber of Shipping, NERL safeguarding, Cefas

6.0.4 Following submission of further information detailed in section 3.3, the marine licence application and further information was consulted upon on the 21 October 2020 for a period of 42 days in accordance with Regulation 17 of the regulations. Consultation took place with the consultation bodies detailed in section 6.0.2. and in addition the Welsh Fishermans Association (WFA) was consulted.

6.0.5 The following organisation submitted comments: CE, NRW TE, MoD, MCA, TH, RYA, IoACC, Cadw, NERL safeguarding, Cefas, GAT.

6.0.6 Details of the issues raised by the consultation bodies and how they have been addressed is set out in section 7.

6.0.7 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 raised concerns that a significant volume of the dredge sediment was proposed to be removed from the sediment system through its use as material for land reclamation. NRW TE advised that material should be kept in the nearshore active zone and where this is not possible, should be disposed of offshore rather than being used as land claim material. The applicant responded to concerns raised by NRW TE and revised the proposed scheme so that all dredge material would be disposed of offshore at Holyhead North disposal site and would not be used as part of the material for land reclamation. The applicant produced an ES addendum which presented the changes to the proposed scheme. NRW PS is satisfied with this response and consider no further action is necessary to address this concern.

7.1.2 NRW TE raised a number of concerns surrounding the coastal processes impact assessment carried out within the ES. These included;

- Concerns that the impact of sediment dispersion during construction had not been considered across the entirety of the construction programme;
- Lack of clarity from the assessment on the potential impact on intertidal areas through suspended sediment, including effecting beach composition;
- Concern that any future requirement for maintenance dredging had not been considered;
- Further justification was required in order to understand how the zone of influence had been defined; and
- A number of concerns and points of clarification were raised around the modelling carried out as part of the assessment these included Wave Modelling, Hydrodynamic Modelling and Sediment Plume Modelling.

7.1.3 The applicant produced further information in the form of an ES addendum which presented the changes to the proposed scheme as detailed in section 7.1.1 and also looked to address comment made by NRW TE in relation to the coastal process assessment and modelling carried out. The assessment concluded that there would not be significant changes to coastal processes as a result of the works. The information provided within the ES addendum addressed a number of concerns raised by NRW TE, however a number of points of clarity around the modelling scenarios, as well as the proposed work methods were required. The applicant subsequently provided a response to these concerns, providing clarity on a number of areas including the set up and scenarios used for the sediment plume

dispersion modelling. Following this NRW TE confirmed they had no further comment to make. Therefore, NRW PS is satisfied to conclude that the potential impacts due to the project has been adequately addressed in the ES.

7.2 Marine Water and Sediment Quality

- 7.2.1 NRW TE raised a number of concerns surrounding the marine water and sediment quality impact assessment. These included;
- impacts during the construction had not been considered across the entirety of the construction programme;
 - no evidence provided to support the assumption that suspended sediment concentration (SSC) would return to background levels within 2.5hrs;
 - that only 2D modelling had been carried out at the disposal site
 - issues surrounding deposition calculations used within the sediment plume dispersion model;
 - no consideration of dewatering impacts on the marine environment; and
 - the capital dredge component of the scheme had been adequately assessed within the WFD assessment, including the scale of any uplift in contamination levels that may be caused by the activity in particular on Holyhead Bay Coastal water body which is currently classified as failing chemical status.
- 7.2.2 The applicant produced an ES addendum which looked to address comment made by NRW TE in relation to marine water and sediment quality assessment. This included time series plots and carrying out 3D sediment dispersion modelling at the offshore disposal site. The applicant highlighted that based on sediment sampling and analysis, no contaminants within the dredged area were recorded above Cefas Action Level 2 and contamination levels above Cefas Action Level 1 only marginally exceeded this value, therefore, potential impacts to water quality through contamination were considered negligible. Based on the 3D modelling, the applicant concluded that impacts to water quality as a result of increased suspended sediment concentration during the construction phase would be short-lived due to the rapid rate of dispersion, additionally due to the scale and open nature of the water body any potential impact is considered to be minor.
- 7.2.3 In addition to the above, the applicant used the Environment Agency's SiDiChem spreadsheet assessment tool to provide a quantitative assessment of potential sediment disturbance on water quality in the context of Environmental Quality Standards (EQS). The tool indicated that heavy metals, TBT and most PAH compounds were not predicted to breach the relevant EQS. One PAH parameters, benzo[ghi]perylene could exceed its EQS during capital dredging, however, it is considered that any impact would be localised, small scale and short-lived. Following review of the additional information provided, NRW TE advised that they were satisfied that their concerns had been addressed.
- 7.2.4 Cefas confirmed that they were satisfied based on the sampling and analysis that taken place, the material was suitable for disposal at sea. However, Cefas noted that as samples were last collected in 2018, further sampling should be undertaken prior to August 2023 (allowing a 5-year period between sampling regimes) in line with OSPAR guidance. As material at depth is unlikely to change considerably, unless a pollution event occurs it would be appropriate only to conduct surface

sampling. However, Cefas advises that a sample plan should be requested in advance to the next sediment sampling campaign to confirm this. NRW PS is satisfied with the response and consider that this mitigation can be secured through the provision of appropriate conditions in any marine licence issued.

