



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION

Proposed

Wylfa Newydd Project

Planning Inspectorate Reference: EN010007

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TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	3
1 INTRODUCTION.....	5
BACKGROUND.....	5
THE SECRETARY OF STATE’S CONSULTATION	7
STRUCTURE OF THE DOCUMENT.....	8
2 THE PROPOSED DEVELOPMENT	9
INTRODUCTION.....	9
THE APPLICANT’S INFORMATION.....	9
THE SECRETARY OF STATE’S COMMENTS	15
3 EIA APPROACH AND TOPIC AREAS	21
INTRODUCTION.....	21
EU DIRECTIVE 2014/52/EU.....	21
NATIONAL POLICY STATEMENTS (NPS)	21
ENVIRONMENTAL STATEMENT APPROACH	22
ENVIRONMENTAL STATEMENT STRUCTURE.....	22
MATTERS TO BE SCOPED IN/ OUT	22
TOPIC AREAS.....	25
4 OTHER INFORMATION	40
APPENDIX 1 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT	
APPENDIX 2 – LIST OF CONSULTATION BODIES FORMALLY CONSULTED	
APPENDIX 3 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES	

EXECUTIVE SUMMARY

This is the Scoping Opinion (the Opinion) provided by the Secretary of State (SoS) in respect of the content of the Environmental Statement (ES) for the proposed Wylfa Newydd Project, on the north coast of Anglesey, Wales.

This report sets out the SoS's Opinion on the basis of the information provided in Horizon Nuclear Power's (the Applicant) report entitled Wylfa Newydd Project Addendum to the Environmental Impact Assessment Scoping Report (the Scoping Report addendum). This has been produced to be read in conjunction with the Applicant's Scoping Report submitted in March 2016. The Opinion can only reflect the proposals as currently described by the Applicant.

The SoS has consulted on the Scoping Report addendum and the responses received have been taken into account in adopting this Opinion. The SoS is satisfied that the topic areas identified in the Scoping Report addendum encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) ('the EIA Regulations 2009').

The SoS draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- construction impacts (including noise, vibration, transport and air quality) on both the terrestrial and marine environment;
- impacts to surface and groundwater;
- impacts to terrestrial and marine ecology;
- impacts from the on-site accommodation campus on Tre'r Gof Site of Special Scientific Interest (SSSI) (including from foul water discharge);
- impacts on the setting of cultural heritage assets from associated development; and
- impacts on the Anglesey Area of Outstanding Natural Beauty (AONB).

The SoS notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations).

1 INTRODUCTION

Background

- 1.1 On 4 May 2017, the SoS received a Scoping Report addendum submitted by Horizon Nuclear Power under Regulation 8 of the EIA Regulations 2009 in order to request a Scoping Opinion for the recent changes made to the proposed Wylfa Newydd Project (the Proposed Development).
- 1.2 The Applicant has formally provided notification under Regulation 6(1)(b) of the EIA Regulations 2009 that it proposes to provide an ES in respect of the Proposed Development. Therefore, in accordance with Regulation 4(2)(a) of the EIA Regulations 2009, the Proposed Development is determined to be EIA development.
- 1.3 The SoS notes that the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations) came into force in England and Wales on 16 May 2017. Regulation 37 of the 2017 Regulations provides transitional arrangements for the continued applicability of the EIA Regulations 2009 to any application for an order granting development consent or subsequent consent where before the commencement of the 2017 Regulations an Applicant has requested the SoS or the relevant authority to adopt a Scoping Opinion (as defined in the EIA Regulations) in respect of the development to which the application relates. Consequently since the Applicant's request for a Scoping Opinion was made before the 16 May the EIA Regulations 2009 continue to apply and this Opinion has been prepared in accordance with those Regulations.
- 1.4 The EIA Regulations 2009 enable an Applicant, before making an application for an order granting development consent, to ask the SoS to state in writing their formal opinion (a 'Scoping Opinion') on the information to be provided in the ES.
- 1.5 This Opinion is made in response to the Applicant's request and should be read in conjunction with the Scoping Report addendum. This is the third Scoping Opinion provided for the Proposed Development. The first Opinion was produced by the Infrastructure Planning Commission (IPC) and dated April 2010¹. The second Opinion was produced by the Planning Inspectorate on behalf of the Secretary of State and dated April 2016².
- 1.6 The Scoping Report addendum has been produced by the Applicant to reflect changes to the Proposed Development which have been made since their Scoping Report dated March 2016³. These changes have

¹ <http://infrastructure.planninginspectorate.gov.uk/document/EN010007-000143>

² <http://infrastructure.planninginspectorate.gov.uk/document/EN010007-000390>

³ <http://infrastructure.planninginspectorate.gov.uk/document/EN010007-000263>

arisen as a result of design evolution and due to the Wales Act 2017, which now allows associated development to be incorporated into DCO applications within Wales. Consequently the Applicant's Scoping Report addendum explains that it does not seek to replace the 2016 Scoping Report but is to be read in conjunction with it. The Scoping Report addendum provides information on the changes to the Proposed Development and the associated development which is now proposed to be included within the Development Consent Order (DCO) application. It also highlights changes that have been made to the EIA scope since receiving the SoS's 2016 Opinion.

1.7 This Opinion is therefore focussed on the information included in the Scoping Report addendum and does not reiterate the previous comments made by the SoS in the April 2016 Opinion which remains valid and relevant. Therefore this Opinion should be read in conjunction with the SoS's 2016 Opinion.

1.8 Before adopting a Scoping Opinion the SoS must take into account:

- *the specific characteristics of the particular development;*
- *the specific characteristics of development of the type concerned; and*
- *the environmental features likely to be affected by the development.*

(2009 EIA Regulation 8 (9))

1.9 This Opinion sets out what information the SoS considers should be included in the ES for the Proposed Development. The Opinion has taken account of:

- the EIA Regulations 2009;
- the nature and scale of the Proposed Development;
- the nature of the receiving environment; and
- current best practice in the preparation of an ES.

1.10 The SoS has also taken account of the responses received from the statutory consultees (see Appendix 3 of this Opinion). The matters addressed by the Applicant have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the SoS will take account of relevant legislation and guidelines (as appropriate). The SoS will not be precluded from requiring additional information, if it is considered necessary in connection with the ES submitted with that application, when considering the Proposed Development for a Development Consent Order (DCO).

1.11 This Opinion should not be construed as implying that the SoS agrees with the information or comments provided by the Applicant in their request for an opinion from the SoS. In particular, comments from

the SoS in this Opinion are without prejudice to any decision taken by the SoS (on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP), associated development, or development that does not require development consent.

1.12 Regulation 8(3) of the EIA Regulations 2009 states that a request for a Scoping Opinion must include:

- *a plan sufficient to identify the land;*
- *a brief description of the nature and purpose of the development and of its possible effects on the environment;*
and
- *such other information or representations as the person making the request may wish to provide or make.*

1.13 The SoS considers that this has been provided in the Applicant's Scoping Report addendum when read in conjunction with the 2016 Scoping Report.

The Secretary of State's Consultation

1.14 The SoS has a duty under Regulation 8(6) of the EIA Regulations 2009 to consult widely before adopting a Scoping Opinion. A list of the bodies consulted by the SoS is provided at Appendix 2.

1.15 A list has also been compiled by the SoS under their duty to notify the Consultation Bodies in accordance with Regulation 9(1)(a) of the EIA Regulations 2009. The Applicant should note that whilst the SoS's list can inform their consultation, it should not be relied upon for that purpose.

1.16 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 3, to which the Applicant should refer in undertaking the EIA.

1.17 The ES submitted by the Applicant should demonstrate consideration of the points raised by the Consultation Bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the Consultation Bodies and how they are, or are not, addressed in the ES.

1.18 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on our website. The Applicant should also give due consideration to those comments in carrying out the EIA.

Structure of the Document

1.19 This Opinion is structured as follows:

- **Section 1:** Introduction
- **Section 2:** The Proposed Development
- **Section 3:** EIA approach and topic areas
- **Section 4:** Other information

1.20 This Opinion is accompanied by the following Appendices:

- **Appendix 1:** Presentation of the ES
- **Appendix 2:** List of Consultation Bodies formally consulted
- **Appendix 3:** Respondents to consultation and copies of replies

2 THE PROPOSED DEVELOPMENT

Introduction

- 2.1 The following is a summary of the changes to the Proposed Development and its site and surroundings since the 2016 Scoping Report. The information has been prepared by the Applicant and included in their Scoping Report addendum. The information provided within the 2016 Scoping Report has not been duplicated.
- 2.2 The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/resources.

The Applicant's Information

Description of the Proposed Development

- 2.3 The Proposed Development is a 2,700MW nuclear power station that would be located on the north coast of Anglesey and extends into the Irish Sea at Porth-y-pistyll. Elements of the Proposed Development are described within the Applicant's 2016 Scoping Report and the SoS's 2016 Scoping Opinion.
- 2.4 The Scoping Report addendum describes the changes have been made to the Proposed Development since the 2016 Scoping Report.
- 2.5 A design optimisation process has taken place which has resulted in changes to the Power Station Site; these are detailed in Table 3.1 of the Scoping Report addendum. The main change is a redesign from a twin cruciform to a single power island, comprising two reactor buildings, two turbine buildings, two control buildings, one service building and one radioactive waste building. Building platform levels have also been raised on the Power Station Site.
- 2.6 Design changes to the marine off-loading facility (MOLF) breakwaters are described in the Scoping Report addendum. A temporary intake cofferdam, outfall cofferdam, semi-dry cofferdam, temporary barge berth and temporary pontoon are now also required at the MOLF.
- 2.7 The off-site power station facilities (the Alternative Emergency Control Centre (AECC), the Environmental Survey Laboratory (ESL) and the Mobile Emergency Equipment Garage (MEEG)) were previously to be located on two separate sites. These will now be co-located at Llanfeathlu within the site boundary for the MEEG that was presented in the 2016 Scoping Report.
- 2.8 As a result of the Wales Act 2017, associated development can now be incorporated into DCO applications within Wales. Therefore, the DCO application will now include the following:

- On-site campus - providing accommodation for up to 4,000 construction workers, parking for up to 1,100 vehicles and 800 car share parking spaces. The on-site accommodation campus would be accessed via a new Power Station Access Junction which would connect the existing A5025 to the Power Station Site.
- Logistics centre at Parc Cybi – a facility to manage deliveries to the Power Station Site during construction, including an office/welfare building, security kiosks, inspection bays, parking zones for Heavy Goods Vehicles (HGV) and staff vehicles and security features.
- Park and ride facility at Dalar Hir – a facility to transport construction workers to the Power Station Site which would be operational from 2019 to approximately 2026 and could operate up to 24 hours a day, seven days a week during peak construction. It would contain offices, welfare facilities, a drivers' canteen and up to 1,900 parking spaces. It would require the construction of new vehicle and pedestrian accesses and new roundabouts. During peak operation of the facility, there would be approximately 112 bus journeys per day.
- A5025 off-line highway improvements – works to improve traffic movements to the Power Station Site which would include the construction of new sections of carriageway and junctions to bypass existing settlements or unsuitable sections of existing road.

2.9 The Scoping Report addendum explains that enabling works within the Wylfa Newydd Development Area (referred to as the 'Site Preparation and Clearance Works' (SPC)) will be within the scope of the application for development consent. They will also be subject to a separate Town and Country Planning Act (TCPA) application.

Description of the site and surrounding area

Wylfa Newydd Development Area and Power Station Site

2.10 Table 3.1 states that land has been added to the Wylfa Newydd Development Area to facilitate better landscape design using surplus material; however, this area has not been identified.

2.11 No information further to that in the 2016 Scoping Report has been provided on the baseline environment within the Wylfa Newydd Development Area or the Power Station Site or the surrounding area.

On-site campus

2.12 The on-site campus would be located within the Wylfa Newydd Development Area which is described within the 2016 Scoping Report and included in the Scoping Report addendum Glossary. The exact location has not been identified.

The off-site power station facilities - Llanfaethlu

- 2.13 The off-site power station facilities would be located at Llanfaethlu, which is approximately 1ha in size and is located adjacent to the A5025. The size of the site has not altered since the 2016 Scoping Report.
- 2.14 No information on the Llanfaethlu site further to that detailed in the 2016 Scoping Report has been provided.

The logistics centre - Parc Cybi

- 2.15 The logistics centre would be located at Parc Cybi, in a site covering approximately 3.7ha. The site is currently open farmland bounded by the A55 to the north, and open countryside to the east and west. Figure 3.3 shows two roads located within the site; one is understood to be the B4545, however neither are named.
- 2.16 Outline planning consent has been granted for the industrial estate at Parc Cybi, but only one plot and the new access road from the A55 have been constructed, along with improvements to the local road and cycle path; no further development of this site has been carried out.
- 2.17 The site is located within the Ynys Môn/Anglesey Area of Outstanding Natural Beauty (AONB).
- 2.18 An isolated property is over 400m to the south-south-east. Kingsland and Trearddur Bay are the nearest residential areas to the site, located 700m away to the north and south, respectively. The town of Holyhead is located over 1km north-west.
- 2.19 Holyhead Retail Park, Penrhos Business Park and Anglesey Aluminium industrial complex are located 300-350m to the north and east, beyond the A55.
- 2.20 The site is located close to the Port of Holyhead and Holyhead train station. The Lon Trefignath cycle path crosses the entrance of the site.
- 2.21 A Category 1 Aggregate Safeguarding Area for sand and gravel is present beneath the majority of the site.
- 2.22 The logistics centre site is located within Flood Zone A.
- 2.23 Two Scheduled Monuments comprising Trefignath Burial Chambers and Ty Mawr Standing Stone are located within the archaeological study area. The former is 20m south of the site; the location of the latter has not been identified.

Park and ride facility - Dalar Hir

- 2.24 The facility would be constructed at Dalar Hir, adjacent to Junction 4 of the A55, and cover an area of approximately 19.4ha. The site comprises pastoral farmland of Agricultural Land Classification (ALC) Subgrade 3b and a number of small watercourses. It is crossed by several hedgerow field boundaries. Figure 3.4 shows that the site incorporates existing roads (unnamed on the figure), including two existing roundabouts.
- 2.25 The closest residential dwelling (except for Dalar Hir farmhouse which would be demolished) is Bryn Geleu farmhouse approximately 200m east of the site. The nearest settlements are Llanfihangel-yn-Nhowyn, and Caergeiliog.
- 2.26 There are three designated ecological sites within 2km of the Dalar Hir site boundary:
- Llyn Dinam Special Area of Conservation (SAC);
 - Llynnau Y Fali – Valley Lakes Site of Special Scientific Interest (SSSI); and
 - Llyn Traffwll SSSI.
- 2.27 The eastern portion of the site and has been identified as a Category Aggregate Safeguarding Area for sandstone.
- 2.28 The Dalar Hir site is located within Flood Zone A.
- 2.29 Heritage assets within the site include post-medieval field boundaries, post-medieval farmsteads, a boundary wall built for the A5 Telford Road and a Grade II listed milestone.
- 2.30 The Cartio Môn Go-Karting centre is adjacent to the site.

A5025 off-line highway improvements

- 2.31 Road improvements comprising 18km of road would be made at the following locations:
- Section 1 - A5/A5025 Valley junction improvements, covering an area of approximately 13.9ha;
 - Section 3 - Llanfachraeth bypass, covering an area of approximately 20.4ha;
 - Section 5 - Llanfaethlu road straightening, covering an area of approximately 10.9ha; and
 - Section 7 - Llanrhuddlad to Cefn Coch improvements, covering an area of approximately 10ha.
- 2.32 The Scoping Report addendum has not identified the existing land use within each individual section of these works. However, Figures 3.5a-

3.5d indicate that the majority of each site is located on undeveloped land, some of which is traversed by existing roads.

- 2.33 The existing A5025 is located in proximity to the Anglesey AONB along its length and border the AONB in some locations. The whole of Anglesey is designated as a Special Landscape Area and therefore forms part of the baseline environment of every element of the Proposed Development.
- 2.34 There are a number of internationally and nationally designated sites within 2km of the A5025. The closest sites are:
- Ynys Feurig, Cemlyn Bay and the Skerries Special Protection Area (SPA);
 - Cemlyn Bay SAC;
 - Llyn Dinam SAC;
 - Beddmanarch-Cymyran SSSI;
 - Llyn Llygeirian SSSI;
 - Cae Gwyn SSSI; and
 - Llyn Garreg-Lwyd SSSI.
- 2.35 There is an ancient woodland site close to the A5025.
- 2.36 Much of the area is classified as ALC Grade 4 or 5, with some areas of Grade 2, 3a and 3b around the LLanfaethlu and Llanfachraeth areas.
- 2.37 The existing A5025 crosses a number of Category 2 Aggregate Safeguarding Areas, and is located close to two Category 1 Aggregate Safeguarding Areas.
- 2.38 The majority of the A5025 off-line highway improvements are situated in areas designated as Flood Zone A; however part of the A5025 is designated Flood Zone C1 and part as Flood Zone C2.
- 2.39 A Grade II* listed building, St Maethlu's church, is located within the archaeological study area, although its proximity to the application site is not clear.
- 2.40 Carreglwyd Historic Park and Garden lies approximately 300m to the west of the A5025 near Llanfaethlu. Cestyll Garden, which is registered as a Historic Park and Garden lies approximately 1km to the north-west of the A5025 near Cemlyn Bay.
- 2.41 Three long distance recreational routes, namely the Wales Coast Path, National Cycle Route 5 and National Cycle Route 566, run close to the A5025 at various points, with both National Cycle Routes crossing the A5025.

Alternatives

- 2.42 Chapter 4 of the Scoping Report details the alternative locations considered for the logistics centre and the park and ride facility. It also provides a brief overview of the optimisation process for the main site and off-site power station facilities. With regards to the A5025 off-line highway improvements, the Scoping Report addendum describes the design/development process undertaken and details environmental considerations which have influenced the design.
- 2.43 The Scoping Report addendum states that the ES will describe the alternatives considered.

Construction

- 2.44 The Scoping Report addendum states that the optimisation process has resulted in a reduced construction schedule to that presented within the 2016 Scoping Report. However, no details have been provided.
- 2.45 The number of works required to construct the Proposed Development has reduced from 10,720 to 9,000.
- 2.46 No further details on construction have been provided within the Scoping Report addendum.

Operation and maintenance

- 2.47 Operation of the on-site campus, logistics centre and park and ride facility would occur during the construction phase of the power station. Details of the likely operational phase activities are contained within the changes to the project description section of this Opinion, above.
- 2.48 No specific information regarding the operation of the A5025 off-line highway improvements have been provided within the Scoping Report addendum.
- 2.49 No additional details on the operational stage of the power station have been provided with the Scoping Report addendum.

Decommissioning

- 2.50 The on-site campus would be decommissioned once construction of the power station is complete. The area would be developed in accordance with the Landscape Environmental Management Plan (LEMP).
- 2.51 The Scoping Report notes that the park and ride facility and the logistics centre would also be decommissioned once construction of the power station is complete; however, no specific details have been provided.

The Secretary of State's Comments

- 2.52 The SoS's comments below are made in response to the Scoping Report addendum. The comments made on the 2016 Scoping Report have not been repeated and the 2016 Scoping Opinion remains valid and relevant and should be taken into consideration by the Applicant in the preparation of the ES.

Description of the Proposed Development

- 2.53 Figure 1.1 depicts the indicative locations of developments to be consented through the application for development consent and TCPA applications. However, it does not include the on-line A5025 highway improvements, which paragraph 13 (Section 1.2) states will be subject to a TCPA application. For clarity, any similar figure within the ES should clearly identify which elements would be applied for through the DCO and which through the TCPA, and it would be helpful to the reader if these were additionally shown in list form in the ES. The SoS would also expect figures within the ES to include the DCO order limits and encompass all the elements of the Proposed Development. (Figure 3.1 currently shows the Wylfa Newydd Development Area, but it is unclear if this correlates with the order limits). Figures within the ES should also identify any structures, features or roads, etc.
- 2.54 With the above in mind, it would be particularly useful to understand the full extent of the A5025 highway improvement works including both those within the DCO and those to be consented under the TCPA.
- 2.55 Figure 3.1 provides an indicative layout of the Power Station Site; however, only identifies structures contained within it in broad terms, eg 'main plant', 'common plant', and 'supporting facilities'. For ease of understanding, the SoS advises that figures within the ES clearly identify the elements of the Proposed Development that are detailed within the ES text; consistent terminology should also be used.
- 2.56 Details of the on-site accommodation campus are limited and its location has not been identified. The SoS would expect its location to be identified on figures within the ES, along with the access road which is referred to within Chapter 3 paragraph 12 of the Scoping Report addendum. The ES should provide details of what the campus would comprise, including but not limited to the number and form of individual buildings, their locations and dimensions. Details of how foul water from the campus would be treated and disposed of should be provided within the ES and assessed accordingly within the relevant topic chapters. The Applicant's attention is drawn the comments of Natural Resources Wales (NRW) in this regard.
- 2.57 With the above in mind, the SoS notes that chapter 8 of the Scoping Report addendum refers to a temporary package sewage treatment plant; however, it is unclear what its purpose would be i.e. for the

accommodation campus or on the construction site itself. This should be clarified within the ES.

- 2.58 Details of the off-site power station facilities, the logistics centre and the park and ride facility are also relatively limited, with only indicative locations provided within the Scoping Report addendum. The SoS would expect that by the time of application, the ES would include details of the layout of these facilities, including any parameters of buildings/structures and the layout of the proposed road works. Likewise, the ES should detail the layout of the proposed A5025 off-line highway improvements within the DCO order limits.
- 2.59 The Scoping Report addendum refers to both 'enabling works' and the 'SPC works'. The Glossary describes SPC as *'the term used for the works required to clear the Power Station Site in preparation for main construction of the Power Station.'* The glossary provides further detail on 'enabling' works which is defined as *"The works required to remove and clear parts of the Wylfa Newydd Development Area of vegetation, topsoil, existing services, utilities and other features and structures, including ecology mitigation, in order to allow the earthworks and Main Construction stage activities to commence. This work would also include the installation of any new services or utilities required to support the Main Construction stage activities."* The SoS is unclear whether these terms are effectively interchangeable as SPC refers to the power station site and the enabling works refer to the Wylfa Newydd Development Area. If this is the case, the SoS considers this has the potential to lead to confusion and recommends a single term is defined within the ES and is consistently applied. If these two terms are not interchangeable, a more clear distinction between the two terms should be presented within the ES.
- 2.60 Furthermore, the SoS notes that the Glossary contains the only detail provided as to what these works would comprise. The SoS expects the ES to include a detailed description of these works and for these works to be considered within each technical topic. It is understood from meetings with the Applicant that these works could comprise substantial soil movement and earthworks. The works should be fully described within the ES and their potential effects assessed accordingly. The ES should also provide proposed contour plans for the site.
- 2.61 The Scoping Report addendum explains that the SPC works will also be subject to a TCPA application, as there would be programme benefits if they were granted planning permission in advance of a DCO being granted. The Scoping Report addendum does not state when the TCPA application is expected to be made. Section 17.1 states that the majority of the investigations for the archaeological mitigation works would be undertaken as part of the SPC and will form part of the DCO application. Therefore, it is unclear which elements of the SPC works the Applicant intends to seek consent for

through the TCPA regime and which elements through the NSIP regime. This should be clearly explained in the ES.

- 2.62 The Scoping Report addendum confirms that dredging would be required during both the construction and operational phases. Table 3.1 notes that the dredging area has changed since the 2016 Scoping Report. The ES should delineate the areas that would be dredged and identify the likely quantities of material that would be dredged, along with the frequencies of these activities.
- 2.63 The Scoping Report addendum explains that the Marine Off-Loading Facility (MOLF) would comprise a bulk quay and Roll-on, Roll-off (Ro-Ro) berthing facility. This information was not provided within the 2016 Scoping Opinion. The description of the MOLF in the ES should identify all its main components and include, for example, landside cranes or storage areas.
- 2.64 The Scoping Report addendum identifies the need for temporary works at the MOLF; however, has not given any indication of how long these works would be required; this should be clarified within the ES. The decommissioning of these temporary works should also be detailed and assessed within the ES.
- 2.65 The description in Chapter 3 paragraph 40 of the Scoping Report addendum detailing which material arisings would be re-used or disposed of is confusing. The SoS recommends that this is clarified within the ES.
- 2.66 The SoS reiterates its comments made in the 2016 Scoping Opinion regarding the need to define and consistently apply terminology used to describe areas of the site. For example, the terms 'Wylfa Newydd Development Area', and 'Power Station Site' do not appear to have been applied consistently across the Scoping Report. Similarly, the Scoping Report addendum is inconsistent in stating whether the on-site campus is within/outside the power station site and/or within the wider Wylfa Newydd Development Area. The Applicant is reminded to use consistent terminology throughout the ES to avoid confusion for readers.

Flexibility

- 2.67 The Scoping Report addendum states that the EIA will have regard for the need to make use of a 'Rochdale Envelope' approach consistent with PINS advice note 9. No further details have been provided; however, the Planning Inspectorate has previously met with the Applicant to discuss the approach and has provided s51⁴ advice which is relevant to the preparation of the EIA. A note of the meeting and the advice given is available here:

⁴ The SoS has a power under section 51 of the Planning Act 2008 (as amended) to give advice about applying for an order granting development consent or making representations about an application or proposed application for such an order.

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/wylfa-newydd-nuclear-power-station/?ipcsection=advice&ipcadvise=a4d5378568>

- 2.68 The SoS notes the comments of NRW in relation to the breakwater design. The SoS considers that it is important for the assessment to reflect the design parameters allowed for in the DCO rather than one particular scenario.

Description of the site and surrounding area

- 2.69 The SoS would expect the introductory chapters of the ES to include a section that summarises the site and surroundings, including the associated development sites, in addition to detailed baseline information to be provided within topic specific chapters of the ES.
- 2.70 The provision of environmental constraints plan(s) including for the associated development in Appendix C is welcomed. If similar plans are to be provided in the ES the SoS suggests they include a scale, and identify the study areas for each assessment and the main features that are specifically referenced in the ES topic chapters.
- 2.71 Constraints plans have been provided for each section of the A5025 off-line highway improvements. However, there are limited details of the baseline environment within the Scoping Report addendum text. The SoS considers it would be helpful for a textual description of each section to be provided within the ES. The Applicant's attention is also drawn to the features identified within the Isle of Anglesey County Council (IACC) comments, which should be identified within the ES.
- 2.72 The park and ride constraints plan (Figure C1) includes 'zone of theoretical visibility' (ZTV) within the legend. It is unclear whether this refers to a ZTV for the park and ride because it shows areas within the park and ride site itself as not being visible and as Chapter 10 paragraph 34 implies a ZTV is yet to be developed. Any figure(s) used to depict the ZTV should be clearly legible and inclusive of the entirety of the Proposed Development.
- 2.73 Section 19.2.1 identifies a number of public access and recreation receptors which could be impacted by the logistics centre, none of which are shown on the corresponding constraints plan (Figure C2). The SoS considers that plans and/or figures in the ES should be clearly legible and include relevant levels of detail/information in order to support the reader in understanding the assessment of likely significant effects. Plans and figures which fail to this can be a hindrance and may result in unnecessary confusion or uncertainty.
- 2.74 The Scoping Report Addendum refers to Ynys Feurig, Cemlyn and the Skerries SPA. This SPA has been reclassified and renamed Anglesey Terns / Morwenoliaid Ynys Môn SPA. The Applicant should ensure the baseline information within the ES is factually accurate.

Alternatives

- 2.75 The EIA Regulations 2009 require that the Applicant provide 'An outline of the main alternatives studied by the Applicant and an indication of the main reasons for the Applicant's choice, taking into account the environmental effects' (see Appendix 1). The SoS therefore welcomes the Applicant's proposal to present its consideration of alternatives within the ES.
- 2.76 The Scoping Report addendum identifies the alternative locations for the logistics centre and park and ride facility; if alternative designs have been considered, these should also be described. Any environmental effects that were taken into account in determining the preferred location of these facilities should be detailed within the ES.
- 2.77 The Applicant's attention is drawn to the comments of NRW regarding the need to justify the siting of the A5025 offline Valley improvements within flood zone C. NRW also advise that the ES demonstrates how the Applicant has considered other accommodation options/alternatives which are less damaging to the Tre'r Gôf SSSI. Similarly, the IACC comments highlight the need to indicate the main reasons for the siting of the logistics centre within the Anglesey AONB. The Welsh Government response also provides comments on the consideration of alternatives of the park and ride facility and the logistics centre which should be addressed by the Applicant.

Construction

- 2.78 The SoS understands that in order to facilitate construction of the main Power Station Site, the associated development would be the first elements to be constructed. The phasing of all works should be presented within the ES, with indicative time frames for each element provided.
- 2.79 The reduced construction schedule mentioned within the Scoping Report addendum should be set out within the ES.
- 2.80 The Scoping Report addendum has not provided a consistent figure for the height of the heavy lifting crane to be used during construction; Section 10.1 refers to an approximate crane height of +250m above ground level and Section 17.1 refers to a maximum 250m crane height. The Applicant should ensure that all elements are consistently and accurately identified throughout the ES.
- 2.81 The SoS considers that information on construction of all elements of the Proposed Development should be clearly indicated in the ES, including (but not limited to):
- phasing of programme;
 - construction methods and activities associated with each phase;
 - siting of construction compound(s);

- lighting equipment/requirements; and
- number, movements and parking of construction vehicles (both HGVs and staff); and
- construction hours including any requirements for night time working.

Operation and maintenance

- 2.82 There is limited information regarding the operational phase within the Scoping Report addendum. However, it is noted that Chapter 9 paragraph 20 identifies the operational movement of upwards of 60 to 70 goods vehicles around the logistics centre. It is not clear within what time period this is referring and what type of vehicles these would be. The ES should identify and assess the worst case for operational movement of vehicles across the Proposed Development and detail how this has been established. This applies for all aspects of the development but in particular for those which are operational to facilitate construction of the main power station.
- 2.83 The SoS would expect the ES to provide details of the operation and maintenance of all elements of the Proposed Development. This should cover but not be limited to such matters as: the number of full/ part-time jobs; the operational hours and if appropriate, shift patterns; the number and types of vehicle movements generated during the operational stage.

Decommissioning

- 2.84 When construction of the Wylfa Newydd Power Station is complete, the on-site accommodation would be decommissioned and the area would be developed in accordance with the LEMP. The ES should consider the potential effects from the demolition of the on-site campus. The SoS welcomes that a draft LEMP will be provided with the ES; this will aid in providing certainty as to the landscape that would result after the demolition of the on-site campus. The LEMP should be discussed and agreed with relevant consultees in advance of submission.
- 2.85 The ES should also provide details of the decommissioning of the park and ride facility and the logistics centre, and provide details of how these sites would be restored. The timing of decommissioning of these works should be identified within the ES. The SoS welcomes that the Scoping Report addendum proposes to assess the decommissioning works. The spatial coverage of the draft LEMP should extend to these works.

3 EIA APPROACH AND TOPIC AREAS

Introduction

- 3.1 This section contains the SoS's specific comments on the approach to the ES and topic areas as set out in the Scoping Report addendum. These comments are made in response to the Scoping Report addendum only and should be read in conjunction with the 2016 Scoping Opinion. For clarity, comments made within the 2016 Scoping Opinion have not been repeated.
- 3.2 General advice on the presentation of an ES is provided at Appendix 1 of this Opinion and should be read in conjunction with this Section.

EU Directive 2014/52/EU

- 3.3 The SoS draws the Applicant's attention to European Union (EU) Directive 2014/52/EU (amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment) which was made in April 2014.
- 3.4 Under the terms of the 2014/52/EU Directive, Member States were required to bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 16 May 2017.
- 3.5 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 have now been made and came into force on 16th May 2017. The Applicant should be aware that these Regulations include for revocation and transitional provisions relevant to the 2009 Regulations.
- 3.6 On 23 June 2016, the UK held a referendum and voted to leave the European Union (EU). There is no immediate change to infrastructure legislation or policy. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

National Policy Statements (NPSs)

- 3.7 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendations to the SoS and include the Government's objectives for the development of NSIPs.
- 3.8 The relevant NPSs [EN-1 and EN-6] for the Proposed Development set out both the generic and technology-specific impacts that should be considered in the EIA. When undertaking the EIA, the Applicant must have regard to both the generic and technology-specific impacts and identify how these impacts have been assessed in the ES.

Environmental Statement Approach

- 3.9 The overarching approach to the EIA was originally described within the Applicant's 2016 Scoping Report and the SoS's opinion is detailed in the 2016 Scoping Opinion. The Scoping Report addendum confirms that the process of the EIA is the same as that described within the 2016 Scoping Report, with the same principles for assessing EIA significance. The study areas for each environmental topic, in terms of distances from the Wylfa Newydd Development Area, remain the same and study areas for the associated development have been detailed within the Scoping Report addendum technical topics. The SoS advises the Applicant to agree all study areas with relevant consultees and to ensure they are identified and justified within the ES.
- 3.10 The Scoping Report addendum states that mitigation measures would be set out in Code of Construction Practices (CoCP) and a Code of Operation Practice (CoOP). This is welcomed by the SoS and it is expected that draft CoCP and CoOPs will be provided with the DCO application documents.
- 3.11 Where the Applicant is proposing mitigation by way of management plans or the like e.g. CoCP or CoOP and reliance is placed on these in determining significance of effects, sufficient detail should be provided as part of the application so as to understand the extent to which they will be effective in mitigating the potential impacts identified, and the minimum measures required to achieve such mitigation. The SoS would also recommend providing a visual organogram (or similar) of such plans so as to understand the hierarchy and interrelationships between plans and topic areas (including reference to their security within the DCO).

Matters to be Scoped out

- 3.12 The 2016 Scoping Report proposed to scope out the following topics:
- ozone;
 - insect infestation;
 - civil and military aviation and defence interests.
 - accidental radiological releases;
 - odour; and
 - seismic activity.
- 3.13 Of the above six topics, the SoS agreed in the 2016 Scoping Opinion to scope out the first three topics but did not agree to scope out the latter three topics. The Scoping Report addendum confirms the latter three topics will now be considered within the EIA. The SoS welcomes this approach.

3.14 In addition, Chapter 6 paragraphs 14 to 16 of the Scoping Report addendum propose to scope out the following topics in their entirety:

- *Coastal Processes and Coastal Geomorphology for all associated development* – on the basis that there are no marine activities associated with the proposals, and due to the distance of the proposed developments from the sea. The SoS agrees to this approach.
- *The Marine Environment for all associated development* – on the basis that the associated development sites have no marine activities and due to the distance from the sea. The SoS has had regard to NRW's response to this matter. The SoS considers that the Applicant has not provided any robust evidence to support scoping out potential impacts on the marine environment. The SoS is aware that in particular sediments and / or contaminants could indirectly enter the marine environment via run-off from construction or operational activities. Impacts on marine ecology and waterbody receptors should therefore to be assessed if drainage from the associated development sites is likely to lead to a discharge to the marine environment.
- *Radiological effects for all associated development* – on the basis that the activities at the associated development sites would not have any bearing on radiological issues. Effects associated with these environmental topics will be addressed in the EIA for the Power Station Site only (i.e. Volume D of the ES). The SoS agrees to this approach.
- *'Public Access and Recreation' for the park and ride facility* – on the basis that there are no public rights of way (PRoW) or permissive trails across or along the boundaries of the proposed site and as there would be no direct impacts on any recreational activities or on a footpath that passes to the north west of the site. The constraints plan for the park and ride facility (Scoping Report addendum, Figure C1, Appendix C) identifies a PRoW and also National Cycle Route 8. As no scale is provided on the plan the proximity of these receptors to the facility cannot be determined. The SoS also notes the presence of the go-karting centre in proximity to the facility. In addition, consideration should be given not only to direct, but also indirect, impacts of the Proposed Development. Therefore, the SoS does not agree that this matter can be scoped out as insufficient information has been provided at this stage, in relation to these receptors and the location of any other PRoW or recreational activities in the area, to justify such an approach. The SoS notes that similarly, the IACC response does not agree this topic should be scoped out.

3.15 In addition, the Scoping Report addendum has proposed to scope out effects on specific receptors within the relevant topics. These have been considered by the SoS in the relevant topic sections of this Opinion.

- 3.16 Matters are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the SoS.
- 3.17 Whilst the SoS has not agreed to scope out certain topics or matters on the basis of the information available at the time, this does not prevent the Applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES.
- 3.18 In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still explain the reasoning and justify the approach taken.