7.3 Marine and Coastal Ecology

- 7.3.1 Section 10.6.7 of the ES notes that surveys carried out as part of the environment impact assessment did not identify invasive species on the existing port infrastructure. The ES recognises that the carpet sea squirt *D. vexillum* is present within the Holyhead Marina area but notes that it is not thought to have spread to the port. NRW TE highlights the need for a detailed biosecurity risk assessment to be carried out prior to commencement of works to ensure the risk of spreading invasive species is minimised. NRW PS is satisfied that this mitigation can be secured through the provision of appropriate conditions in any marine licence issued.
- 7.3.2 NRW TE required clarification of whether maintenance dredging had been considered as part of the assessment, as the recovery of habitats in the port's approach channel would be dependent on the maintenance dredging routine. The applicant provided clarification within the ES addendum confirming that future maintenance requirement had been considered within the ES and it was expected that the approach channel would likely need dredging approximately once every five years. The applicant considers that the dredged area is predicted to recolonise and recover rapidly following the dredge campaign; particularly considering the time allowed between dredging. Therefore, it is not anticipated that this will cause a significant effect. No further comment was received from NRW TE in relation to the maintenance dredge. NRW PS is satisfied with this response from the applicant and consider that no further action is necessary to address this concern.
- 7.3.3 NRW TE raised concerns that the assessment within the ES had not adequately considered the potential impact of smothering of benthic habitats and species, including areas adjacent to the dredge works. The applicant looked to address this concern within section 3.3.3.1 of the ES addendum. The applicant used the results of the sediment plume dispersion modelling alongside the MarLIN/MarESA benchmark levels for the habitats identified from previous survey data. They concluded that most species present within the adjacent area where burrowing bivalves and polychaete species which are typical of mixed mobile sediment and of low sensitivity to smothering. Therefore, the applicant considered that conclusion of the ES remains valid, and that impact of smothering as a result of dredge activity would not be significant. NRW TE agreed based on the evidence provided that there appeared to be limited impact pathways on intertidal and subtidal benthic habitats as a result of smothering from the dredge works. NRW PS is satisfied to conclude that the potential impacts due to the project has been adequately addressed.
- 7.3.4 NRW TE highlighted that there are areas of Annex 1 and Section 7 habitats within the Holyhead North Disposal site, specifically *Sabellaria*. NRW TE note that the Holyhead North disposal site is a dispersive site for fine sediment but is not regularly used for rock disposal which will not disperse. NRW TE advise that a pre-

disposal survey should be carried out in order to identify specific locations within the disposal site where *Sabellaria* is not present, and then micro-site non-dispersive material accordingly. The applicant looked to address comments made within the ES addendum section 3.3.3.2 where impact of smothering of benthic habitats and species at the disposal site location was considered. Based on sediment deposition modelling it is anticipated that the likely level of smothering would be below 30cm, with the relevant biotopes having a medium sensitivity to deposition of up to 30cm therefore the applicant considers there is a potential impact of minor adverse significance as a result of smothering at the disposal site. However, the applicant has proposed additional mitigation to avoid adverse effect to the Annex 1 *Sabellaria* biotopes from the disposal of rock, firm clays and gravel through carrying out a pre-disposal survey and microsite at specific disposal location within the sites, the applicant proposed to produce a disposal plan as part of the Construction Environment Management Plan (CEMP). NRW TE welcome the approach of micro-sitting disposal material. NRW PS is satisfied with the response and consider that a requirement to produce and implement a disposal plan can be secured through the provision of appropriate conditions in any marine licence issued.

7.3.5 NRW TE raised concerns that impact on Section 7 species and habitats, specifically mud habitats, had not been fully considered. The applicant looked to address these comments within the ES addendum section 4.4.2.2 which identifies that the direct effect on land reclamation activity would result in a loss of 0.01km² of intertidal habitat, the majority of which being artificial littoral rock biotope. It is considered within the ES addendum that the loss of artificial littoral rock habitat would be offset by the creation of a rock revetment along the north wave wall of the Salt Island Expansion. Section 4.4.2.2 also noted that some areas within the capital dredge would be changed from overlying sediment to rock; however, the report also highlighted that sedimentation would occur between maintenance regimes which would allow species to recolonise within the approach channel, therefore, any losses would be considered temporary and not significant. Further information relating to this potential loss was also provided within section 2.4 of the "*Holyhead Port Expansion – response to comments on ES Addendum*" where the applicant provided additional mitigation. Specifically, as the areas that would be dredged to rock would be dredged to a target depth of -10.1CD, (i.e., deeper than surrounding area), therefore, it is anticipated a higher sedimentation rate would occur in these areas. Additionally, as the approach channel is proposed to be maintained at -10CD, this sediment layer would be expected to remain. No further comment was received from NRW TE. NRW PS is satisfied with this response from the applicant and consider that no further action is necessary to address this concern.

7.3.6 The ES identified that a small area of subtidal kelp would be lost during the reclamation activity, NRW TE had concerns that the extent of impact on subtidal kelp had not been adequately addressed. The applicant looked to address this comment within the ES addendum where it confirmed that an area of approximately 377.35m² of kelp which represented 0.4% of the kelp within the Holyhead Bay water body would be affected, therefore, based on the small proportion it is not considered significant. No further comment was received from NRW TE. NRW PS is satisfied with this response from the applicant and consider that no further action is necessary to address this concern.

7.4 Fish and Shellfish Resources

- 7.4.1 Cefas highlighted that potential entrainment of fish (both egg and larval as well as adult stages) during dredge operations had not been considered within the assessment. Cefas noted that early life stages and smaller bodied fish species may be vulnerable to entrainment by dredging. The applicant responded to this concern within the ES addendum section 4.5.4 acknowledging potential entrainment of fish/shellfish. Due to physical disturbance and noise within close proximity to the dredging activity it is predicted that the adult and juvenile fish would temporarily relocate away from the source of entrainment. The applicant acknowledges that eggs and larvae are less mobile than adults however consider that spawning areas are generally very large and therefore localised effects on fish eggs would not be considered to have a significant impact in the context of the wider population and therefore predicts that the potential impact from entrainment of fish and shellfish to be negligible. Following review of the ES addendum, Cefas confirmed that they are satisfied that entrainment has now been sufficiently assessed. NRW PS is satisfied with this response and consider that no further action is necessary to address this concern.
- 7.4.2 Cefas considered that the ES had not adequately assessed the potential noise impact on larvae and juvenile fish. The applicant looked to address this within section 4.5.5 of the ES addendum. The applicant clarified the mortality threshold for larvae and eggs is the same as that of adult fish with a swim bladder that is not involved in hearing, which was assessed within the ES. The extent at which this threshold is to be exceeded is considered small, a range of less than 20 meters from the source of the noise. It is acknowledged by the applicant that the larvae and eggs have limited ability to move away from the noise source; however, due to the small range where serious injury would occur, any impact is considered to be highly localised and any impact would be of minor adverse significance. Following review of the ES addendum, Cefas confirmed they agreed that the same noise thresholds could be used for larvae and eggs as was for adult fish with bladder not involved in hearing, Cefas agreed with the applicant's assessment. NRW PS is satisfied with this response and consider that no further action is necessary to address this concern.
- 7.4.3 Cefas raised concerns that the increase in Suspended Sediment Concentration (SSC) may lead to an increased exposure risk of nearby shellfish beds to the pathogen E.coli, as the pathogen is known to survive for longer periods when attached to suspended particulate. Therefore, there is a potential to impact shellfish harvesting areas. The applicant looked to address this within section 4.5.2 of the ES addendum. Updated sediment plume dispersion modelling was carried out (section 3.2.3 of the ES addendum) which predicted that the increase in SSC would largely be restricted to the general area of the capital dredge footprint. The applicant acknowledges that increased sedimentation can lead to the increased risk of sediment bound coliforms such as E.coli in the marine area; however, based on the modelling carried out due to the distance of the bivalve sites from the dredge area (1.5km from dredge footprint), the risk of any effects are negligible. Following review of the ES addendum, Cefas agreed based on the sediment plume modelling that there was unlikely to be any significant impact on the shellfish beds and agree with

the assessment made. NRW PS is satisfied with this response and consider that no further action is necessary to address this concern.

- 7.4.4 Cefas raised concerns that vulnerability of the berried female edible crab (*Cancer pagurus*) to smothering had not been adequately considered within the assessment. The applicant looked to address this within section 4.5.3 of the ES addendum. The applicant acknowledged the potential impact of the works on edible crabs, in particular if works were carried out during the reproductive season. However, the applicant noted that due to the proposed change in methodology (section 3.3.2), specifically that dredged sediment would no longer be used for land reclamation, the volume of silt released into the marine environment will be less than that considered within the ES. It is also considered that there is abundant suitable habitat for edible crabs throughout Holyhead Bay and, therefore, although there may be a loss of habitat within the direct footprint of the dredge, this would not be considered significant. Following review of the ES addendum, Cefas were satisfied that female berried edible crabs had now been adequately considered. NRW PS is satisfied with this response and consider that no further action is necessary to address this concern.
- 7.4.5 Welsh Government Marine and Fisheries Division noted that works may impact on some potting and fishing activity within Holyhead breakwater, highlighting potential impact on recreational anglers who use the breakwater. The applicant acknowledged comments made by the Welsh Government Marine and Fisheries Division within the ES addendum (section 4.5.6). The updated plume modelling presented within the ES addendum predicts some increase in SSC on the leeward side of the breakwater during dredging operations; however, it is not anticipated that this increase would have a significant impact on fish sheltering on the leeward side of the structure. Additionally, no impact on the seaward side of the breakwater is predicted. The ES acknowledges there may be some temporary behavioural effect on fish during noisy activities taking place during the construction phase but does not predict any long-term impacts from noise that would affect recreational anglers on the breakwater. No further comment was provided from the Welsh Government Marine and Fisheries Division NRW PS is satisfied with this response and consider that no further action is necessary to address this concern.