Environmental Statement Structure

- 3.19 The proposed ES structure has been revised since the 2016 Scoping Report. It is anticipated that the ES will be produced in ten volumes presented in a 'development-based' structure with the assessments for each component of the development presented in a separate volume.
- 3.20 In summary, it would comprise:
- Non-Technical Summary;
 - Volume A: Introduction to the Wylfa Newydd Project and to the Environmental Statement;
 - Volume B: Introduction to the environmental assessments;
 - Volume C: Project-wide effects (e.g. effects relating to traffic and transport);
 - Volume D: Power Station Main Site (including On-Site Accommodation due to the co-location);
 - Volume E: Off-site Power Station Facilities (AECC, ESL and MEEG);
 - Volume F: Dalar Hir Park and Ride Facility;
 - Volume G: A5025 Off-line Highway Improvements;
 - Volume H: Parc Cybi Logistics Centre;
 - Volume I: Cumulative effects; and
 - Volume J: Summary of residual effects.
- 3.21 The Scoping Report identifies the following environmental topics to be considered within the ES:
- Air Quality;
 - Noise and Vibration;
 - Landscape and Visual;

- Terrestrial and Freshwater Ecology;
- Radiological Issues;
- Soils and Geology;
- Surface Water and Groundwater;
- Coastal Processes and Coastal Geomorphology;
- The Marine Environment;
- Archaeology and Cultural Heritage;
- Socio-Economics;
- Public Access and Recreation;
- Traffic and Transport;
- Waste and Materials; and
- Cumulative Effects.

3.22 The Scoping Report addendum does not clearly set out which topics will be addressed within each volume of the ES. However it is noted that Socio-economics, Waste and Materials Management and Traffic and Transport will be addressed in Volume C on a project-wide basis. It is understood they will therefore not be addressed within Volumes D-H. The SoS would still expect these topics to be considered within Volumes I and J.

3.23 The SoS understands that all of the remaining topics will be considered within each of volumes D-J of the ES, except where they have been scoped out above.

Marine Works EIA Scoping Report

3.24 The Scoping Report addendum explains that the marine works required as part of the construction and operation of the Proposed Development would be “marine licensable activities” under the Marine and Coastal Access Act 2009. As such, a marine licence would be sought from NRW for marine construction works and marine dredging and disposal; this would be separate from the DCO application.

3.25 Appendix A of the Scoping Report addendum contains a Scoping Report for the Wylfa Newydd licensable marine works. This has been produced to obtain an opinion from NRW, in accordance with The Marine Works Environmental Impact Assessment (EIA) Regulations 2007 (as amended). NRW’s comments in respect of the Marine Licence application have been provided in response to the SoS consultation and can be found in Annex 2 of its response in Appendix 3 of this Opinion.

3.26 The SoS is not responsible for consenting licensed marine works in Wales and so has not commented on Appendix A of the Scoping Report addendum. Comments made by the SoS within this Scoping Opinion are concerned with the works that the DCO would authorise

and in understanding any potential significant effects arising from these works. The SoS has assumed that all works to be applied for under the DCO have been addressed within the Scoping Report and the addendum.

- 3.27 The SoS considers that standard practice would be to assess any works not authorised by the DCO but necessary for project to be assessed cumulatively. However, it is noted that the applicant intends to produce a single integrated ES to support both the application for development consent and the marine licence. The SoS considers that the Applicant should ensure that the ES is clear in describing the likely significant effects applicable to each consent sought. This is particularly important as the assessment undertaken by relevant competent authorities needs to be certain where necessary mitigation is required and how this will be appropriately secured.

Topic Areas

Air Quality (Scoping Report addendum Chapter 8)

- 3.28 The SoS welcomes the ongoing consultation that has taken place to date with the IACC and NRW, including the identification of sensitive human and ecological receptors, the assessment methodology and mitigation measures. Such consultation should continue and adapt to the changes of the Proposed Development.
- 3.29 The SoS welcomes that potential odour emissions will now be considered within the assessment. The Applicant's attention is drawn to the comments of the IACC in this regard.
- 3.30 The Scoping Report addendum states that IACC air quality measurements have been reviewed to inform the existing background concentrations. This includes NO₂ and PM₁₀/PM_{2.5} around the Wylfa Newydd Development Area and NO₂ in the vicinity of some of the associated development sites. However, it is not clear to the SoS exactly where the NO₂ monitoring has been undertaken and how the baseline will be established where monitoring has not been undertaken. Indeed, Table 8.1 states that no pollutant data is available in the vicinity of the logistics site and no further monitoring has been proposed. The methodology for establishing the baseline should be agreed with the relevant consultees and explained within the ES. The SoS's comments in the 2016 Scoping Opinion in relation to the applicability of IACC data also applies equally to establishing the baseline of the associated development sites.
- 3.31 The Scoping Report addendum notes that dust deposition monitoring has been undertaken at the existing power station and in the vicinity of the Wylfa Newydd Development Area and nearby A5025. The ES should identify the locations of the monitoring. Where the monitoring data coverage does not extend to the associated development sites, but the results are extrapolated for use within the assessment, the ES should justify the use of the data.

- 3.32 The Scoping Report addendum states that due to the relatively small scale of the construction activities for the associated development, it is anticipated that emissions from plant and machinery during the construction of the associated development would not need to be assessed using dispersion modelling. The source-pathway-receptor concept would therefore be used, and the assessment would take into account the IAQM guidance on dust emissions which states that in the vast majority of cases, emissions from plant and machinery would not need to be quantitatively assessed. The SoS notes the reference to the works being small scale and considers this should be justified given the rural nature of the receiving environment.
- 3.33 The Scoping Report addendum confirms that emissions of air pollutants from marine vessels will be considered in conjunction with the emissions from construction plant during construction. The SoS welcomes that the dispersion model will be verified; this should be detailed within the ES. The SoS also welcomes that the Applicant intends to agree with relevant consultees the approach to take into account uncertainty in predicting road vehicle emissions.
- 3.34 The SoS recommends that the assessment years are agreed with relevant consultees.

Noise and Vibration (Scoping Report addendum Chapter 9)

- 3.35 The SoS welcomes that monitoring locations and survey methodology for the park and ride facility and the A5025 off-line highway improvement were agreed with IACC. The locations should be identified within the ES, preferably depicted on a figure, and the survey methodology described. The SoS notes that the most recent survey at the A5025 was undertaken in 2015; the Applicant should ensure that these surveys remain valid and is advised to confirm this is the case within the ES.
- 3.36 The dates of noise surveys at the park and ride facility have not been provided within the Scoping Report addendum. The Applicant should ensure that the surveys are up-to-date, relevant and provide necessary detail within the ES.
- 3.37 The Scoping Report addendum notes that the Design Manual for Roads and Bridges (DMRB) identifies that vibration from road traffic can affect both buildings and disturb the occupiers. It requests to scope out an assessment of vibration for the off-line highways improvements. The SoS agrees with this approach for the operational phase however for clarity, the SoS considers that vibration should be considered during the construction phase.
- 3.38 The SoS notes that no information has been provided in relation to ecological receptors and therefore does not consider that noise impacts on ecological receptors can be scoped out at this stage. Appropriate cross reference should therefore be made to the Terrestrial and Freshwater Ecology chapter of the ES.

- 3.39 The ES should consider the potential for noise and vibration impacts during the construction phase on the inhabitants of the accommodation campus. The Applicant is directed to the comments of the IACC in this regard.

Landscape and Visual (Scoping Report addendum Chapter 10)

- 3.40 The Scoping Report addendum states that the maximum height of the main very heavy lifting crane would be approximately +250m above ground level. This is stated to theoretically be visible from the mainland (Snowdonia mountain range) but visual impacts would be negligible. The SoS therefore assumes the Applicant is proposing to scope out this potential impact. Given the distance of the site from the mainland and on the basis that visual effects of the crane will be considered within the existing 15km study area, the SoS agrees that visual impacts on the mainland during construction can be scoped out.
- 3.41 The Scoping Report addendum states that the scope of the assessment for the off-site facilities remains unchanged. However, as stated within the 2016 Scoping Opinion, the SoS was unable to locate details of how potential landscape and visual impacts resulting from the off-site facilities (i.e. the AECC, ESL and MEEG) will be assessed. The assessment methodology for these works should therefore be discussed and agreed with the relevant bodies, and detailed within the ES.
- 3.42 The Scoping Report addendum states that a seascape assessment will not be undertaken for the A5025 off-line highway improvements due to the scale of the improvements and distance from the coast. The SoS agrees this can be scoped out.
- 3.43 The SoS welcomes that the landscape mounding will be shown on relevant figures and within the draft LEMP. The Noise and Vibration chapter refers to earth bunds for embedded mitigation. It is not clear if these are the same as the 'landscape mounding' referred to within the Landscape and Visual chapter; this should be clarified within the ES.
- 3.44 Tree and shrub planting and replacement hedgerows are proposed as mitigation for the A5025 off-line highway improvements. This is welcomed; however, the Applicant should ensure it assesses the potential impacts before the vegetation has had the chance to mature. The SoS notes that Applicant intends to provide details of how long planting would take to establish within the draft LEMP.
- 3.45 The Scoping Report addendum also refers to planting at both the park and ride facility (Chapter 3 paragraph 30) and the logistics centre (Chapter 10 paragraph 25) to mitigate visual effects and on-site vegetation loss. Given that these facilities would only be operational during the construction phase of the main power plant, the SoS questions whether such mitigation would have sufficient time to

mature and provide effective mitigation. The Applicant should describe the measures to be taken ensuring the mitigation proposed is effective, given the short timescales for growth. In addition, it is unclear whether the screen planting outside the main site would be within the DCO Order Limits. The Applicant is reminded of the need to ensure that any measures relied upon to mitigate effects should be deliverable and appropriately secured.

- 3.46 Where the retention of hedgerows, existing planting and boundary features is relied upon to mitigate visual impacts, the SoS would expect the retained features to be identified within the draft LEMP.
- 3.47 The Scoping Report addendum refers to embedded design commitments to reduce operational effects associated with lighting. These should be identified within the ES and secured appropriately.
- 3.48 The SoS welcomes that ZTVs will be developed for the park and ride facility and logistics centre to define the study area. The ZTVs already produced for the A5025 off-line highway improvements should be included within the ES. The SoS considers that a ZTV should also be produced for the accommodation campus.
- 3.49 The assessment should consider the decommissioning of the park and ride facility and the logistics centre. The ES should identify how these temporary sites would be restored and relevant detail should be included within the draft LEMP.

Terrestrial and Freshwater Ecology (Scoping Report addendum Chapter 11)

- 3.50 According to Table 11.1, the most recent surveys to inform the baseline at the park and ride facility, the logistics centre and the A5025 off-line highway improvements were undertaken in 2014. Table 11.2 does identify some surveys undertaken in 2015 and also identifies the need for further surveys; however, there is no reference to further surveys within the rest of the Chapter. The Applicant should ensure that all survey information is relevant, up-to-date and is advised to agree any needs for updates to surveys with NRW and the IACC ecologist. Details of the surveys should be provided within the ES, for example within appendices.
- 3.51 Table 11.2 Summary of baseline information states 'N/A' for some species although it is not explained why these are not applicable. The SoS is unclear whether or not surveys for these species have been undertaken at the relevant location(s). The SoS does not consider the use of 'N/A' would be appropriate within the ES. If a species is not considered to be present on site, this should be explained with supporting evidence.
- 3.52 The SoS notes that Chapter 11 paragraphs 12 and 21 identify the potential for impacts on bat commuting routes at the park and ride facility. However, Table 11.2 states that no evidence of bats was

recorded on the site. This discrepancy should be resolved within the ES.

- 3.53 Table 11.2 identifies the presence of European eel at the park and ride facility. Section 11.2.2 notes the potential for impacts on fish, but section 11.2.3 does not identify the species for consideration within the assessment. The SoS notes and agrees with NRW comments that eels should be assessed within the ES. The Applicant is advised to discuss such an assessment with NRW.
- 3.54 There is also a discrepancy between sections 11.2.2 and 11.2.3 with regards to great crested newt at the park and ride facility; with the former identifying potential impacts on the species but the latter not identifying the species for further consideration. The Scoping Report addendum states that there is no evidence of the species within the site, but that they have been recorded in two ponds south of the site boundary. The SoS notes the comments of NRW and the IACC that great crested newts are present in the vicinity and therefore considers these should be considered in the ES.
- 3.55 Effects on breeding birds at the park and ride facility and in adjacent habitats are proposed to be scoped out as effects would be minimal once mitigation measures such as avoiding vegetation clearance during bird nesting season have been taken into account. The SoS notes the proposed measures would provide mitigation for disturbance; however, there is no reference to the potential for habitat loss of breeding birds. On the basis of the information provided and as mitigation measures are considered necessary to minimise potential effects, the SoS does not agree this can be scoped out at this stage.
- 3.56 The Applicant's attention is drawn to the comments of the IACC regarding the need to consider the potential effects on the Llyn Traffwll SSSI.
- 3.57 Effects on birds, badgers, reptiles and aquatic species other than amphibians and fish at the A5025 off-line highway improvements are also proposed to be scoped out. This is on the basis that habitat loss would be small scale and mitigation would be implemented to ameliorate these impacts. The Scoping Report addendum has not quantified the amount of habitat loss, nor has it provided details of what mitigation would be implemented. In addition Table 11.2 identifies suitable habitats for reptiles within 250m of the site. On the basis of the information provided, the SoS does not agree this can be scoped out at this stage.
- 3.58 The accommodation campus would be located close to the Tre'r Gôf SSSI. The Scoping Report includes limited detail regarding the potential impacts on this site. The Applicant's attention is drawn to the comments of NRW in this regard which the SoS would expect to be addressed within the ES. and the need to ensure that potential impacts on the site are assessed within the ES.

- 3.59 The SoS is aware that the Applicant intends for the DCO to provide for off-site ecological mitigation and compensation. This has not been referred to within either the 2016 Scoping Report or the Scoping Report addendum. This should be detailed within the ES if it is to be provided. If the mitigation is relied upon and does not form part of the authorised works of the DCO, the Applicant should explain how it will be delivered.
- 3.60 The SoS welcomes the proposed provision of a Biosecurity Risk Assessment (BRA) within the ES which will outline provisions to be implemented at the Proposed Development. The BRA should cover the associated development sites and should detail measures to prevent the introduction of invasive non-native species.
- 3.61 The Applicant's attention is drawn to the detailed comments of NRW regarding freshwater and terrestrial ecology.

Radiological Effects (Scoping Report addendum Chapter 12)

- 3.62 The SoS welcomes that the potential for accidental radiological release will be included within the ES. The Scoping Report addendum states that the assessment will draw on previously prepared information, including that required for the Article 37 assessment of the Euratom Treaty (2010). The SoS is not entirely clear how this will be translated to an assessment in EIA terms; the Applicant is advised to discuss and agree its approach with NRW and clearly describe their methodology within the ES.

Soils and Geology (Scoping Report addendum Chapter 13)

- 3.63 The SoS notes that site walkovers and ALC surveys will be undertaken for the logistics centre 'if found necessary'. It is not explained how this would be determined. The SoS expects information on the approach that is applied to be provided in the ES.
- 3.64 The SoS notes the proposal to scope out impacts on geological receptors at all of the associated development sites (excluding the onsite campus) on the basis that no sites of geological importance have been identified within 500m of each site (albeit the study area was described as 250m from each site boundary). However, Table 13.1 identifies that the Isle of Anglesey is designated as a UNESCO Global Geopark (named GeoMôn Geopark). The SoS notes that the 2016 Scoping Report does not propose to scope out impacts on this GeoMôn Geopark. The SoS therefore does not agree that impacts on geological receptors at the associated development sites may be scoped out. Given the importance of the GeoMôn Geopark as an international designation, the SoS expects this to be taken into account in the assessment. The Scoping Report does not identify whether there has been any engagement with representatives from UNESCO.

- 3.65 The SoS notes that the park and ride facility study area is within an unexploded ordnance 'moderate risk' area; the ES should include consideration of potential effects on this receptor.
- 3.66 It is stated that the A5025 crosses a number of Category 2 Aggregate Safeguarding Areas and is close to two Category 1 Aggregate Safeguarding Areas. The ES should consider the potential effects of sterilisation of these areas.
- 3.67 Paragraph 15 notes that ground investigations will be completed prior to construction. The SoS advises that this approach should be explained in the ES, and justification provided as to why it is not necessary to undertake these to inform the EIA.
- 3.68 The SoS notes the reference in Section 13.2.2 to potential mitigation measures and advises that these should be fully described in the ES and secured in the DCO. Documents containing mitigation measures proposed in the ES, such as the Contamination Remediation Plan, should be cross-referenced from the ES and either appended to it or contained within the DCO application documentation.
- 3.69 It is stated in Table 6.1 that seismic activity has been scoped in to the assessment (following SoS comments in the 2016 Scoping Opinion) and will be discussed in Chapter 13; however, no reference has been made to it in this topic chapter. The Applicant should ensure that this is addressed in the ES.

Surface Water and Groundwater (Scoping Report addendum Chapter 14)

- 3.70 The SoS notes that following a review of surface water movement between the Llyn Dinam SAC and the proposed park and ride facility, the Applicant considers that no further evaluation is required as 'no significant connection' has been identified between them. No further information is provided in relation to the surface water feature(s) considered and the nature of any connection between the SAC and the facility is not described. Information on this should be provided and the approach justified in the ES.
- 3.71 Reference is made in Section 14.1 to the need for an environmental permit for discharges to surface water. It is welcomed that potential effects will be reported in the ES. The Applicant is referred to the advice on environmental permitting contained in Part 4 of this Scoping Opinion.
- 3.72 The ES should quantify any requirements for water abstraction.
- 3.73 The extent of the study area for the associated development elements is not specified, other than a reference in Section 14.2.3 to identification of private water supplies within 500m of the 'site boundaries' and within a 500m corridor from the boundary of the A5025 offline improvements. The study area for each of the

elements should be clearly identified in the ES. It would also be helpful to delineate the study area on relevant plans appended to the ES.

- 3.74 The SoS notes that the park and ride facility site is underlain by a Secondary B aquifer, that there 'may be' some private water supplies in the area, and that the Nant Dalar Hir watercourse that crosses the site runs into the Llyn Traffwll Lake SSSI. A Secondary B aquifer is identified as being beneath the logistics centre site. Both Secondary A and B aquifers are identified as beneath the A5025 off-line highways improvements site. However, despite this none of these receptors are specifically identified in Section 14.2.2 as being potentially impacted. Consideration should be given to the inclusion of these in the topic assessment.
- 3.75 The SoS notes that site walkovers will be undertaken for the logistics centre 'if found necessary'. It is not explained how this would be determined. The SoS expects information on the approach that is applied to be provided in the ES.
- 3.76 Table 14.1 of the Scoping Report identifies a number of nationally and internationally designated sites that it is proposed will be scoped out from the A5025 off-line highway improvements assessment. However, the rationale for doing so has not been provided and therefore the SoS does not agree on the basis of the information provided at this stage that an assessment of effects for these receptors may be scoped out.
- 3.77 The Scoping Report addendum refers to a qualitative Flood Consequence Assessment (FCA) for all of the associated development proposals. The FCA should demonstrate how the development complies with TAN15: Development and Flood Risk. The Applicant is advised to agree their approach with NRW to ensure that sufficient information is provided.
- 3.78 The SoS notes that reference is made to the provision of an Environmental Management Plan (EMP) containing mitigation measures relating to potential impacts on surface water and groundwater. The SoS suggests that a draft EMP is included with the DCO application and that cross-reference is made from the ES to the relevant mitigation measures contained within the EMP, which must be secured within the DCO. This will be particularly important if measures within the EMP are relied upon to mitigate a significant effect.

Coastal Processes and Coastal Geomorphology (Scoping Report addendum Chapter 15)

- 3.79 The Applicant should ensure that baseline data is up to date and in this regard is drawn to the comments of NRW regarding the currency of data for Esgair Gemlyn.

- 3.80 The key changes identified in Section 15.1 relevant to this topic do not explicitly refer to the proposed changes to the cooling water intake, as identified in Table 3.1 of the Scoping Report addendum. The SoS expects that potential impacts as a result of such changes are fully assessed in the ES. This comment applies equally to the marine environment ES chapter.
- 3.81 The SoS welcomes that the Applicant is in discussion with NRW about this assessment, including agreeing the key waves and currents scenarios that will be modelled in order to inform the assessment. The ES should detail the models that have been used and the input parameters applied. The SoS notes that NRW has concerns regarding the proposed 5km study area and advises that this is discussed and resolved between the two parties.
- 3.82 It is welcomed that the thermal characteristics of the hydrodynamic modelling will be covered in the marine environment chapter of the ES. This should be cross-referenced from the coastal processes ES topic chapter.

The Marine Environment (Scoping Report addendum Chapter 16)

- 3.83 The SoS notes the Applicant's response (paragraph 16.1.5) to NRW's comment, as reflected in Appendix B, about the lack of availability of quantitative baseline data in relation to marine mammals. Any limitations to the collection of quantitative data to inform the assessment of likely environmental effects on marine mammals should be described in this ES topic chapter.
- 3.84 The SoS advises that cross-reference should be made from this ES topic chapter to the terrestrial and freshwater ecology ES chapter in relation to the potential impacts of the new breakwaters on fish species, including eels.
- 3.85 The ES should assess impacts on all species of seabirds and waterbirds that are features of SSSIs, not just SPAs.

Archaeology and Cultural Heritage (Scoping Report addendum Chapter 17)

- 3.86 Paragraph 6 of Chapter 17 of the Scoping Report identifies the study area for terrestrial archaeology, historic buildings and the historic landscape at the power station site and an area extending 6km from that (understood to mean from the centre point of the existing power station, according to the 2016 Scoping Report). The SoS suggests that the Applicant considers whether it may be helpful to specify a study area extending from, for example, the boundary of the proposed power station site. This comment applies equally to the study areas specified in Section 17.2.1 for the proposed associated development.

- 3.87 Table 17.2 of the Scoping Report addendum provides a summary of the archaeological baseline information for the study area. The study area has not been clearly defined and it is therefore unclear whether the features identified are within or outside the application site and they have not been identified on the constraints plans. The locations of all features described within the ES should be easily identifiable.
- 3.88 The Applicant's attention is drawn to the comments of the IACC regarding the availability of new baseline information on land identified for Off-site Power Station Facilities at Llanfaethlu which shows significant archaeological potential in the southern part of the proposed development area. This information should be taken into account in undertaking the assessment.
- 3.89 Section 17.1 of the Scoping Report states that the proposed raising of platform and crane heights may affect the setting of 'some of the heritage assets'. This would apply to assets previously identified in the 2016 Scoping Report. The SoS advises that consideration should be given to whether impacts on any additional heritage assets not previously identified may need to be included in the assessment as a result of the proposed changes. The Applicant's attention is drawn to the comments of the IACC regarding the effects on the setting of assets across the entirety of the Proposed Development.
- 3.90 It is stated that professional judgement has been used to identify designated heritage assets for inclusion in the baseline that are outside the study areas for the associated development, but for which it is considered that their setting may be affected by the Proposed Development. The ES should include an explanation of the qualitative approach taken to identifying features for inclusion in the assessment that fall outside the defined study areas.
- 3.91 Table 17.2 characterises the baseline for the logistics centre study area. However, it is not clear on what this information is based, as Table 17.1 suggests that, other than site walkovers currently being undertaken, surveys and archaeological investigations will not be undertaken to inform the EIA, but will be undertaken prior to or during the construction phase. It is not explained why this approach is proposed, particularly when Section 17.2.2 identifies potential impacts of the logistics centre on historic assets. The approach also differs to that taken to the assessments for the park and ride facility and the A5025 off-line highways improvements. The Applicant must ensure that the research undertaken to establish the baseline is sufficient to allow a comprehensive assessment.
- 3.92 It is stated that temporary effects during construction on the settings of archaeological remains and historic buildings would be mitigated by adherence to good practice measures designed to reduce noise during construction such as, for example, noise barriers and use of low noise equipment. The Applicant should ensure that these measures are specified in the ES and secured in the DCO.

- 3.93 Section 17.2.2 states that the layout of the logistics centre would be designed to minimise the intrusion of its buildings on the setting of the identified heritage assets. The SoS would expect the ES to identify the design features of the centre proposed to mitigate its effects.
- 3.94 In relation to the A5025 off-line highways improvements, paragraph 20 of this topic chapter states that neither the construction activities nor the operational road would be visible within the 'Significant Views' of the Carreglwyd Grade II* Registered Park and Garden, and that currently no significant effect is predicted during construction or operation. The area that would be encompassed within 'Significant Views' is not explained, nor the conclusion on potential effects justified. The SoS would expect such information to be provided in the ES.
- 3.95 The SoS welcomes that that the Applicant has confirmed that mitigation measures for potential effects on marine archaeological remains, as a result of construction activities associated with the breakwater and MOLF, will be identified and assessed within the ES.
- 3.96 The SoS notes that during operation of the A5025 off-line highways improvements, landscape screening is proposed to mitigate potential visual effects on the setting of archaeological remains and historic buildings. Any proposed archaeological/historic asset mitigation measures should be cross-referenced to relevant landscape and visual mitigation measures, such as, for example, the LEMP. The inter-relationships between the landscape and visual and the archaeology and cultural heritage assessments should be considered in the ES.

Socio-Economics (Scoping Report addendum Chapter 18)

- 3.97 The Scoping Report addendum confirms that the socio-economic assessment will 'predominantly' be undertaken on a project-wide basis. It is not clear what is meant by the statement that it will be complemented by 'a series of individual development chapters to focus on local issues and receptors as appropriate', and that does not appear to reflect the ES structure described in Section 1.4. The approach that is taken to the socio-economic assessment must be clearly set out in the ES, so that it is apparent that all potential significant effects have been assessed.
- 3.98 The description of the potential effects provided in Section 18.2.2 makes very limited reference to potential effects on tourism although a number of tourism-related receptors are identified in Table 18.1. The SoS would expect potential effects on tourism to be identified and assessed in the ES.
- 3.99 The SoS notes that that the CoCP and construction and operational EMPs may contain mitigation measures relevant to the potential socio-economic effects of the associated development. The ES should

cross-reference to the specific provisions in those documents proposed as mitigation measures and they should be secured in the DCO.

- 3.100 The minimising of landtake and provision of alternative access arrangements are also identified as potential mitigation, although no further information is provided in relation to these measures. The SoS would expect details of how these would be achieved, and the identification of any alternative access routes and their locations, to be provided in the ES.
- 3.101 The Applicant's attention is drawn to the comments of the IACC regarding the socio-economic assessment.

Public Access and Recreation (Scoping Report addendum Chapter 19)

- 3.102 The SoS acknowledges the Applicant's response to the SoS's comments made in the 2016 Scoping Opinion about the consideration of potential impacts on the Wales Coastal Path and reiterates the importance of consulting with NRW and IACC on this matter.
- 3.103 The study area for the assessment of potential effects of the logistics centre is not specified within this topic chapter, other than a statement in relation to the consideration of PRoW within 2km of the 'development areas for the Logistics Centre'. It is unclear what area is covered by the 'development areas' and no justification is provided for selecting a 2km study area. The SoS expects the study area(s) to be clearly identified, be fully justified and encompass all potential receptors affected by the Proposed Development.
- 3.104 The SoS considers that the ES should include an assessment of the potential effects of the accommodation campus on the coastal footpath (see comments of the IACC).
- 3.105 The Applicant considers that there is only limited potential for long term operational effects on bus travellers to occur, and, likewise, only limited potential for significant changes to views from the road. The SoS considers such impacts are unlikely to be significant due to the nature of the receptors and the duration of the impacts and therefore agrees that this can be scoped out.
- 3.106 The SoS notes the concerns from Llanbadrig Community Council and Amlwch Town Council of the impact on tourism accommodation (including caravan and bed & breakfast facilities); this should be considered as part of the assessment in the ES.

Traffic and Transport (Scoping Report addendum Chapter 20)

- 3.107 The SoS notes that the traffic and transport assessment described in the 2016 Scoping Report provided a project wide scope and methodology and that there are therefore no proposed changes within the Scoping Report addendum. The SoS therefore has no

comments on the scope of the assessment further to that of the 2016 Scoping Opinion.

- 3.108 The SoS notes the Applicant's confirmation, in response to the 2016 Scoping Opinion, that the ES would describe the number of road-based deliveries that shipping would negate, based on a worst case scenario. The Applicant should ensure that where deliveries by sea are being relied upon within the assessment, that they are appropriately secured. The Applicant should consider carefully if this option can be guaranteed and if not, the assessment of road traffic impacts should be undertaken on a worst case scenario basis whereby deliveries by sea do not occur.
- 3.109 The Applicant's attention is drawn to the comments of the Welsh Government, including the need for a capacity analysis of the affected trunk road network and the need to provide analysis before the MOLF becomes operational.

Waste and Materials (Scoping Report addendum Chapter 21)

- 3.110 The SoS welcomes that a dedicated chapter within the ES is now proposed to consider conventional waste and materials on a project-wide basis.
- 3.111 The Scoping Report addendum states that the volumes of waste and materials arising from the Wylfa Newydd Power Station are being developed and will be reported in the ES. The ES should explain the assumptions made in the quantification process. Similar information should be provided for the associated development (including the on-site campus) and any other authorised works out with the power station.
- 3.112 The Scoping Report addendum notes that the majority of materials arising (dredging spoil and soils and rock from bulk earthworks, deep excavations and tunnelling) will be re-used. The ES should identify the quantities of material that is intended to be re-used.
- 3.113 Given the large scale of the on-site accommodation campus, the ES should include consideration of the waste generated from its operation.
- 3.114 The SoS notes that a Site Waste Management Plan (SWMP) would be prepared before construction work commences, as a requirement of the DCO. The SoS suggests a draft version of the SWMP is provided with the application documents.
- 3.115 The SoS acknowledges that there is no specific guidance for the assessment of waste and materials and notes the Applicant's proposed methodology. The Applicant should ensure this is clearly set out within the ES. It is noted that the Scoping Report addendum provides criteria for determining sensitivity and the magnitude of change. It also states that professional judgement will be applied to

determine the likely significance of effects through comparing these two criterion. In the absence of a significance matrix approach, the Applicant should ensure that in applying professional judgement, the conclusions of significance reached are clearly explained and justified.

- 3.116 The Applicant's attention is drawn to the comments of NRW and the IACC regarding waste and materials.

Cumulative Effects (Scoping Report addendum Chapter 22)

- 3.117 The SoS acknowledges that the inclusion of associated development within the DCO effectively reduces the scope of the cumulative effects assessment. However, the SoS notes there are still some developments for the overarching Wylfa Newydd Project to be consented via the TCPA process. The SoS welcomes that these projects to be considered within the inter-projects effects assessment.
- 3.118 The SoS welcomes that the Applicant is consulting with relevant stakeholders on the list of reasonably foreseeable future projects.

4 OTHER INFORMATION

- 4.1 This section does not form part of the SoS's Opinion as to the information to be provided in the ES. However, it does respond to other issues that the SoS has identified which may help to inform the preparation of the application for the DCO.

Habitats Regulations Assessment (HRA)

- 4.2 The SoS notes that European sites⁵ could be potentially affected by the Proposed Development. The Habitats Regulations require competent authorities, before granting consent for a plan or project, to carry out an appropriate assessment (AA) in circumstances where the plan or project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects). Applicants should note that the competent authority in respect of NSIPs is the relevant SoS. It is the Applicant's responsibility to provide sufficient information to the competent authority to enable them to carry out an AA or determine whether an AA is required.
- 4.3 The Applicant's attention is drawn to Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) ('the APFP Regulations') and the need to include with the DCO application a report identifying European sites to which the Habitats Regulations applies and Ramsar sites, which may be affected by the Proposed Development.
- 4.4 The report to be submitted under Regulation 5(2)(g) of the APFP Regulations with the application must deal with two issues: the first is to enable a formal assessment by the competent authority of whether there is a likely significant effect; and the second, should it be required, is to enable the carrying out of an AA by the competent authority.
- 4.5 The Applicant's attention is also drawn to UK Government policy⁶, which states that the following sites should be given the same protection as European sites: possible SACs (pSACs); potential SPAs (pSPAs); and (in England) proposed Ramsar sites and sites identified, or required, as compensatory measures for adverse effects on any of the above sites. Therefore, Applicants should also consider the need to provide information on such sites where they may be affected by the Proposed Development.

⁵ The term 'European sites' in this context includes Sites of Community Importance (SCIs), Special Areas of Conservation (SACs) and candidate SACs, Special Protection Areas (SPAs), possible SACs, potential SPAs, Ramsar sites, proposed Ramsar sites, and any sites identified as compensatory measures for adverse effects on any of the above. For a full description of the designations to which the Habitats Regulations apply, and/or are applied as a matter of Government policy, see the Planning Inspectorate's Advice Note ten

⁶ In England, the NPPF paragraph 118. In Wales, TAN5 paragraphs 5.2.2 and 5.2.3.

- 4.6 Further information on the HRA process is contained within Planning Inspectorate's Advice Note ten 'Habitat Regulations Assessment relevant to nationally significant infrastructure projects', available on our website. It is recommended that Applicants follow the advice contained within this advice note.

Sites of Special Scientific Interest (SSSIs)

- 4.7 The SoS notes that a number of SSSIs are located close to or within the Proposed Development. Where there may be potential impacts on the SSSIs, the SoS has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.
- 4.8 Under s28(G), the SoS has a general duty '... to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest'.
- 4.9 Under s28(I), the SoS must notify the relevant nature conservation body (NCB), NRW in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the SoS must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the Examination period.
- 4.10 If Applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the SoS. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(I) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

European Protected Species (EPS)

- 4.11 Applicants should be aware that the decision maker under the PA2008 has, as the competent authority (CA), a duty to engage with the Habitats Directive. Where a potential risk to a European Protected Species (EPS) is identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests in Regulation 53 of the Habitats Regulations. Therefore the Applicant may wish to provide information which will assist the decision maker to meet this duty.

- 4.12 If an Applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the Applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.
- 4.13 Applicants are encouraged to consult with NRW and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the Examination if Applicants could provide, with the application documents, confirmation from NRW whether any issues have been identified which would prevent the EPS licence being granted.
- 4.14 Generally, NRW are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NRW will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NRW will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NRW consider the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The Applicant is responsible for ensuring draft licence applications are satisfactory for the purposes of informing formal Pre-application assessment by NRW.
- 4.15 Ecological conditions on the site may change over time. It will be the Applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals. Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals.
- 4.16 In Wales, the focus is on evidencing the demonstration of no detriment to the maintenance of favourable conservation status (FCS) of the population or colony of EPS potentially affected by the proposals. This approach will help to ensure no delay in issuing the licence should the DCO application be successful. Applicants with projects in England (including activities undertaken landward of the mean low water mark) can find further information in Advice Note eleven, Annex C⁷.

⁷ Advice Note eleven, Annex C – Natural England and the Planning Inspectorate available from: http://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/10/PINS-Advice-Note-11_AnnexC_20150928.pdf

- 4.17 In Wales, assistance may be obtained from NRW's Species Teams. These Teams provide advice on a range of issues concerning EPS including advice on compensation site design, measures to mitigate incidental capture/killing, evidencing compliance and post project surveillance. The service is free of charge and entirely voluntary. Species Teams can be contacted via NRW's Enquiry Service⁸.

Other Regulatory Regimes

- 4.18 The SoS recommends that the Applicant should state clearly what regulatory areas are addressed in the ES and that the Applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the Proposed Development which may be regulated by other statutory regimes have been properly taken into account in the ES.
- 4.19 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA2008, the SoS will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The Applicant is encouraged to make early contact with other regulators. Information from the Applicant about progress in obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the SoS.

Water Framework Directive (WFD)

- 4.20 EU Directive 2000/60/EC ('the Water Framework Directive') establishes a framework for the protection of inland surface waters (rivers and lakes), transitional waters (estuaries), coastal waters and groundwater. Under the terms of the Directive, Member States are required to establish river basin districts and corresponding river basin management plans outlining how the environmental objectives outlined in Article 4 of the Directive are to be met.
- 4.21 In determining an application for a DCO, the SoS must be satisfied that the Applicant has had regard to relevant river basin management plans and that the Proposed Development is compliant with the terms of the WFD and its daughter directives. In this respect, the Applicant's attention is drawn to Regulation 5(2)(I) of the APFP Regulations which requires an application for an NSIP to be accompanied by:

⁸ Further information is available from: <http://naturalresources.wales/apply-and-buy/protected-species-licensing/european-protected-species-licensing/?lang=en>

'where applicable, a plan with accompanying information identifying.....(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development'.

- 4.22 In particular, any WFD assessment should, as a minimum, include:
- the risk of deterioration of any water body quality element to a lower status class;
 - support for measures to achieve 'good' status (or potential) for water bodies;
 - how the application does not hinder or preclude implementation of measures in the river basin management plan to improve a surface water body or groundwater (or propose acceptable alternatives to meet river basin management plan requirements); and
 - the risk of harming any protected area.
- 4.23 The Applicant's attention is drawn to the comments of NRW in relation to the WFD.

The Environmental Permitting Regulations and the Water Resources Act

Environmental Permitting Regulations 2010

- 4.24 The Environmental Permitting Regulations (England and Wales) Regulations 2016 require operators of certain facilities, which could harm the environment or human health, to obtain permits from NRW. Environmental permits can combine several activities into one permit. There are standard permits supported by 'rules' for straightforward situations and bespoke permits for complex situations. For further information, please see the Government's advice on determining the need for an environmental permit⁹.
- 4.25 NRW's environmental permits cover:
- industry regulation;
 - waste management (waste treatment, recovery or disposal operations);
 - discharges to surface water;
 - groundwater activities;
 - radioactive substances activities; and
 - flood risk activities (eg. works in, under, over or near a main river (including where the river is in a culvert); on or near a flood

⁹ Available from: <https://www.gov.uk/environmental-permit-check-if-you-need-one>

defence on a main river; in the flood plain of a main river; or on or near a sea defence).