7.5 Marine Mammals

- 7.5.1 The ES presented results of modelling which was carried out in order to predict potential auditory injury and behavioural impacts on marine mammals as a result of underwater noise during piling activities. Due to the small predicted impact ranges for Permanent Threshold Shift (PTS) and low populations numbers predicted to be affected, the ES concluded that impact on marine mammals as a result of piling would be negligible. NRW TE agree with the conclusion, however, consider that PTS is a form of auditory injury and could be considered deliberate which would constitute an offence under the Habitat Regulations. NRW TE, therefore, advise that mitigation is required in order to ensure that no marine mammals are present within the potential injury zone prior to the commencement of piling activities and advise that the JNCC protocol for minimising the risk to marine mammals from piling noise (JNCC, 2010) is adhered to. Cefas likewise suggest that mitigation is required and suggest soft start piling should be carried out. The applicant acknowledges these

comments within the ES addendum (section 4.6). The applicant considers that the energy required to tap the pile through the top soft substrate would be low and therefore it is not considered practical to perform a ramp up of the hammer energy required for a soft start procedure. However, additional mitigation has been proposed within section 4.6.3 of the ES addendum, specifically the measures in line with the JNCC (2010) guidelines including the use of Marine Mammal Observers in order to ensure that no marine mammals are present within the potential injury zone prior to piling. Both Cefas and NRW TE were satisfied with the response provided and consider that the mitigation proposed should be included as licence conditions. NRW PS is satisfied with the response and consider that this mitigation can be secured through the provision of appropriate conditions in any marine licence issued.

- 7.5.2 NRW TE noted that the underwater noise report (Appendix F of the ES) detailed that the exact plant machinery that would be used were unavailable at the time of modelling and, therefore, a source level was estimated using the likely comparable source from Subsachoustec's database. NRW TE consider that if the actual equipment used differs significantly from that which was used in the modelling that the conclusions of the assessment may no longer be valid. Similarly, Cefas queried the source levels and pile sizes used within the modelling, particularly the modelling of a smaller pile size to that which is being proposed within ES. The applicant looked to address these comments within the ES addendum (section 4.6), noting that it is anticipated that piles will be drilled into place although there may be a requirement for the piles to be 'tapped' through the layer of soft surface substrate before drilling can commence. It is not anticipated that the activity would require full power percussive piling therefore to best represent this methodology a smaller pile size was included within the modelling. The applicant also detailed within the ES addendum that the hammer energy (280kJ) rather than the pile size is the primary consideration for noise emissions. Following review of the ES addendum, Cefas agreed that hammer energy rather than pile size is the primary consideration for noise emissions; however, added that generally larger piles would require a higher hammer energy. Cefas confirmed they are satisfied with the assessment, provided that the 280kJ hammer is representative of the hammer actually used to install the piles. No further information was provided by the applicant in relation to the actual plant and machinery used. NRW PS are satisfied with the response provided by the applicant; however, consider that the equipment used to install the piles must be representative of the equipment considered as part of the modelling and consider that this can be secured through the provision of appropriate conditions in any marine licence issued.
- 7.5.3 Cefas noted that as part of the assessment within the ES, the applicant detailed that each pile would require approximately 10.5 hours of drilling and 3 hours of piling per day, based on this assumption Cefas considered that a marine licence should limit the works to a single pile per day. The applicant responded to Cefas comments within section 4.6 of the ES addendum acknowledging that the assessment considered 3 hrs of piling per day but considered that should a pile take less time than this to install it should be possible to move on to the next pile as long as it does not exceed the 3 hour time limit assessed. Following review of the ES addendum, Cefas were satisfied with the response and considered that if a pile takes less time to install it would be reasonable to for the contractor to move on to the next pile, as

long as piling does not exceed the overall 3 hrs per day time limit assessed. NRW PS are satisfied with the response and consider that this can be secured through the provision of appropriate conditions in any marine licence.

- 7.5.4 Cefas had sought further clarification from the applicant in terms of how the multiple scenario modelling had been carried out. Within the ES addendum the applicant provided clarification surrounding the source levels and metrics used within the multiple scenario modelling. Following review of the ES addendum, Cefas confirmed that they did not have a significant concern surrounding the multiple scenario modelling. NRW PS is satisfied with this response and consider that no further action is necessary to address this.