4.26 Characteristics of environmental permits include:

- they are granted to operators (not to land);
- they can be revoked or varied by the EA;
- operators are subject to tests of competence;
- operators may apply to transfer environmental permits to another operator (subject to a test of competence); and
- conditions may be attached.

The Water Resources Act 1991

4.27 Under the Water Resources Act 1991 (as amended), anyone who wishes to abstract more than 20m³/day of water from a surface source such as a river or stream or an underground source, such as an aquifer, will normally require an abstraction licence from the EA. For example, an abstraction licence may be required to abstract water for use in cooling at a power station. An impoundment licence is usually needed to impede the flow of water, such as in the creation of a reservoir or dam, or construction of a fish pass.

4.28 Abstraction licences and impoundment licences are commonly referred to as 'water resources licences'. They are required to ensure that there is no detrimental impact on existing abstractors or the environment.

4.29 Characteristics of water resources licences include:

- they are granted to licence holders (not to land);
- they can be revoked or varied;
- they can be transferred to another licence holder; and
- in the case of abstraction licences, they are time limited.

4.30 For further information, please see the EA's guidance.¹⁰

Role of the Applicant

4.31 It is the responsibility of Applicants to identify whether an environmental permit and / or water resources licence is required from the EA before an NSIP can be constructed or operated. Failure to obtain the appropriate consent(s) is an offence.

4.32 The EA allocates a limited amount of Pre-application advice for environmental permits and water resources licences free of charge.

¹⁰ Available from: <https://www.gov.uk/government/publications/water-abstraction-application-for-a-water-resources-licence>

Further advice can be provided, but this will be subject to cost recovery.

- 4.33 The EA encourages Applicants to engage with them early in relation to the requirements of the application process. Where a project is complex or novel, or requires a HRA, Applicants are encouraged to “parallel track” their applications to the EA with their DCO applications to the Planning Inspectorate. Further information on the EA’s role in the infrastructure planning process is available in Annex D of the Planning Inspectorate’s Advice Note eleven (working with public bodies in the infrastructure planning process)¹¹
- 4.34 When considering the timetable to submit their applications, Applicants should bear in mind that the EA will not be in a position to provide a detailed view on the Proposed Development until it issues its draft decision for public consultation (for sites of high public interest) or its final decision. Therefore the Applicant should ideally submit its application sufficiently early so that the EA is at this point in the determination by the time the DCO reaches Examination.
- 4.35 It is also in the interests of an applicant to ensure that any specific requirements arising from their permit or licence are capable of being carried out under the works permitted by the DCO. Otherwise there is a risk that requirements could conflict with the works which have been authorised by the DCO (e.g. a stack of greater height than that authorised by the DCO could be required) and render the DCO impossible to implement.

Health Impact Assessment

- 4.36 The SoS considers that it is a matter for the Applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the Applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from the Health and Safety Executive and Public Health England in relation to electrical safety issues (see Appendix 3).
- 4.37 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Transboundary Impacts

- 4.38 Regulation 24 of the EIA Regulations 2009, which inter alia require the SoS to publicise a DCO application if the SoS is of the view that the Proposed Development is likely to have significant effects on the environment of another EEA state and where relevant to consult with

¹¹ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

the EEA state affected. The SoS considers that where Regulation 24 applies, this is likely to have implications for the Examination of a DCO application.

- 4.39 The Applicant's 2016 Scoping Report acknowledged the potential for transboundary impacts. The SoS has since notified both France and Ireland of the Proposed Development under Regulation 24 of the EIA Regulations 2009. In response, France confirmed it did not wish to participate in the EIA procedure, however wished to be kept informed about the project. Ireland confirmed that it wishes to participate in the EIA procedure.
- 4.40 Notwithstanding the above, Regulation 24 of the EIA Regulations 2009 places an ongoing duty on the SoS to consider potential transboundary effects.
- 4.41 The SoS recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.
- 4.42 The ES will also need to address this matter in each topic area and summarise the position on trans-boundary effects of the Proposed Development, taking into account inter-relationships between any impacts in each topic area.

APPENDIX 1 – PRESENTATION OF THE ENVIRONMENTAL STATEMENT

A1.1 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) (APFP Regulations) sets out the information which must be provided for an application for a Development Consent Order (DCO for nationally significant infrastructure under the Planning Act 2008 (as amended) (PA2008)). Where required, this includes an Environmental Statement (ES). Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

A1.2 An ES is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations 2009) as a statement:

- *that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but that includes at least the information required in Part 2 of Schedule 4.*

(EIA Regulations 2009, Regulation 2)

A1.3 The purpose of an ES is to ensure that the environmental effects of a Proposed Development are fully considered, together with the economic or social benefits of the development, before the development consent application under the PA2008 is determined. The ES should be an aid to decision making.

A1.4 The Secretary of State (SoS) advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the Proposed Development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The SoS recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

A1.5 The SoS emphasises that the ES should be a 'stand-alone' document in line with best practice and case law. Schedule 4, Parts 1 and 2 of the EIA Regulations 2009 set out the information for inclusion in ES.

A1.6 Schedule 4 Part 1 of the EIA Regulations 2009 states this information includes:

17. Description of the development, including in particular—

- *a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;*
- *a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
- *an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.*

18. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects.

19. A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.

20. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- *the existence of the development;*
- *the use of natural resources;*

the emission of pollutants, the creation of nuisances and the elimination of waste,

and the description by the applicant of the forecasting methods used to assess the effects on the environment.

21. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

22. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.

23. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

(EIA Regulations 2009, Schedule 4 Part 1)

A1.7 The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations 2009. This includes the consideration of 'the main alternatives studied by the applicant' which the SoS recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:

24. A description of the development comprising information on the site, design and size of the development

25. A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects

26. The data required to identify and assess the main effects which the development is likely to have on the environment

27. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and

28. A non-technical summary of the information provided [under the four paragraphs of Schedule 4 part 2 above].

(EIA Regulations 2009, Schedule 4 Part 2)

A1.8 Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the SoS considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

A1.9 The SoS recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The SoS considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

Scheme Proposals

A1.10 The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The SoS is not able to entertain material

changes to a project once an application is submitted. The SoS draws the attention of the Applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.

Flexibility

- A1.11 The SoS acknowledges that the Environmental Impact Assessment (EIA) process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.
- A1.12 It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations 2009.
- A1.13 The Rochdale Envelope principle (*see R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The Applicant's attention is drawn to the Planning Inspectorate's Advice Note Nine 'Rochdale Envelope' which is available on our website.
- A1.14 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the Applicant should assess the maximum potential adverse impacts the Proposed Development could have to ensure that the Proposed Development, as it may be constructed, has been properly assessed.
- A1.15 The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the Proposed Development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the structures and of any buildings. Lighting proposals should also be described.

Scope

- A1.16 The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional

guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

Physical Scope

A1.17 In general the SoS recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered;
- the relevance in terms of the specialist topic;
- the breadth of the topic;
- the physical extent of any surveys or the study area; and
- the potential significant impacts.

A1.18 The SoS recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

Breadth of the Topic Area

A1.19 The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

Temporal Scope

A1.20 The assessment should consider:

- environmental impacts during construction works;
- environmental impacts on completion/ operation of the proposed development;
- where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals); and

- environmental impacts during decommissioning.

A1.21 In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to re-use materials and to restore the site or put it to a suitable new use. The SoS encourages consideration of such matters in the ES.

A1.22 The SoS recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

A1.23 The SoS recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.

Baseline

A1.24 The SoS recommends that the baseline should describe the position from which the impacts of the Proposed Development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

A1.25 The SoS recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

A1.26 For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed with the relevant statutory bodies and appropriate consultees, wherever possible.

A1.27 The baseline situation and the Proposed Development should be described within the context of the site and any other proposals in the vicinity.

Identification of Impacts and Method Statement

Legislation and Guidelines

A1.28 In terms of the EIA methodology, the SoS recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the

assessment. This should include guidelines prepared by relevant professional bodies.

A1.29 In terms of other regulatory regimes, the SoS recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

A1.30 In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

A1.31 The EIA Regulations 2009 require the identification of the '*likely significant effects of the development on the environment*' (Schedule 4 Part 1 Paragraph 20).

A1.32 As a matter of principle, the SoS applies the precautionary approach to follow the Court's reasoning in judging 'significant effects'. In other words 'likely to affect' will be taken as meaning that there is a probability or risk that the Proposed Development will have an effect, and not that a development will definitely have an effect.

A1.33 The SoS considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The SoS recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The SoS considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

A1.34 The SoS recognises that the way in which each element of the environment may be affected by the Proposed Development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The SoS recommends that a common format should be applied where possible.

Inter-relationships between environmental factors

A1.35 The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations 2009 (see Schedule 4 Part 1 of the EIA Regulations 2009). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

A1.36 The SoS considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the

proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the Proposed Development. This is particularly important when considering impacts in terms of any permutations or parameters to the Proposed Development.

Cumulative Impacts

A1.37 The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities. Applicants should refer to Planning Inspectorate Advice Note 17 Cumulative Effects Assessment for further guidance on the Inspectorate's recommended approach to cumulative effects assessment.

A1.38 Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment will be crucial in this regard.

A1.39 For the purposes of identifying any cumulative effects with other developments in the area, Applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on transboundary effects below).

Related Development

A1.40 The ES should give equal prominence to any development which is related with the Proposed Development to ensure that all the impacts of the proposal are assessed.

A1.41 The SoS recommends that the Applicant should distinguish between the Proposed Development for which development consent will be sought and any other development. This distinction should be clear in the ES.

Alternatives

A1.42 The ES must set out an outline of the main alternatives studied by the Applicant and provide an indication of the main reasons for the Applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

A1.43 Matters should be included, such as inter alia alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

A1.44 The SoS advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the Development Proposed and the sites chosen.

Mitigation Measures

A1.45 Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 Paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

A1.46 The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

A1.47 It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft DCO. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

A1.48 The SoS advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

Cross References and Interactions

A1.49 The SoS recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

A1.50 As set out in EIA Regulations 2009 Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the Applicant in compiling the required information.

Consultation

A1.51 The SoS recommends that ongoing consultation is maintained with relevant stakeholders and that any specific areas of agreement or disagreement regarding the content or approach to assessment should be documented. The SoS recommends that any changes to

the scheme design in response to consultation should be addressed in the ES.

A1.52 Consultation with the local community should be carried out in accordance with the SoCC which will state how the Applicant intends to consult on the Preliminary Environmental Information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with Section 47 of the PA2008, this could usefully assist the Applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon Applicants under Section 50 of the PA2008 to have regard to the guidance on Pre-application consultation.

Transboundary Effects

A1.53 The SoS recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the SoS recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

A1.54 The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note twelve 'Development with significant transboundary impacts consultation' which is available on our website¹².

Summary Tables

A1.55 The SoS recommends that in order to assist the decision making process, the Applicant may wish to consider the use of tables:

Table X: to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

Table XX: to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

Table XXX: to set out the mitigation measures proposed, as well as assisting the reader, the SoS considers that this would also enable the Applicant to cross refer mitigation to specific provisions proposed to be included within the draft DCO.

Table XXXX: to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together

¹² Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

with any mitigation or compensation measures, are to be found in the ES.

Terminology and Glossary of Technical Terms

A1.56 The SoS recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site. A glossary of technical terms should be included in the ES.

Presentation

A1.57 The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

Confidential Information

A1.58 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Planning Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

Bibliography

A1.59 A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

Non-Technical Summary

A1.60 The EIA Regulations 2009 require a Non-Technical Summary (EIA Regulations 2009 Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

APPENDIX 2 – LIST OF CONSULTATION BODIES FORMALLY CONSULTED

Note: the prescribed Consultees Bodies have been consulted in accordance with the Planning Inspectorate’s Advice Note three ‘EIA Consultation and Notification’ (version 6, June 2015)¹³.

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Welsh Ministers	Welsh Government
The Welsh Ministers	Welsh Government
The Health and Safety Executive	Health and Safety Executive
The relevant fire and rescue authority	North Wales Fire Service
The relevant police and crime commissioner	Office of the Police and Crime Commissioner North Wales
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Llanbadrig Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Cylch-y-Garn Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Mechell Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Llanfaethlu Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Amlwch Community Council

¹³ Available from: <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Rhosybol Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Tref Alaw Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Llanfaelog Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Rhoscolyn Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Trearddur Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Holyhead Town Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Llanfair-yn-Neubwll Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Valley Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Bodedern Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Bryngwran Community Council

The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Bodffordd Community Council
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Llanfachraeth Community Council
The Equality and Human Rights Commission	Equality and Human Rights Commission
Royal Commission On Ancient and Historical Monuments Of Wales	Royal Commission On Ancient and Historical Monuments Of Wales
The Natural Resources Body for Wales	Natural Resources Wales
The Homes and Communities Agency	The Homes and Communities Agency
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - Holyhead Coastguard operations centre
The Marine Management Organisation	Natural Resources Wales
The Scottish Fisheries Protection Agency	Marine Scotland Conservation
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Highways and Transportation Service Isle of Angelsey County Council
The Passengers Council	Transport Focus
The Disabled Persons Transport Advisory Committee	Disabled Persons Transport Advisory Committee
Office of Rail and Road	Office of Rail and Road
Approved Operator	Network Rail Infrastructure Ltd

The Gas and Electricity Markets Authority	Ofgem
The Water Services Regulation Authority	Ofwat
The relevant waste regulation authority	Natural Resources Wales
Trinity House	Trinity House
Public Health England, an executive agency of the Department of Health	Public Health England
The relevant local resilience forum	North Wales Resilience Forum Secretariat
The Crown Estate Commissioners	The Crown Estate
The Natural Resources Body for Wales	Natural Resources Wales
The relevant local health board	Betsi Cadwaladr University Health Board
The National Health Service Trusts	Health Protection Team Public Health Wales
The National Health Service Trusts	Welsh Ambulance Services Trust
The National Health Service Trusts	Velindre NHS Trust
The Office for Nuclear Regulation (the ONR)	The Office for Nuclear Regulation (the ONR)

RELEVANT STATUTORY UNDERTAKERS	
The relevant NHS Trust	Health Protection Team Public Health Wales
The relevant NHS Trust	Welsh Ambulance Services Trust
The relevant NHS Trust	Velindre NHS Trust
The relevant local health board	Betsi Cadwaladr University Health Board
Railways	Network Rail Infrastructure Ltd

RELEVANT STATUTORY UNDERTAKERS	
Railways	Highways England Historical Railways Estate
Dock and Harbour authority	Amlwch Harbour
Dock and Harbour authority	Holyhead Port
Lighthouse	Trinity House
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
The relevant Environment Agency	Natural Resources Wales
The relevant water and sewage undertaker	Dwr Cymru (Welsh Water)
The relevant public gas transporter	Energetics Gas Limited
The relevant public gas transporter	Energy Assets Pipelines Limited
The relevant public gas transporter	ES Pipelines Ltd
The relevant public gas transporter	ESP Connections Ltd
The relevant public gas transporter	ESP Networks Ltd
The relevant public gas transporter	ESP Pipelines Ltd
The relevant public gas transporter	Fulcrum Pipelines Limited
The relevant public gas transporter	GTC Pipelines Limited
The relevant public gas transporter	Independent Pipelines Limited
The relevant public gas transporter	Indigo Pipelines Limited

RELEVANT STATUTORY UNDERTAKERS	
The relevant public gas transporter	Quadrant Pipelines Limited
The relevant public gas transporter	National Grid Gas Plc
The relevant public gas transporter	National Grid Gas Plc
The relevant public gas transporter	National Grid Gas Distribution Limited
The relevant public gas transporter	Scotland Gas Networks Plc
The relevant public gas transporter	Southern Gas Networks Plc
The relevant public gas transporter	Wales and West Utilities Ltd
The relevant electricity generator with CPO Powers	Horizon Nuclear Power Wylfa Limited
The relevant electricity distributor with CPO Powers	Energetics Electricity Limited
The relevant electricity distributor with CPO Powers	ESP Electricity Limited
The relevant electricity distributor with CPO Powers	G2 Energy IDNO Limited
The relevant electricity distributor with CPO Powers	Harlaxton Energy Networks Limited
The relevant electricity distributor with CPO Powers	Independent Power Networks Limited
The relevant electricity distributor with CPO Powers	Peel Electricity Networks Limited
The relevant electricity distributor with CPO Powers	The Electricity Network Company Limited
The relevant electricity distributor with CPO Powers	UK Power Distribution Limited
The relevant electricity distributor with CPO Powers	Utility Assets Limited

RELEVANT STATUTORY UNDERTAKERS	
The relevant electricity distributor with CPO Powers	SP Manweb Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc

SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(B))
Isle of Anglesey County Council

NON-STATUTORY CONSULTEES
Cadw
Welsh Language Commissioner
Ministry of Defence
Royal National Lifeboat Institution

APPENDIX 3 – RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

List of bodies who replied by the statutory deadline:

Amlwch Town Council
Health and Safety Executive
Isle of Anglesey County Council
Llanbadrig Community Council
Ministry of Defence
NATS
National Grid
Natural Resources Wales
Office for Nuclear Regulation
Public Health England
Royal Mail
Trinity House
Welsh Government

From: swyddfa@cyngortrefamlwch.co.uk [mailto:swyddfa@cyngortrefamlwch.co.uk]
Sent: 01 June 2017 14:30
To: Wylfa Newydd
Subject: FAO Hannah Pratt

Good afternoon

Amlwch Town Council believes it is a consultation body as defined in the EIA Regulations.

Amlwch Town Council believes the following information should be provided in the environmental statement:

- the impact of temporary accommodation being provided on site for up to 4000 workers up[on the adjacent community of Llanbadrig which has a population of circa 1200.
- the impact of workers travelling direct to Wylfa from locations nearer to Wylfa than the park and ride facility
- the impact upon traffic on the a5025 between Wylfa and Amlwch (where no improvements are proposed) and the minor road between Tregel and Llanfechell which is already being used as a rat run.
- the impact of light pollution, noise, dust and emissions from plant especially powered by diesel engines.
- Amlwch Town Council are concerned about the impact of the project on tourism and in particular caravan sites and B&B facilities. Why not develop the Rhosgoch Site as a caravan park to alleviate pressures?

Carli Evans Thau
Clerk, Amlwch Town Council

From: Dave.Adams2@hse.gov.uk [mailto:Dave.Adams2@hse.gov.uk]
Sent: 05 May 2017 11:40
To: Wylfa Newydd
Subject: RE: Wylfa Newydd Project - scoping consultation

Dear Hannah,

Thank you. My email would have been better worded to say that HSE will not respond in this instance, as outside our vires. I appreciate that there is a Statutory obligation to contact HSE for all NSIPs.