7.6 Commercial Fisheries

- 7.6.1 No direct representations were made about Commercial Fisheries other than those which have been considered in section 7.4 Fish and Shellfish Resource. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

7.7 Ornithology

- 7.7.1 It is acknowledged within chapter 14 of the ES that Holyhead Harbour supports a regionally important population of black guillemot and that works has the potential to impact on this species through disturbance and displacement during construction activities. Mitigation through provision of alternative nest sites is suggested within the ES. The Isle of Anglesey County Council (IoACC) sought further clarity surrounding the use of alternative nest sites as suitable mitigation. The applicant looked to address these comments within the ES addendum chapter 4.8.1. The applicant confirmed that black guillemot have been recorded as occupying nest boxes in other harbour locations in the UK and Ireland, and that information on suitable nest box design is available from these. The applicant confirmed they had also discussed potential location of nest boxes to provide alternative sites with a local expert who also confirmed that record had been made in 2019 of a pair of black guillemots occupying a nest box in Holyhead Harbour, therefore the applicant considers this demonstrates the potential feasibility of the mitigation. NRW TE welcomed the additional information within the ES addendum in relation to the potential location and recent uptake of artificial nest boxes by black guillemots and consider the mitigation identified by the applicant should be implemented. Likewise, IoACC considered that appropriate mitigation should be included. NRW PS is satisfied with the response provided and consider that mitigation including provision of alternative nest sites and relevant surveys can be secured through the provision of appropriate conditions in any Marine Licence issued.
- 7.7.2 The IoACC sought further clarity surrounding mitigation proposed to avoid impact on other species of nesting birds. The applicant highlighted within the ES addendum chapter 4.8.1, that mitigation proposed in order to avoid disturbing or destroying active nests during construction is described in section 14.6.1 of the ES. Mitigation proposed includes periodic surveys of breeding birds pre-construction and during construction to identify areas of potential or active nests, if active nests are identified exclusion zones would be established around the nest until chicks have

fledged or the nesting attempt has failed, it is proposed that these mitigation will be incorporated into a Construction Environment Management Plan (CEMP). NRW PS is satisfied with the response and consider that this mitigation should be incorporated within the CEMP and can be secured through the provision of appropriate conditions in any marine licence issued.

7.8 Commercial and Recreational Navigation

- 7.8.1 The ES concludes within chapter 15 of the ES (and addendum) that the potential adverse impact to navigation is minor during construction phase of the project and that this can be reduced to negligible impact though the use of relevant notices to mariners. The MCA commented that they had no objection to the works, provided licence conditions were included to ensure mariners and fishermen's organisations were aware of the activity and the HM Coastguard and UKHO were notified of works, and that suitable pollution prevention measures are adhered too. Likewise, TH considered that appropriate notices to mariners would be required, as well as the need to inform TH should any alternations be required to aids to navigation during the works. NRW PS considers that this can be sufficiently addressed using appropriate conditions in any Marine Licence issued.
- 7.8.2 The Chamber of Shipping noted their support for the project that would assist the further development of an existing key navigational route. The Chamber of Shipping considered that the developer in its role as Statutory Harbour Authority will be able to manage safety of navigation during the activities using established procedures.

7.9 Traffic and Transport

- 7.9.1 No representations were made about Traffic and Transport. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

7.10 Noise and Vibration

- 7.10.1 No direct representations were made about Noise and Vibration other than those in relation to underwater noise which have been considered in section 7.5 Marine Mammals. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

7.11 Air Quality

- 7.11.1 No representations were made about Air Quality. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

7.12 Archaeology and Cultural Heritage

- 7.12.1 The ES considered the impacts of the works upon 6 scheduled monuments and 70 listed buildings located inside 3km of the proposed works. The assessment presented within the ES identified that the works will have a moderate/high

significant impact on 2 listed buildings (the Admiralty Pier and the Admiralty Pier lighthouse). No significant impact on other designated heritage assets were identified. Cadw were satisfied that the assessment carried out was appropriate and concurred with the conclusions that significant impact would occur to the settings of the Admiralty Pier and Admiralty Pier lighthouse. Cadw consider that as significant impact on the setting of two listed buildings has been identified there is a need to consider the impacts against the public benefit of the project.

7.12.2 The IoACC also raised concerns surrounding cultural heritage impacts on the Admiralty Pier and the Admiralty Pier lighthouse. These include concerns that the Salt Island Expansion area would directly abut the Admiralty Pier and therefore would restrict much of the appreciation of the building as a pier. Additionally, the proposal to introduce a new lighthouse wall could further erode the setting and views of the Lighthouse on the Admiralty Pier. The IoACC also raised concerns that works as part of the Pelham Patch Development will directly abut with the Quay wall, which should be considered as part of the Admiralty Pier and therefore may result in direct loss to the asset. IoACC queried whether all alternatives that would not result in the possible loss of the asset had been explored. IoACC considered that additional mitigation needs to be considered. IoACC suggest that in order that the views and setting of the listed buildings are maintained that a void between the land reclamation area and the listed buildings is provided.