Kind regards,

Dave Adams

Dave Adams

Dave.MHPD.Adams

Land Use Planning Policy, Chemicals, Explosives & Microbiological Hazards Division, Health and Safety Executive.

Desk 76, 2.2, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS

+44 (0) 20 3028 3408 dave.mhpd.adams@hse.gov.uk

Please note that my phone number has changed



[2]

HSE is engaging with stakeholders to shape a new strategy for occupational safety and health in Great Britain [Find out more](#)^[3] and join the conversation #HelpGBWorkWell

www.hse.gov.uk | <http://hse.gov.uk/landuseplanning>



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

IACC Response to Scoping
Addendum Request: Horizon
Nuclear Power. Wylfa Newydd

 ioacc

 @angleseycouncil



June 2017

www.ynysmon.gov.uk

www.anglesey.gov.uk



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Document Version

No.	Details	Date
1	Draft report	30 May 2017
2	Final report	2 June 2017

Contents

1.	Introduction	1
1.2	Consultation	1
2	Regulatory and Policy Background	2
2.1	Legislation, Policy and Guidance	2
2.2	National Policy Statements	2
2.3	UK, Wales and Local Policies	2
2.4	Other Legislative Requirements	3
3	Comments on Project Description	4
3.1	Description of the Proposed Development	4
3.2	Associated Development	4
4	Alternatives	6
5	Consultation	7
5.2	Scoping Process – Power Station Site	7
5.3	Scoping Process – Associated Development	7
5.4	Approach to EIA	8
6	Topic Areas	9
6.1	Air Quality	9
6.2	Noise & Vibration	11
6.3	Seascape, Landscape and Visual Amenity	12
6.4	Terrestrial and Freshwater Ecology	15
6.5	Radiological issues	16
6.6	Soils and Geology	16
6.7	Surface Water and Groundwater	16
6.8	Coastal Processes and Coastal Morphology	17
6.9	The Marine Environment	17
6.10	Archaeology and Cultural Heritage	17
6.11	Socio-economics	19

6.12	Public Access and Recreation	20
6.13	Traffic and Transport	20
6.14	Waste and Minerals	20
6.15	Cumulative effects	22
7	Conclusion	23

I. Introduction

- 1.1.1.1 On the 4 May 2017 the Secretary of State received an addendum to the Scoping Report previously submitted by Horizon Nuclear Power Ltd (HNP, or the applicant).
- 1.1.1.2 The purpose of the addendum is to update the 2016 Scoping Report to reflect the revised proposals arising from the optimisation process, as well as to provide additional Environmental Impact Assessment (EIA) scoping information for the Associated Development now proposed to be included as part of the application for development consent. HNP is clear that the purpose of the addendum is not to replace the 2016 Scoping Report and that both documents should be read together.
- 1.1.1.3 This document has been prepared in response to the Secretary of State's consultation on the addendum. Comments made should be read in conjunction with the Council's consultation response to the Scoping Report of April 2016.
- 1.1.1.4 The Isle of Anglesey County Council (the Council) will not be precluded from requesting additional information in its consideration of local impacts if the nature of the development, baseline conditions, legislation or guidance as set out within the Scoping Report or the addendum change prior to the submission of the application for a development consent order (DCO).

I.2 Consultation

- 1.2.1.1 The Council has undertaken internal consultation with relevant officers when compiling this response. External consultation has been restricted to the Gwynedd Archaeological Trust, as archaeological advisor to the Council.

2 Regulatory and Policy Background

2.1 Legislation, Policy and Guidance

- 2.1.1.1 HNP will be aware of the importance which the Council places on the protection and enhancement of the Welsh language and the health of both individuals and communities. It notes that reference is made to the importance that the revised EIA Directive places on human health and that it is HNP's intention that the effects of the project upon human health, the Welsh language and equality will be presented within separate, stand-alone impact assessments. Whilst the Council is fully supportive of the intention to prepare individual assessments it also strongly recommends that reference to their findings of significance is recorded within the ES in order that the document is wholly compliant with the Directive.
- 2.1.1.2 With reference to Article 3(2) HNP should not solely focus upon radiological effects as the issue under major accidents/disasters. The ES should also set out what types of potentially non-nuclear accidents/disasters may have been identified (for example major oil leaks from shipping using the MOLF) even if they have been subsequently scoped from further consideration.

2.2 National Policy Statements

- 2.2.1.1 The Council notes that the addendum does not make reference to 'Flags for Local Consideration' as referenced within NPS EN-6 and as requested within its response to the Scoping Report.

2.3 UK, Wales and Local Policies

- 2.3.1.1 As requested in the original scoping opinion, reference is now made to TAN21: Waste. However there remains no reference to consideration of TAN12: Design and MTAN1: Aggregates or PPW Chapter 14: Minerals. Also, TAN14: Coastal Planning is relevant to some of the Associated Development (on-site campus) as well as the Power Station Site. These should be considered alongside the other planning policies specified in the Scoping addendum.
- 2.3.1.2 Similarly, there remains no reference to consideration of IACC's 'Transformation Plan – The Roadmap to the new Anglesey' as requested in the original scoping opinion, despite Appendix B indicating that it is reference within Chapter 2 of the

addendum. The final version of the Isle of Anglesey AONB Management Plan Review 2015 – 2020 should now be referred to.

2.4 Other Legislative Requirements

- 2.4.1.1 The Council's comments made in response to the 2016 Scoping report remain valid and are not repeated with the exception of The Wellbeing of Future Generations (Wales) Act 2015 which requires listed public bodies (including the Local Authority and Health Board) to carry out sustainable development. An awareness of the Council's responsibilities under the Act should be used to inform HNP's approach to assessment of significance and mitigation for certain EIA topic chapters.

3 Comments on Project Description

3.1 Description of the Proposed Development

3.1.1.1 It is noted that the boundary of the Main Site has been amended with the loss of some land along the southern boundary and some additional land along the eastern boundary. The Council wishes to reiterate that the EIA process should assess a worse case, i.e. the maximum envelope within which buildings, or activities will take place. The Council remains committed to working with HNP to achieve a proportionate balance between a 'buildable' consent and one which provides sufficient certainty for local communities.

3.2 Associated Development

3.2.1 On-site campus

3.2.1.1 It is now intended to accommodate up to 4,000 workers in an on-site campus. The Council wishes to understand the phasing for the delivery of the campus, both the timings for development and the amount of accommodation within each phase, plus the landscaping proposals and phased reinstatement as the site is progressively decommissioned.

3.2.2 Parc Cybi Logistics Centre, Dalar Hir Park and Ride, A5025 off-line and MOLF

3.2.2.1 The ES should more fully describe the environmental context of the logistics centre and park and ride sites and the Council expects the designs of these two facilities to retain and enhance the important ecological and landscape features in and on the boundary of these sites and to take account of the heritage features close to the Parc Cybi Logistics Centre site. In particular:

- Parc Cybi Logistics Centre - in addition to the pond (to the west of the site) and Trefnath burial chamber (to the east), there is also the Ty Mawr standing stone (to the west) and, within the site, there is a rocky outcrop close to the south-eastern boundary of the site, a small mature deciduous woodland in the western corner of the site and stone walls along the southwestern boundary. There is also an important line of sight between the burial chamber (to the east) and the Ty Mawr standing stone and Holyhead Mountain to the west.

- Dalar Hir Park and Ride - there is a substantial ditch/hedgerow feature along the northern boundary, a stone wall and bank along the western boundary and a stone wall along the A5, all of which could be retained and enhanced within the design.

3.2.2.2 With regards to the A5025 off-line works, the Council would refer Horizon to its scoping opinion dated December 2015. In addition, the Council expects to see information on the reinstatement proposals for any sections of the existing A5025 that will no longer be required. With regards to the outline planting plans and arrangements for future management (Section 2.0/10, IACC December 2015), these should include landscape masterplans with details of the roadside boundary treatments proposed and suggested species lists (similar to those drafted and consulted upon for the A5025 on-line works) and an outline Landscape and Ecological Management Plan (LEMP).

3.2.2.3 The Council would refer Horizon to its scoping opinion dated December 2015 in connection with the A5025 off-line project.

3.2.3 Mobile Emergency Equipment Garage (MEEG), Alternative Emergency Control Centre (AECC) and Environmental Survey Laboratory (ESL)

3.2.3.1 These three facilities were included in the Scoping Report March 2015 but split over two sites. The Council notes that Horizon now proposes to co-locate these three facilities on one site located towards the northern end of Llanfaethlu (where Horizon previously proposed the MEEG only). As a consequence, this site now includes land to the south of the original site which extends to the rear of properties alongside the A5025 and the scale of the buildings proposed on the site has increased.

4 Alternatives

- 4.1.1.1 The Council welcomes the commitment to provide information on the alternatives arising from the optimisation process. In particular it will be interested to understand the process which led to the selection of the main site for the accommodation of 4,000 construction workers and the reasons for co-locating the MEEG, AECC and ASL on the site at Llanfaethlu. Reference to the use of multi-criteria analysis including environmental assessment criteria is noted and the Council would expect to receive information on the details of this approach including the scope of criteria used.
- 4.1.1.2 The Council wishes to highlight the location of the Parc Cybi Logistics Centre which is proposed to be located within the AONB. As with all reasonable alternatives considered as part of the project, the ES must include an indication of the main reasons for selecting the Parc Cybi including a comparison of environmental effects.

5 Consultation

5.1.1.1 The Council recognises that HNP has included, at Appendix B, a list of comments received during consultation on the 2016 Scoping Report and finds this useful when crossed referenced with the information contained within the individual topic chapters. A similar approach should be taken with respect to comments received to the 2017 addendum.

5.1.1.2 Section 5.6, para 11 states that the ES will also include a discussion on how key points arising in consultation have guided the topic specific assessment work, which is welcome. The ES could also set out in summary form where the scheme has been changed as a result of stakeholder comment. Detail on the extent to which comment has influenced design should be included within the consultation report.

5.2 Scoping Process – Power Station Site

5.2.1.1 Table 6.1 sets out which topics previously scoped-out from detailed assessment are now scoped-in, and also those which remain scoped-out based on the 2016 Scoping opinion. The Council note the scoping in of odour, accidental radiological releases and seismic activity for detailed assessment.

5.2.1.2 The Council's comments in section 6.2 of the original scoping opinion are still valid.

5.3 Scoping Process – Associated Development

5.3.1.1 The scoping matrix for Associated Development sites in Table 6.2 is welcome and the Council would agree with those environmental topics identified as being scoped in or out, with the following exception. With regards to public access and recreation and the Park and Ride facility, the potential for views from the footpath referenced should be considered within the Landscape and Visual assessment together with views from Sustrans National Cycle Route 8, "Lôn Las Cymru" which runs along the minor road approximately 300m south of the site and from the "Cartio-Mon" go-karting visitor attraction which is immediately east of the site.

5.3.1.2 In line with the provisions of the new Directive the Council would strongly recommend reference within the relevant ES volumes to human health, climate

change, major accidents etc to the extent that they are scoped in or out of the individual site assessments.

5.4 Approach to EIA

5.4.1.1 The Council's comments on enhancement and mitigation measures from the original Scoping opinion (section 7.6) remain valid.

6 Topic Areas

6.1 Air Quality

6.1.1 Study area

- 6.1.1.1 In the previous scoping response, the Council welcomed the intention of the applicant to agree the most appropriate criteria to be adopted for the assessment of potentially significant effects arising from road transport. The Scoping Report Addendum details important changes to the proposed development, including changes to the layout to create a single power island, the co-location of three Off-Site Power Station Facilities at Llanfaethlu (and avoidance of effects at the former AECC site), and expansion of the On-Site Campus (Temporary Workers' Accommodation) within the Wylfa Newydd Development Area. It is noted that the applicant still intends to discuss and agree the study area for road traffic emissions once the designs are finalised and the final traffic flows have been developed.
- 6.1.1.2 Human and ecological receptors within 200m of the affected routes will be considered. 'Affected' routes will be identified where changes in traffic flows on road links exceed the relevant thresholds set out in the Environmental Protection UK and Institute of Air Quality Management (IAQM) guidance document (EPUK/IAQM, 2017). This approach is considered to be in accordance with best practice.
- 6.1.1.3 The study area for construction impacts (including dust emissions) will be defined in accordance with IAQM guidance, which is considered to be in accordance with best practice.

6.1.2 Methodologies

- 6.1.2.1 As stated in the previous scoping response, the methodologies to be applied by the applicant in the consideration of effects upon air quality appear to follow common modelling approaches and are considered to be acceptable. Where guidance has changed, this has been discussed.
- 6.1.2.2 It was stated in the Council's response to the 2016 Scoping Report that the methodology to be used in the assessment of emissions from marine vessels should be provided. The scoping report addendum confirms that emissions of air pollutants from marine vessels at the Wylfa Newydd Development Area will be considered in

conjunction with the emissions from construction plant, and road traffic (where receptors are close to the road network) during the construction phase.

- 6.1.2.3 It is noted that odour will now be considered as part of the air quality assessment. Odour emissions will be considered from three sources as the construction works at the Wylfa Newydd Development Area: Excavation / remediation of odorous contamination; the effect of the existing sewage treatment works on the proposed On-Site TWA; and Operation of the temporary package sewage treatment works. It is stated that a risk-based qualitative assessment will be undertaken to consider the potential for odour effects to occur and that this will draw on the assessment approach set out in the IAQM 'Guidance on the assessment of odour for planning'. The Council would expect that should the qualitative study indicate that odour effects may occur, detailed assessment would be undertaken (potentially using dispersion modelling) to fully assess potential impacts.
- 6.1.2.4 The Council would also advise, with respect to odour, that the operation of sewage treatment plants should have regard to best practice outlined within the 'Code of Practice on Odour Nuisance from Sewage Treatment Works' published by the Department for Environment, Food and Rural Affairs (Defra). Ultimately, if odours were detectable at a sensitive receptor, it would fall to the Local Authority to determine statutory nuisance. Information on this process can be found at <https://www.gov.uk/guidance/nuisance-smells-how-Councils-deal-with-complaints>.
- 6.1.2.5 It is important to note that, in regards to excavation/remediation of odorous contamination as per Chapter 8.1.1 Section 9, the applicant should be aware of the Workplace Exposure Limits (WELs) for Volatile Organic Compounds (VOCs) and other odorous chemicals. Furthermore, the transport of contaminated materials on and off site, including soils and waste materials and products, should be done so in such a manner that they are contained within a closed sealed container so as to prevent against any escape and contamination into the environment.
- 6.1.2.6 The Council welcomes the intention of the applicant to discuss appropriate mitigation incorporated into the Code of Construction Practice, as per Chapter 8.2.2, Section 20.
- 6.1.2.7 While not directly related to this addendum, the Council wishes to make it known that it is concerned about possible increases in NO₂ concentrations at the layby at Llanfairpwll. Historic monitoring by the Council at this site has demonstrated elevated concentrations above the Annual Air Quality standard of 40µg/m³. Although there are no sensitive receptors at this location for that averaging period, the layby has no parking-time restrictions and the 1-hour NO₂ objective would apply. NO₂ diffusion tubes are used to determine the Annual mean and a surrogate

annual average limit of $60\mu\text{g}/\text{m}^3$ is used to provide an indication whether the hourly average is likely to be exceeded. Although the Council has had no incidences where bias adjusted annual means have exceeded this level, it has had monthly un-bias adjusted levels over $60\mu\text{g}/\text{m}^3$. Given that the hourly air quality standard of $200\mu\text{g}/\text{m}^3$ is only permitted to be exceeded for 18 x 1 hour periods a year, the Council would wish to seek assurance from HNP that if vehicle numbers increase as a result of the Wylfa Newydd construction and its associated developments, that monitoring data which is likely to give an indication of these hourly levels, will be provided to the local authority.

6.2 Noise & Vibration

- 6.2.1.1 The Council's Public Protection Department fully appreciates that the scoping addendum highlights the changes in the environmental assessment scope currently proposed compared to those previously proposed in the 2016 Scoping Report. Fundamentally, states that "it does not replace the 2016 Scoping Report". Therefore, the IACC Response to the Scoping Request: Horizon Nuclear Power Wylfa Generating Station as published in April 2016; must be aligned with any Council comments given below.
- 6.2.1.2 Paragraph 7 refers to changes proposed to the scope of the assessment following receipt of the Secretary of State's 2016 Scoping Opinion. The Council supports each of the points raised with regards to noise and vibration.
- 6.2.1.3 HNP clearly state that the numerous mitigation measures relative to noise and vibration in and around the DCO and Associated Development areas shall be addressed within the Environmental Statement. Therefore, the Council would welcome receipt of the Environmental Statement at the earliest opportunity in order to ensure that any technical aspects within the mitigation proposals are robust and resilient in order to protect the amenity of both residential properties and businesses alike.
- 6.2.1.4 The Council would also wish to seek early clarity upon the detailed mitigation measures proposed for residential properties and businesses. These were previously alluded to in the 'Voluntary Local Noise Mitigation Plan' as part of the PAC 2 consultation, although such specific mitigation measures were absent. Such mitigation measures should not just be confined to noise and vibration, rather they should view environmental issues holistically and iteratively (i.e. noise, air quality, artificial light, odour, etc.) and the impacts these will have.
- 6.2.1.5 Of particular relevance to this addendum is the newly proposed on-site campus. The on-site campus raises several issues that would fall under the domain of the

Council's Public Protection department. Whilst potentially outside the topic area of noise and vibration effects upon existing receptors per se; it is worthy of note that the Council would wish to seek clarification upon the building design specification criteria. In particular the noise and vibration levels predicted to potentially affect workers residing within the accommodation; either at rest, eating or sleeping within this accommodation which would be in such close proximity to the main construction site should be provided along with the details of any mitigation measures incorporated into the building design.

- 6.2.1.6 The Council would expect that such accommodation affords mitigation from noise and vibration; not only from the construction site, but also due to the transient nature of multiple shift workers moving throughout the numerous buildings. Restorative rest and sleep could therefore be severely affected in the short and long term if the building design and specification criterion is overlooked. Therefore, the Council would welcome the opportunity to view and comment upon the internal design specification for the on-site campus when sufficient detail is available.

6.3 Seascape, Landscape and Visual Amenity

6.3.1 Wylfa Newydd Development Area

- 6.3.1.1 The LVIA should consider all aspects (elements and activities) of the site clearance and preparation, construction and operational phases of the proposed development that are likely to have a significant effect on seascape, landscape and visual resources and receptors, (see reference to SPC and cumulative impact assessment at section 6.15 of this document).
- 6.3.1.2 With regards to key resources and receptors, in addition to those listed in the 2016 Scoping Report, the LVIA should also consider likely significant effects on:
- Proposed Special Landscape Areas (SLAs) as identified in the Review of Special Landscape Areas in Gwynedd and Anglesey (LUC December 2012), in particular: SLA 13 (Parys Mountain & Slopes) and SLA 14 (Mynydd Mechell).
 - Views from Sustrans National Cycle routes NCR 566.
- 6.3.1.3 With regards to the On-Site Campus, the ES should include a zone of theoretical visibility (ZTV) and an assessment of likely significant effects on seascape, landscape

and visual receptors local to this element of the proposed development (within the 6km study area).

- 6.3.1.4 The Council agrees with the proposed inclusions and exclusions listed in Section 10.1, paragraph 7.

6.3.2 Off-Site Power Station Facilities

- 6.3.2.1 With regard to the MEEG, AECC and ESL combined facility proposed on the site towards the northern end of Llanfaethlu, due to its proximity to residential properties, the Council expects to see a full assessment of this facility including an explanation of the site selection process, a detailed description of the development, its operational parameters and associated landscaping proposals, and a full assessment of the effects of this development on nearby residential receptors.

6.3.3 Associated Development

- 6.3.3.1 The Council agrees that the existing boundary hedgerows along the northern and eastern boundaries of the Dalar Hir Park & Ride Facility site and the linear belt of planting along the A5 Holyhead Road to the south should be retained and enhanced to mitigate views from the north, east and south. In addition, the stone walls along the western and southern boundaries should also be retained (modified as necessary at the entrances to the site). The Council suggests that light pollution should be minimised at this site by appropriate lighting design.
- 6.3.3.2 The Council does not agree that the small area of woodland or existing landscape boundary features need to be removed in order to accommodate the facilities planned within the Parc Cybi Logistics Centre. Indeed, the retention and enhancement of these features, together with the proposals for landscape and biodiversity enhancement, would assist with the screening and assimilation of this facility in this location. The Council agree that light pollution should be minimised by the use of appropriately designed lighting.
- 6.3.3.3 The Logistics Centre is located in the AONB and, as noted in Section 4, the ES should include an indication of the main reasons for selecting this location including a comparison of environmental effects associated with it and the other locations which have been considered.
- 6.3.3.4 The Council would welcome the opportunity to discuss the appropriate boundary treatments along the new sections of the A5025 and to comment on landscape

masterplans, species lists, etc and a LEMP for the A5025 Off-Line Highway Improvements.

6.3.4 Proposed Scope, Methodology and Criteria

- 6.3.4.1 The Council agrees that the 15km and 6km study areas should be sufficient to identify all likely significant effects arising from the Power Station Site on key seascape, landscape and visual receptors. The 1km study area for the residential visual amenity assessment should be sufficient to identify any overbearing effects on individual properties.
- 6.3.4.2 With regards to the Off-Site Power Station Facilities (MEEG, AECC and ESL) and the Associated Developments (Parc Cybi Logistics Centre and the Dalar Hir Park & Ride Facility), the Council agrees that appropriate study areas for each of these should be defined based on computer modelling to identify the extents of the zones of theoretical visibility and on the presence of sensitive receptors within these zones.
- 6.3.4.3 The Council also agrees that a linear study area extending up to 3km from the carriageway centre line should be sufficient to identify all likely significant landscape and visual effects arising from the A5025 Off-Line Highway Improvements.
- 6.3.4.4 The Council agrees that the same methodology should be used to assess the Power Station Site, On-Site Campus, Off-Site Power Station Facilities and Associated Development.
- 6.3.4.5 For all of these, the LVIA should consider the site clearance and preparation, construction, operational and decommissioning phases and all aspects (elements and activities) of these phases that are likely to result in significant effects on seascape, landscape and visual resources and receptors.
- 6.3.4.6 With regards to the five main steps for the LVIA, described in para 38 of the Scoping Report, the Council suggests that the fourth step is expanded as follows:
- Evaluation of the aspects of the proposed development that have the potential to impact on seascape, landscape and visual resources and receptors, the nature of those impacts (direct/indirect, secondary, cumulative, short/medium/long-term, permanent/temporary, positive/negative) and the formulation of mitigation measures that have been incorporated into the design to avoid, reduce or compensate for the predicted adverse effects.

6.3.4.7 This could be in tabulated form, so that the assessment of magnitude and significance of effects then focuses on likely residual effects.

6.3.4.8 The LVIA should also include two further steps:

- Implications for climate change (effects of and on climate change).
- Monitoring and recommendations for any further mitigation.

6.4 Terrestrial and Freshwater Ecology

6.4.1.1 The Council wishes to make the following comments relative to the intended scope.

6.4.1.2 Paragraph 10 mentions a number of studies undertaken but fails to reference red squirrel. The 2016 Scoping Report referenced the applicant's intention to undertake surveys for red squirrel in 2016 and the Council wishes to understand whether such surveys took place or whether they were subsequently considered unnecessary and why.

6.4.1.3 Paragraph 21 identified a number of ecological receptors in relation to Dalar Hir. The Council is of the opinion that the following should also be considered:

- GCN (present "south of the site")
- Llyn Traffwll SSSI ("approximately 900m south of the site and...hydrologically connected")

6.4.1.4 There is no information in Table 11.2 or Paragraph 12 that would suggest these receptors should be scoped out.

6.4.1.5 In addition to the above the addendum should have set out how Section 7 (formerly section 42) habitats and species will be considered whilst the potential effects of the significant changes to the scheme following the 2016 Scoping Report (in particular the increase in on-site accommodation and hence risk of increased

disturbance/recreational pressure on designated sites) are not noted. As such it is unclear how they will be addressed within the ES.

6.5 Radiological issues

- 6.5.1.1 The Council has the following comments to make in relation to the information contained within the addendum.
- 6.5.1.2 At paragraph 6, bullet 3 reference is made to the fact that there will be no radioactive material added during construction of Wylfa Newydd. Any decision not to address the potential effects of accelerated migration should be justified.
- 6.5.1.3 At paragraph 11, the Council would query whether there will be any consideration of doses associated with the future transportation of ILW wastes and in connection with paragraph 18, questions the source of the 0.5 mSv /y dose constraint for site.
- 6.5.1.4 In connection with comments made in relation to the 2016 Scoping Report the Council notes that its request for a sensitivity analysis of potential doses does not appear to have been addressed. Furthermore HNP does not appear to have considered impacts on the “local representative person”.

6.6 Soils and Geology

- 6.6.1.1 The Council would refer to its previous comments submitted in response to the 2016 Scoping Report as remaining relevant within the context of this environmental topic.

6.7 Surface Water and Groundwater

- 6.7.1.1 Section 14.1 details the change in scope since the previous scoping submission relating to the main site, and goes on to state that these will be assessed however no further detail is provided in terms of scope and methodology to be employed and in particular whether they are likely to change given the substantial changes proposed as a result of the optimisation programme and the proposal to accommodate 4,000 workers onsite. The Council is particularly concerned about the potential for effects upon the Tre'r Gof SSSI which is adjacent to the proposed onsite campus and would expect information to have been included within the

addendum which describes, albeit at a high level, the approaches to be taken to assess the impacts that it might have upon this sensitive site.

6.7.1.2 Paragraph 7 records HNP's responses to the 2016 Scoping Opinion. The Council would make the following comments:

- “The IACC requested that the surface water connections between Llyn Dinam SAC and the proposed Park and Ride facility at Dalar Hir scheme, should be considered at the detailed project stage (Appendix B ref.52). A review of surface water movement has been completed and no significant connection has been identified between the Dalar Hir site and Llyn Dinam; as such, further evaluation is not required.”
 - Further detail on the scope and nature of the review and its findings are required.
- The addendum states that the ES will consider “the overall water demand of the Wylfa Newydd Project and the impacts on water supply”.
 - Water use/reuse and disposal should also be considered.

6.7.1.3 In general, the Council considers that the scope of the assessments for the Associated Development sites are acceptable as long as they are carried through according to appropriate guidance and best practice methodologies.

6.8 Coastal Processes and Coastal Morphology

6.8.1.1 The Council would defer to Natural Resources Wales on matters of coastal processes and morphology.

6.9 The Marine Environment

6.9.1.1 It is stated in the addendum at paragraph 4 that the scope of the assessment remains as described in the 2016 Scoping report. The Council would therefore wish its previous comments to be taken into consideration.

6.10 Archaeology and Cultural Heritage

6.10.1.1 The Council recognises that the optimisation process has led to proposals to increase the height of the power station and will require sufficient information within the ES to enable it to consider the potential for effects upon the settings of heritage assets and whether the alterations to the design will have an increased impact on Cestyll Garden in particular. It is presently unclear to the Council whether the increased height of the MOLF will lead to an increased impact on the

'significant views' out from Cestyll and information sufficient to demonstrate potential effects arising from this structure will also be required.

6.10.1.2 Section 17.1 sets out changes to the scope. In addition to changes resulting from the process of optimisation, HNP should recognise that new baseline information has come to light as part of a recent DCWW scheme on land identified for Off-site Power Station Facilities at Llanfaethlu which has shown there to be significant archaeological potential in the southern part of the proposed development area, including later prehistoric (possibly Neolithic) settlement activity. Such information may also influence the scope of the assessments.

6.10.1.3 Policy guidance has also been updated, or is in the process of being updated since the 2016 Scoping Report and the reassessment of the settings of heritage assets due to the changes in platform height must utilise the forthcoming Cadw guidance Annex 6: Setting of Historic Assets in Wales which will be finalised at the end of May 2017, not the method previously presented.

6.10.1.4 The Council considers that the requirements for the Parc Cybi Logistics Centre as set out within Table 17.1 are more nuanced than as presented. Rather than the below ground archaeological potential being a significant consideration, the potential impacts on the settings of heritage assets are a significant consideration in this instance. This is because the proposed development area lies immediately adjacent to Trefignath Burial Chamber and has the potential to impact on the setting of this monument as well as the important views between this monument, Ty Mawr Standing Stone and Holyhead Mountain, all of which are recognised as contributing significantly to the setting of the monument. Developments on the Parc Cybi site may compromise the settings of these monuments but any impacts need to be assessed on a case by case basis and measures such as design, landscaping, planting, screening, interpretation, access and other enhancement measures need to be considered to reduce any impacts as much as possible. This is particularly important where operational impacts (construction phase) such as the movement of HGVs will significantly increase the impacts on setting.

6.10.1.5 With reference to paragraphs 17 and 21, the Council would request that consideration to be given to potential enhancements such as interpretation, access, conservation and management to help offset any residual impacts on settings of Trefignath from the Parc Cybi Logistics Centre as well as on Capel Soar from the A5025 off-line improvements. This should be informed by a formal assessment of setting in accordance with new Welsh Guidance (see above) and should

complement any mitigation measures such as design or landscaping. Again these assessments will need to consider impacts such as HGV traffic.

6.11 Socio-economics

- 6.11.1.1 Based on a review of the socio-economic section of the addendum (pages 129-135) the Council would raise a number of points within the following paragraphs.
- 6.11.1.2 Paragraph 5 notes the use of the “key study area” as defined in the 2016 Scoping Report and that the socio-economic assessment will consider effects on labour, land use, housing and business. It should be noted that this is not an exclusive list and that the actual scope of the socio-economic assessment within the DCO and previous PAC2 documentation and preliminary environmental information report has a much wider scope including impacts on services, social cohesion, crime and tourism (see comment below).
- 6.11.1.3 The “key study area” is identified in 18.1 paragraph 5 of the addendum as “the whole of Anglesey and parts of the mainland area with a daily commuting zone defined by a 90 minute drive time distance.” Whilst this is one of the spatial areas at which impacts will be assessed the Council notes that the 2016 Scoping Report identifies a series of other geographies which are appropriate for different topics. The Council welcomes this approach given the need to consider smaller areas where socio-economic impacts will be concentrated and interact with other environmental effects.
- 6.11.1.4 Within the ‘Changes to existing scope section’ (ref Section 18.1) HNP have noted a number of comments made in Appendix B responses to the 2016 scoping opinion. The previous comments that are referenced have all been made by the Council and HNP provides a response to these in the addendum. The responses confirm that HNP will address the issues raised previously (Appendix B refs.89-94) through the inclusion of additional information, clarity and analysis in the Environmental Statement, Health Impact Assessment, Welsh Language Impact Assessment and Equality Impact assessment that forms part of Horizon’s DCO application. Ensuring that these commitments are made in the final ES and supporting documentation is important in being able to make a sound assessment. At this point the previous comments (Appendix B) raised by the Council in relation to the 2016 scoping opinion still remain valid.
- 6.11.1.5 One specific example is the previous reference made to issues concerning displacement effects where HNP have indicated that they will consider the issue throughout all of the socio-economic topics (Appendix B ref.94). This is a positive development but an area where current consultation and previous impact

assessment work has needed more work. The lack of further detail since PAC2 is a potential concern and the Council would expect to see further detail in the final ES.

6.11.1.6 Tourism remains another central thread running through the socio- economic topic in relation to its contribution to the economy, employment and in relation to accommodation. The importance of the sector to the Anglesey economy has been noted by the Council in previous consultations on the Wylfa Newydd project and prominence should be given to this in the socio-economic assessment reported within the ES.

6.12 Public Access and Recreation

6.12.1.1 Changes made as a result of the optimisation process, in particular the proposal to accommodate up to 4,000 workers within an onsite campus have the potential to give rise to a significant impact upon the section of Coastal Footpath which leads to Wylfa Head. The addendum lacks sufficient information on the design, scale and massing of the proposed campus in relation to the Footpath and this should be provided within the ES to enable a full assessment to be made.

6.13 Traffic and Transport

6.13.1.1 This topic is given very little additional consideration within the addendum. The Council therefore relies upon its comments to the 2016 Scoping Report.

6.13.1.2 The Council had understood from recent discussion with HNP that a separate chapter on Shipping and Navigation was to be provided in the ES. Clarification on whether this is still the intention would be welcome.

6.14 Waste and Minerals

6.14.1.1 The Council welcomes the provision of a dedicated chapter for conventional waste and materials. This is welcomed. Allied to this, and in relation to waste, it is explained in paragraph 6 that for any waste exported from Wylfa, the availability and known capacity of receiving treatment and disposal sites across North Wales and North-west England will also be assessed. Again, this is welcomed.

6.14.1.2 Section 21.1.1 'Existing Environment' seeks to describe the baseline position in respect of waste and materials. It is considered that this section could benefit from greater clarity by clearly and logically setting out:

- Existing waste arisings in North Wales (inert; non-hazardous and hazardous);

- Existing waste management capacity in North Wales and in North-west England – both by type of waste i.e. inert; non-hazardous and hazardous and by type of management i.e. composting; recycling; energy from waste; landfill etc.
- An assessment of any ‘capacity gap’ i.e. by comparing extant arisings with capacity, assess where at where any potential strain on the existing waste management infrastructure may occur; and
- Assessment of the level of planned, future waste management capacity in North Wales and North-west England – again, both by type of waste i.e. inert; non-hazardous and hazardous and by type of management i.e. composting; recycling; energy from waste; landfill etc.

6.14.1.3 Related to the above point, it is noted in paragraph 14 that reference is firstly made to inert, non-hazardous and hazardous waste streams, then the discussion switches to the availability of data from Natural Resources Wales and the Environment Agency in England concerning municipal and construction demolition and excavation waste. This is confusing as waste, is managed and categorised by the Waste Planning Authorities and Natural Resources Wales as falling into one of three categories – hazardous, non-hazardous and inert. Any meaningful assessment of waste generated by the proposed development should reflect these established categories first and foremost. Indeed, construction, demolition and excavation waste can be categorized as either hazardous; non-hazardous or inert material, dependent upon its makeup and level of contamination.

6.14.1.4 Table 21.6 ‘Criteria for determining the magnitude of change for topic receptors’ lacks clarity. For example, for a magnitude of change to be large, the waste would require more than 25% of the local infrastructure’s capacity; or the proportion of waste produced on an annual basis at the application site is above 25% when compared to the quantity of similar waste managed in the region annually. In terms of the former, the Council questions what is meant by ‘local capacity’? Catchments are likely to be different for the various waste streams and whilst it would be expected that inert / non-hazardous materials should be capable of being managed close to their point of arising, this almost certainly would not be the case for hazardous wastes. Moreover, when talking about more than 25% of local capacity, the Council would question whether this is this total capacity or remaining / available capacity? Regarding the latter test, when considering the proportion of waste produced on an annual basis, would this be proportion based upon the inert; non-hazardous; or hazardous categorisations or on source e.g. construction,

demolition and excavations waste / commercial and industrial waste? These thresholds would require clarification in the ES.

6.14.1.5 Finally, whilst the chapter is entitled Waste and Materials, beyond the introductory sections, the chapter in the Scoping Report Addendum is wholly focused on waste and mentions little about materials and their proposed management as part of the ES e.g. the use of primary and secondary building materials – quantities and source; the potential use of on-site minerals extraction etc.

6.15 Cumulative effects

6.15.1.1 As a result of the optimisation process, HNP has revised its approach to the consideration of cumulative effects. The intention to have a single cumulative effects volume covering both inter and intra-project effects is welcomed with the following caveats:

- That the SPC works are considered as inter-project if they are to be the subject of the DCO application (as well as a TCPA);
- That cumulative effects at the project element level, resulting from a combination of environmental topics upon a single receptor, (for example the visual, noise and air quality effects upon a residential receptor arising from the A5025 off-line works) are considered within the relevant topic chapters of the relevant ES volume.

7 Conclusion

- 7.1.1.1 This document represents the Council's response to the Wylfa Newydd Generating Station Scoping Report addendum May 2017. The Council remains committed to both formal and informal consultation with the applicant throughout the process of EIA leading to the preparation of the ES. It would welcome further discussion with HNP should any of the comments contained within this document require clarification or expansion.