7.12.3 The applicant looked to address these comments within the ES addendum section 4.10, which summarised further consultation that had taken place between IoACC and the applicant. The applicant provided explanation surrounding why the void between the Admiralty Pier and the reclaimed area was not feasible for the project in Appendix C3 of the ES addendum where it details that accommodating the void would result in the berth not being suitable for larger vessels. The ES addendum provided additional mitigation within section 4.10.2. The IoACC confirmed that they agreed with the potential mitigation options and consequently have no objection to the marine licence application.

7.12.4 Following review of the ES addendum, Cadw reiterated that despite the proposed mitigation, significant impact on the setting of two listed buildings remained and there will need to be considered against the public benefit of the proposed development. NRW PS consider in line with Policy SOC_05 of the WNMP that the applicant has taken impact on the historic environment into consideration and as detailed within the ES chapter 19 and ES addendum section 4.10, has sought to avoid and minimise impact where possible. Where impact cannot be minimised, the applicant has proposed mitigation. NRW PS consider that a number of the mitigation measures detailed in section 4.10.2 of the ES addendum fall outside the jurisdiction of the Marine Licence; however, NRW PS are content that there will be a requirement for subsequent consents from other responsible bodies and know of no reason why such measure could not be secured. NRW PS acknowledge that significant impact remains even after mitigation on the setting of two listed building. NRW PS considers that in chapter 2.2 of the ES the applicant has set out the need for the project and has also assessed the socio-economic impact of the project within chapter 23 of the ES which are predicted to be largely beneficial through investment in the community, the creation of jobs as well as economic benefits from cruise ships to the local tourism industry. The IoACC confirmed they were

supportive of the development from an economic development perspective. NRW PS consider that although impact on the setting of historic asset remain, there has been a clear and convincing case set forward for proceeding by the applicant, due to the need of the project and the socio-economic benefits.

7.12.5 Gwynedd Archaeological Trust (GAT) agreed that an appropriate assessment of impact of works on heritage assets had been carried out. GAT noted that there remains potential impact to submerged remains and agreed with the proposed implementation of a Protocol for Archaeological Discoveries (PAD) for the majority of the scheme. The ES identified the probable remains of the 18th century 'mail jetty' (which formerly extended eastward from the Admiralty Pier) and consider that specific mitigation is required due to the potential regional significance of the site. GAT requested that if the area could not be avoided, that a written scheme of investigation should be submitted for approval in order to agree a scope and methodology that will create an archive record of the remains in as complete a state as possible. In addition, GAT noted that the remains of early structures could be concealed by the new development at Pelham Patch and consider these could be revealed ahead of land reclamation works. GAT requested that a written scheme of investigation is required for works at Pelham Patch to ensure that any historic structure revealed is recorded in their present condition and suitable method for recording agreed. NRW PS considers that this can be sufficiently addressed using appropriate conditions in any Marine Licence issued.

7.13 Visual Setting

7.13.1 NRW TE agreed that sufficient information had been provided within the ES to consider impact on the setting of the Isle of Anglesey AONB. Chapter 20 of the ES concludes that there is potential temporary visual effects during construction operations however consider that these impacts can be mitigated through good site management measures proposed for noise and air quality. NRW TE agree that these proposed measures would help minimise the effects upon the AONB views and the character of the AONB. NRW TE consider that the Construction Environment Management Plan (CEMP) should include objectives and actions to minimise construction disturbance to the AONB visual and sensory receptors. NRW PS consider that this can be sufficiently addressed using appropriate conditions in any Marine Licence issued.

7.14 Coastal Defence and Flood Risk

7.14.1 A flood consequence assessment was carried out by the applicant in order to define the existing flood risk at the site and assess the flood risk to the surrounding area post-development, this was presented within Chapter 21 of the ES. NRW TE were content with the results of the assessment for the Salt Island expansion area and considered the proposed scheme elevations acceptable. However, significant concerns were raised that the Pelham Patch area did not comply with the criteria set out within Planning Policy Wales Technical Advice Note 15: Development and Flood Risk (TAN15). In particular, NRW TE highlighted that they considered that the development should be classed as a 'highly vulnerable development' and as such the calculated elevation levels for Pelham Patch would not show compliance with

criteria set out in TAN15. The applicant looked to address this concern within section 4.12 of the ES addendum. Justification was provided by the applicant to the classification of the scheme. The applicant explained that as the Pelham Patch Development forms part of the wider Port development, it is required to be in a coastal location and as such it is appropriate that (in line with TAN15) the development is considered under the category of 'other' rather than 'highly vulnerable'. The ES addendum section 4.12.3 looked to demonstrate compliance with TAN15 and concluded, based on the modelling carried out, that the proposed scheme can be delivered safely in terms of present and future flood risk. Following review of the ES addendum, NRW TE agreed with the reasoning providing regarding the categorisation of the project in line with TAN15 and considered the proposal in compliance. NRW PS is satisfied with this response and consider that no further action is necessary to address this.

7.15 Tourism and Recreation

7.15.1 No representations were made about Tourism and Recreation. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

7.16 Socio-economics

7.16.1 No issues were raised surrounding the socio-economic assessment carried out by the applicant. The IoACC confirmed that they were supportive of the application from an economic development perspective. Therefore, NRW PS concluded that the potential impacts due to the project has been adequately addressed in the ES.

7.17 Cumulative Impact Assessment

7.17.1 IoACC raised concerns that the Morlais Tidal Demonstration Zone had not been considered within the Cumulative Impact Assessment presented within the ES. The applicant looked to address these comments and provided an updated Cumulative Impact Assessment as part of the ES addendum. No further comment was provided in relation to the cumulative assessment. NRW PS consider that a sufficient assessment has been carried out and no further action is required.

7.17.2 As detailed in section 3.2.4, NRW PS carried out a Habitat Regulations Assessment as part of which 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.

8. Mitigation or monitoring 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 consider 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 All dredge material will be disposed at the offshore disposal site retaining the material within the system rather than dredge material becoming fixed within the land reclamation area, this is further discussed within section 7.1.1.
 - 8.1.2.2 A disposal plan will be produced as part of the Construction Environment Management Plan (CEMP) which will include a pre-disposal survey of the disposal site and the subsequent micro-siting of rock, firm clay and gravel at specific locations within the site to avoid impact to *Sabellaria* biotopes.
 - 8.1.2.3 Capital dredge of the approach channel has the potential to change the habitat type from overlying sediment to rock. In order to reduce the impact, areas that are to be dredged to rock will be dredged to a target depth of -10.1CD. This would be deeper than the surrounding area and therefore it is expected that a greater rate of sedimentation would occur in these areas resulting in any impact being considered temporary.
 - 8.1.2.4 To reduce potential impact to marine mammals from underwater noise during piling activities, in line with the JNCC (2010) guidelines, a Marine Mammal Observer will be used in order to ensure that no marine mammals are present within the potential injury zone prior to commencement of piling.
 - 8.1.2.5 To reduce the potential impact of underwater noise on both marine mammals and fish species, piling activity will be limited to 3 hrs per day.
 - 8.1.2.6 Although direct impact on historic environment features cannot be ruled out in its entirety, the project has through its design looked to minimise some effects, this includes that no piling or support will be required on the seaward side of the Admiralty Pier, thereby leaving this element of the pier unaffected from direct impacts. Further mitigation proposed to reduce impact on the historic assets is detailed within section 4.10.2 of the ES addendum.
 - 8.1.2.7 There is also a potential to recover historic finds during construction and dredging activity; therefore, to ensure a record is made of any finds discovered there will be an implementation of a protocol for reporting finds of archaeological interest.
 - 8.1.2.8 The project has committed to produce a CEMP which will ensure that pollution prevention measures and best practice will be carried out during the works. The CEMP will also look to incorporate mitigation for birds, including the provision of alternative nest sites and periodic surveys prior to and during construction to ensure exclusion zones are incorporated where potential impact to breeding birds are noted.
 - 8.1.2.9 The project has committed to adhere to The Ports Oil Spill Contingency Plan if a pollution event were to occur.

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 considered necessary to address potential impacts identified through the EIA process. These are summarised below:
- 8.2.2.1 Licence conditions will be required to produce a CEMP which will need to be submitted and approved prior to commencement of works. The CEMP will need to incorporate proposed mitigation identified within the ES and ES addendum. This includes;
- a) Measures to avoid impact on nesting birds as detailed in section 7.7
 - b) Measures to avoid impact on sensitive benthic habitats through the production of an appropriate disposal plan as discussed in section 7.3.4
 - c) Measures proposed to mitigate local impact for noise and air quality and to include objectives and actions to minimise construction disturbance upon the AONB visual and sensory receptors.
- 8.2.2.2 Licence conditions will be required to reduce impact on the historic environment. This will include the need for a written scheme of investigation for works at Pelham Patch, as well as if any works are required near the probable remains of the 18th century 'mail jetty' which formerly extended eastward from the Admiralty Pier. This is discussed in section 7.12. An additional licence condition will be required to produce and implement a Protocol for Archaeological Discoveries (PAD) as there remain potential impact to submerged remains.
- 8.2.2.3 A licence condition will be required to ensure mariners and fishermen's organisations were aware of the activity and that the HM Coastguard and UKHO were notified of licensed activities; this will reduce impact on navigation and other uses of the sea.
- 8.2.2.4 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 the impact on water quality.
- 8.2.2.5 As detailed in section 7.2.4, samples were last collected in 2018 and therefore licence conditions will be required to ensure that further sampling and analysis should be undertaken if any dredge works are to take place following August 2023 (allowing a 5 year period between sampling regimes) in line with OSPAR guidance.

- 8.2.2.6 Licence condition will be required to ensure that a biosecurity risk assessment is carried out prior to commencement of works to ensure risk of spreading invasive species is minimised.
- 8.2.2.7 As the specific plant detail for piling works were not available at time of assessment, a licence condition will be required to ensure a piling method statement is submitted which should demonstrate that the actual equipment used do not differ significantly from that used within the modelling. The method statement should also incorporate appropriate mitigation as discussed within section 7.5, namely the use of a Marine Mammal Observer and limiting piling activity to 3hrs per day.
- 8.2.3 In considering the monitoring requirements outlined above we do not consider that these requirements can be met by existing monitoring arrangements in other consents.

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. The project is looking to enhance and expand the facilities at Holyhead Port. The works are predicted to have a largely beneficial social-economic outcomes during both the construction and operational phase, including the creation of jobs and

predicted benefits to tourism businesses, these are discussed in chapter 23 of the ES.

- 9.1.2 The ES considers that there are potential impacts on air quality and noise during the construction works; however, it is considered that these can be mitigated through the implementation of a CEMP. NRW PS consider that population and human health have been appropriately assessed and based on the assessment carried out and mitigation proposed that there will be no significant impact as a result of the project.

9.2 Biodiversity

- 9.2.1 The works are within and near to number of protected sites. A Habitat Regulations Assessment was carried out and concluded that the project will not adversely affect the integrity of any of the European Sites.
- 9.2.2 The ES considered the potential further impact on biodiversity and identified a number of potential impacts including on marine mammals, ornithology, and benthic habitats (*sabellaria*) where additional mitigation was required. NRW PS consider that although there is a potential impact on these features, any significant impact will be avoided through the implementation of appropriate mitigation incorporated within a CEMP and piling method statement as discussed in section 8. NRW PS consider that biodiversity has been appropriately assessed and that there will be no significant impact on biodiversity as a result of the project based on the assessment carried out and mitigation proposed.

9.3 Land, soil, water, air and climate

- 9.3.1 There is an impact pathway to water quality and land through a pollution event. In addition, there is the potential to impact on water quality through increased sedimentation during dredging and disposal activities. The ES has assessed these impacts and proposed mitigation including adherence to a CEMP and pollution prevention best practices. In addition, samples of the material to be dredged were chemically analysed and considered that the sediment was suitable for disposal at sea. NRW PS consider that the works have been appropriately assessed and considering the mitigation proposed there will be no significant impact on water quality or land.
- 9.3.2 The ES considered impact on air quality during the construction; however, it is considered that these can be mitigated through the implementation of a CEMP.

9.4 Material assets, cultural heritage and landscape

- 9.4.1 The ES identified a number of cultural heritage assets and has carried out a detailed assessment on potential impacts on the assets and their settings. The developer has looked to reduce impact through design and the use of appropriate mitigation as is discussed within section 7.12, these include the implementation of a written scheme of investigation and a protocol for reporting archaeological discoveries. As discussed in section 7.12 NRW PS consider that the impact on heritage assets have been appropriately assessed within the ES and that

significant impact on the setting of two listed building may occur due to the project. NRW PS consider that although impact on the setting of historic asset remains, there has been a clear and convincing case set forward for proceeding by the applicant, due to the need of the project and the socio-economic benefits.

- 9.4.2 The ES has assessed the impact on visual settings and considered that there may be moderate adverse effects during peak periods of the construction phase; however, suitable mitigation can be incorporated into the CEMP to reduce this impact. No significant impact is predicted during the operational phase on visual setting. NRW PS considered that impact on visual setting has been appropriately assessed and that impact can be mitigated through the implementation of a CEMP.


9.5 Risk of major accidents and disasters relevant to the project

- 9.5.1 A flood consequence assessment was carried out as part of the ES and demonstrated that the works were not anticipated to increase flood risk within the area.
- 9.5.2 Due to the nature and scale of the operation, the risk of a major accident or disaster is low. In addition, sufficient pollution prevention measures have been proposed to reduce the risk of a major accident or pollution event.


9.6 Cumulative impacts and in-combination impacts

- 9.6.1 NRW PS conclude that the potential impacts due to the project have been adequately addressed in the ES. 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.
- 9.6.2 NRW PS concluded that the potential cumulative impacts and in-combination impacts due to the project have been adequately addressed in the ES.

Produced By: Peter Morrison

Signed: 
Date: 19 July 2021

Approved by: Wendy Dodds

Signed: 
Date: 21 July 2021

10. Regulation 22 EIA Consent Decision

10.0.1 The Marine Licensing Team has considered the application CML1931 and information provided in support of the application and is now in a position to make an EIA consent decision to Stena Line Ports 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 21 July 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 We consider the works have been appropriately assessed and where feasible adequate mitigation strategies have been incorporated to remove or reduce the potential significant impacts associated with the construction of the project.


10.0.5 We consider that the monitoring and mitigation 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:


- Stena Line Ports 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/> using the application reference number CML1931.

Produced By: Peter Morrison

Signed: 
Date: 19 July 2021

Approved by: Wendy Dodds

Signed: 
Date: 21 July 2021