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

www.ynysmon.gov.uk
www.anglesey.gov.uk

From: Cyngor Cymuned Llanbadrig Community Council [mailto:Llanbadrig@live.co.uk]
Sent: 01 June 2017 22:24
To: Wylfa Newydd
Cc: Cyng Derek Owen
Subject: FAO Hannah Pratt - Wylfa Newydd - Scoping Consultation

Llanbadrig Community Council believes it is a consultation body as defined in the EIA Regulations

Llanbadrig Community Council believes the following information should be provide in the environmental statement (points raised in no particular order)

- the impact of temporary accommodation being provided on site for up to 4000 workers upon the adjacent community of Llanbadrig which has a population of circa 1200 (2011 Census).*
- the impact on the number of caravan pitches and B&B used by employees will have on the overall availability for tourism purposes (may be a potential to develop an alternative site specifically for this purpose?)*
- the impact of the build project on the availability of tourism accommodation and how to safeguard demand tourism industry during the build and beyond*
- the impact of temporary workers on the availability and pricing of private rented accommodation, caravan sites and hotels*
- the impact of workers travelling direct to Wylfa from locations nearer to Wylfa than the Park and Ride facility.*
- the impact upon traffic on the A5025 between Wylfa and Amlwch (where no improvements are proposed) and the minor road between Tregel and Llanfechell which is already being used as a rat run.*
- the impact on ALL minor roads and concern that traffic normally using the A5025 will find alternative routes*
- how will a car share scheme be implemented and enforced - unpractical*
- impact on the A5025 from Cemaes roundabout to Wylfa site - through the village, already a busy road with several crossing points used by parents and children to/from school*
- the impact of light pollution, noise, dust and emissions from plant especially where powered by diesel engines (more so in the Tregel and Cemaes areas)*
- impact of having such concentration of people on the Welsh language and culture*
- the implications of the project and its effect on the Anglesey Coastal Path - the impact on both local people and visitors to the area*

- how the company will guarantee that the island will be safe for future generations - not a place to receive and store waste from other sites

- the impact of workers on community facilities and amenities regardless of facilities offered onsite e.g. schools, health centres, emergency services etc

- impact on wildlife (both long and short term) especially at Cemlyn Nature Reserve

- THE IMPACT OF ANY NEW, UPDATED OR CHANGED PROPOSALS INCLUDED IN PAC 3

I would be grateful if you could confirm receipt of this email response.

Yours sincerely

Carli Evans-Thau

Clerc / Clerk

Cyngor Cymuned Llanbadrig Community Council



Ministry of Defence

Hannah Pratt
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Defence Infrastructure Organisation

Safeguarding Department
Statutory & Offshore

Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
West Midlands
B75 7RL

Tel: +44 (0)121 311 3818 Tel (MOD): 94421 3818

Fax: +44 (0)121 311 2218

E-mail: DIO-safeguarding-statutory@mod.uk

www.mod.uk/DIO

18 May 2017

Your Reference: EN010007-000881

Our reference: 10039946

Dear Hannah

MOD Safeguarding – SITE OUTSIDE SAFEGUARDING AREA (SOSA)

Proposal: Application by Horizon Nuclear Power Wylfa Limited for an Order granting Development Consent for the Wylfa Newydd Project

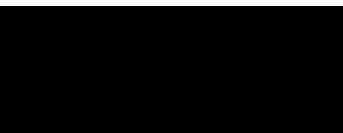
Location: Wylfa Nuclear Power Plant, Wales

Grid Ref: 235207, 393676

Thank you for consulting Defence Infrastructure Organisation (DIO) on the above proposed development. This application relates to a site outside of Ministry of Defence safeguarding areas. I can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

I trust this adequately explains our position on this matter.

Yours sincerely



Debbie Baker

From: ROSSI, Sacha [mailto:Sacha.Rossi@nats.co.uk]
Sent: 05 May 2017 17:54
To: Wylfa Newydd
Cc: NATS Safeguarding
Subject: RE: Wylfa Newydd Project - scoping consultation

Dear Sirs,

NATS anticipates no impact from the proposal and has no comments to make on the Scoping Opinion.

Regards
S. Rossi
NATS Safeguarding Office

NATS

Sacha Rossi
ATC Systems Safeguarding Engineer

D: 01489 444 205

E: sacha.rossi@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk/windfarms



The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Nick Dexter
DCO Liaison Officer
Land & Business Support

Nicholas.dexter@nationalgrid.com

Tel: +44 (0)7917 791925

www.nationalgrid.com

2nd June 2017

Dear Sir/Madam,

WYLFA NEWYDD NUCLEAR POWER STATION – SCOPING CONSULTATION

This is a joint response on behalf of National Grid Electricity Transmission Plc (NGET) and National Grid Gas Plc (NGG). I refer to your letter dated 5th May 2017 in relation to the above proposed application for a Development Consent Order for the Wylfa Newydd Project. Having reviewed the Scoping Report, I would like to make the following comments:

National Grid infrastructure within / in close proximity to the order boundary

Electricity Transmission

National Grid Electricity Transmission has a high voltage electricity overhead transmission line and two underground cables which lie within and in close proximity to the proposed order limits. These overhead lines and cables form an essential part of the electricity transmission network in England and Wales and include the following:

- 4ZA (400kV) overhead line route – Pentir to Wylfa (circuits 1&2)
- Wylfa 1 (132kV) underground cable
- Wylfa 2 (132kV) underground cable

The following substation is also located within or in close proximity to the proposed order limits:

- Wylfa (400kV) Substation

I enclose plans showing the routes of our overhead lines and the location of our substation within the area shown in the consultation documents.

The following points should be taken into consideration:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004) available at:

http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/appendixIII/applIII-part2

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- Further guidance on development near electricity transmission overhead lines is available here: <http://www.nationalgrid.com/NR/rdonlyres/1E990EE5-D068-4DD6-8C9A-4D0B06A1BA79/31436/Developmentnearoverheadlines1.pdf>
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Gas Transmission

National Grid has no high pressure gas transmission pipelines located within or in close proximity to the proposed order limits.

Further Advice

We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus protective provisions will be required in a form acceptable to it to be included within the DCO.

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following: box.landandacquisitions@nationalgrid.com as well as by post to the following address:

The Company Secretary
1-3 The Strand
London
WC2N 5EH

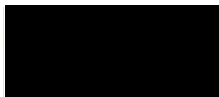
In order to respond at the earliest opportunity National Grid will require the following:

- Draft DCO including the Book of Reference and relevant Land Plans
- Shape Files or CAD Files for the order limits

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours Faithfully



Nick Dexter.

From: North Planning [mailto:NorthPlanning@cyfoethnaturiolcymru.gov.uk]
Sent: 02 June 2017 14:24
To: Wylfa Newydd
Cc: Griffiths, Bryn; Thomas, Gareth
Subject: - Wylfa Newydd Project - scoping consultation - NRW Response NRW:01000018

Annwyl / Dear Hannah

Amgaeaf ein hymateb i'r cais uchod, ac os oes gennych unrhyw ymholiadau, mae croeso i chi gysylltu â mi / Please find attached our response to the above application, if you have any queries please do not hesitate to contact me.

Also attached are our previous DCO EIA Scoping advice (18/4/2016) to PINS and also our A5025 EIA Scoping to IACC, which are provided for information (as explained in our response to this consultation).

Cofion Cynnes / Kind Regards

Bryn Griffiths

Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn / Tel: 03000 655238

Gwefan / Website: www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu defnyddio a'u gwella mewn modd cynaliadwy, yn awr ac yn y dyfodol.

Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

Ms Hannah Pratt
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

2 Mehefin / June 2017

Annwyl / Dear Ms Pratt,

PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (AS AMENDED) – REGULATIONS 8 AND 9

RE: SCOPING CONSULTATION – Application by Horizon Nuclear Power (HNP) Wylfa Limited for an Order Granting Development Consent for the Wylfa Newydd Project

Thank you for your letter dated 5 May 2017 consulting Natural Resources Wales (NRW) on Environmental Impact Assessment (EIA) Scoping with respect to a proposed Development Consent Order (DCO) application for the Wylfa Newydd Project.

The comments contained in this letter comprise NRW's response to this scoping consultation under the Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impacts Assessment) Regulations 2009 (as amended). We note paragraph 4 of section 1.1.1 section of the Addendum to the EIA Scoping Report (from herein referred to as the "Addendum") that explains that the "*purpose of this addendum is to update the 2016 Scoping Report to reflect the revised proposals arising from the optimisation programme, as well as to provide additional Environmental Impact Assessment (EIA) scoping information for the Associated Development now proposed to be included as part of the application for development consent*".

Paragraph 5 (section 1.1.1) of the Addendum states that it does not replace the Wylfa Newydd Generating Station EIA Scoping Report (herein referred to as the '2016 Scoping Report'), submitted as part of the DCO process, on 15 March 2016. NRW provided EIA Scoping advice (herein referred to as NRW's 2016 Scoping Advice) to the Planning Inspectorate (PINS) (on behalf of the Secretary of State) on 18 April 2016. Please note that NRW's 2016 Scoping Advice remains applicable, and Scoping advice provided on this Addendum should be read in conjunction with our 2016 Scoping Advice.

Paragraph 12 (section 5.6) of the Addendum refers to the EIA Scoping Opinion provided by the Isle of Anglesey County Council (IACC) (December, 2015) with respect to the A5025 Highway Improvements, and states that comments raised during IACC's EIA Scoping consultation will be taken into account by the applicant. NRW provided A5025 EIA Scoping

advice (30/7/2015) to IACC which should be fully taken into account. We provide a copy attached to this response which we recommend is forwarded to the applicant.

We also advise the applicant to consider comments raised in our Pre-Application Consultation Stage 1 (PAC1) and PAC2 responses, as well as NRW's response to the current PAC3 consultation, in the preparation of the Environmental Statement (ES).

In addition to being an interested party under the Planning Act 2008, NRW exercises different functions under distinct and separate legislation including (but not limited to) the Environmental Permitting (England and Wales) Regulations 2010, Water Resources Act 1991 and Marine and Coastal Access Act 2009 (under which NRW is the appropriate licensing authority acting under delegated authority from the Welsh Ministers). For the avoidance of doubt, any comments which may be made by NRW should therefore be looked at solely in the context of the regime within which they fall and should not be construed as having any bearing or binding effect on the other functions. Annex 1 to this letter contains NRW's scoping advice in respect of the DCO application, under the Infrastructure Planning (EIA) Regulations. Annex 2 contains comments on behalf of NRW's Permitting Service in respect of the Marine Licence application for which there is a separate scoping provision under the Marine Works (EIA) Regulations 2007.

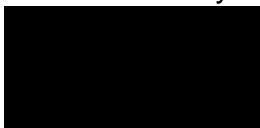
NRW provides its comments on each chapter in the order that they are presented in the Addendum report, and provide comments within that chapter on the 'Change in existing scope' and 'Associated Development' separately to reflect the structure of the Addendum report.

Please note that our comments are without prejudice to any comments we may subsequently wish to make when consulted as part of a formal pre-application consultation, or during the submission of more detailed information or on the ES. At the time of any planning application there may be new information available which we will need to take into account in making a formal response to PINS / the Secretary of State.

We note the information provided within the Scoping Report will be subject to further update and revision and that further detail of the various technical studies undertaken will be provided within the final Environmental Statement. On this basis, NRW may make such further comments and representations during the course of the pre-application process, as may be required.

Please do not hesitate to contact Bryn Griffiths should you require any further assistance.

Yours sincerely



Rhian Jardine
Head of Development Planning and Marine

Encl: NRW DCO EIA Scoping Advice to PINS (18/4/2016)
NRW EIA Scoping Advice to IACC on the A5025 Highway Improvements (30/7/2015)

CONTENTS

ANNEX 1

Regulatory and Policy Background.....	4
Consideration of Alternatives	4
Approach to Environmental Impact Assessment.....	4
Air Quality.....	5
Noise and Vibration.....	5
Landscape and Visual.....	6
Terrestrial and Freshwater Ecology.....	7
Radiological Issues.....	12
Soils and Geology.....	12
Surface Water and Groundwater.....	12
Coastal Processes and Coastal Geomorphology.....	16
The Marine Environment.....	17
Waste and Materials.....	20
Cumulative Effects.....	20
Marine Works – Advisory Comments.....	21

ANNEX 2

NRW Permitting Service Comments	25
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ANNEX 1

REGULATORY AND POLICY BACKGROUND

1. NRW request clarification from the applicant as to how Requirements set out by a DCO (e.g. securing areas of required mitigation) would be applied across different sites and relate to several remote red line boundaries. NRW request clarification from the applicant as to how mitigation and/or compensation measures are to be secured as part of the DCO on parcels of land not currently shown within the red line boundary.
2. Paragraph 15 (section 2.3.1) should include the following policies/ guidance:
 - a) PPW 9: 7. Economic Development
3. Paragraph 16 (section 2.3.1) should include the following policies/ guidance:
 - a) TAN 2 (relevant for consideration and context for workers' accommodation);
 - b) TAN 12 (how has regard been taken in design stages);
 - c) TAN 23 (Economic development);
 - d) TAN 24 (Historic Environment)

CONSIDERATION OF ALTERNATIVES

Associated Development – A5025 Offline

Flood Risk

4. We have previously advised that the A5025 offline Valley improvements should be located in Zone A rather than Zone C, as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004). The applicant will need justify its location within Zone C in accordance with the tests set out in TAN 15.

APPROACH TO ENVIRONMENTAL IMPACT ASSESSMENT

5. The ES will need to specify details of permanent and temporary land take of the whole proposed development, including for the Associated Developments.
6. The Addendum report does not identify where there may be significant environmental effects, either due to the changes in existing scope or as a result of the Associated Developments. This includes significant effects that may be direct, indirect, secondary, cumulative, short/medium/long term, permanent and temporary, or positive and negative effects (as stated in Schedule 4 Part (21) of the EIA Regulations). This should be clearly set out for each topic. The ES will need to identify where effects are likely to be significant and set out mitigation measures to offset these effects. Inbuilt/embedded mitigation should be distinguished from offsetting mitigation measures.

7. There is uncertainty and limited information on several aspects of the development (e.g. dimensions of buildings; method of construction etc). This information should be provided within the ES in order to provide more certainty on the nature and extent of significant effects identified. The ES provided will need to assess effects based on the worst-case scenario. NRW will only be able to provide advice on the assessment of environmental effects and necessary mitigation if there are clearly defined maximum parameters. The applicant should note that the Rochdale envelope allows for flexibility but not so much as to create uncertainty regarding the likely range of impacts. The information provided in the ES must enable the likely significance of effects on the environment to be assessed and the necessary mitigation to be described.

AIR QUALITY

Change in Existing Scope

8. We note in paragraph 7 (section 8.1.1) that emissions of air pollutants from marine vessels within the Wylfa Newydd Development Area (WNDA) will be considered. The marine vessels may be mainly diesel fuel so there may be an increase in SO₂ and NO_x. The ES will need to clarify whether there is likely to be a knock-on effect on the background levels and the interactions with SO₂ and NO_x in relation to the use of the World Health Organisation's higher NO_x critical level in situations where the SO₂ and ozone concentrations are below their critical levels. NRW has previously provided further advice to the applicant on this matter.

Associated Development

9. The ES should fully assess impacts of air pollution and dust on relevant protected sites (Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Area (SPAs) and Ramsar sites) as a result of the construction, operation and decommissioning of the Associated Developments.

NOISE AND VIBRATION

Change in Existing Scope

10. NRW has no comments to make in addition to those made in our 2016 Scoping advice.

Associated Development

11. The ES must assess the impacts on ecological receptors as a result of noise and vibration generated during the construction, operation and decommissioning of the Associated Development.

LANDSCAPE AND VISUAL

Change in Existing Scope

12. NRW consider that the Addendum report in combination with the 2016 Scoping report covers the proposed assessment of potential development impacts upon the Ynys Môn/Anglesey Area of Outstanding Natural Beauty (AONB) designated landscape appropriately.
13. Section 10 of the Landscape and Visual states that the land based development components included within the addendum report comprise:
 - a) Reduction in the size of the overall footprint of the power station
 - b) Inclusion of an on-site campus for temporary workers' accommodation and car parking within the site
 - c) Building platform levels for the power station site have been raised
 - d) Height of the very heavy lifting crane during construction would be +250m highNRW provide comment on the individual development component changes in points 14 to 17 below.
14. a) Reduction in the size of the overall footprint of the power station: The report refers to the likely reduction in visual effects from the north and south, the Wales Coastal Path and the A5025. We consider that this may well be the case. However, magnitude of change categories are relatively broad, meaning that the assessment of effects may not differ much from the previous assessment, unless there is a step change in the perceived effect.
15. b) Inclusion of an on-site campus for temporary workers' accommodation and car parking within the site: This will be included within the assessment of the power station. From our review of the proposed location in relation to the Ynys Môn/Anglesey AONB, we consider that development integration within the open coastal characteristics of the locality will be important to minimising change to westerly views across Cemaes Bay from the AONB. The existing power station has established presence, however factors such as development height, massing, colour and night time lighting will have a bearing on visibility and contrast with the natural qualities of the coastline edge.
16. c) Building platform levels for the power station site have been raised: The ground levels around the power island have been raised to +18m Above Ordnance Datum (AOD) and around the south of the backup building to +21m AOD (Table 3.1 Changes to Power Station Site). Paragraph 4 (section 10.1) notes that landscape mounding will still remain in scale with the surrounding drumlins. We advise that the revised Landscape and Environmental Master Plan illustrate the new earthworks design with i) a contour plan; ii) cross section drawings to show slope angles that would be evident from key visual angles of the site; and iii) photomontage images to illustrate the visual relationship and fit with the existing drumlin landscape, in order to fully understand the implications of the revised level changes.
17. d) The height of the very heavy lifting crane during construction would be +250m high: We consider the 15km study area set out in the 2016 Scoping report is adequate in

order to identify potential significant visual effects of a structure in the order of 250m high. Snowdonia National Park lies at considerable greater distance and we do not anticipate significant visual effects upon this designated landscape. Accordingly, Snowdonia is not included within the scope of the EIA.

Associated Development

18. We note that the Associated Development off-site works comprising the Park and Ride facility at Dalar Hir, the Logistics Centre and the A5025 Off-line highway improvements are now included within the DCO. These sites in the main lie within local landscapes. The Parc Cybi site associated with the Logistics Centre is however located within the Ynys Môn/Anglesey AONB and the A5025 off-line highway improvement borders the AONB in some locations. Aspects relevant to the AONB are scoped sufficiently in section 10.2.2 (Potential Environmental Effects and Mitigation) of the Addendum.
19. Regarding paragraph 26 (1st bullet point), please note that the term 'designated landscape' rather than 'protected land' is used in Planning Policy Wales.
20. Paragraph 30 of the Addendum which discusses mitigation measures should also include reinstatement of stone walls referred to previously under paragraph 26.

TERRESTRIAL AND FRESHWATER ECOLOGY

Protected Sites – Tre'r Gôf and Cae Gwyn Sites of Special Scientific Interest (SSSIs)

Change in Existing Scope

21. Paragraph 5 (section 11.1) states that the relevant designated sites that may be impacted by the development, including SSSIs, remain the same as in the 2016 Scoping report. We note that the changes highlighted in paragraph 4 (sections 11.1 and 14.1) will be assessed in terms of the potential effects they may have on the terrestrial and freshwater ecology and the surface water and groundwater environment. However, NRW expected this report to provide clarity on the increased risks of impacts to Tre'r Gôf SSSI as a result of the changes in existing scope, including the change in ground levels and landscaping and particularly of siting the Temporary Workers Accommodation at the proposed location. In the absence of information on the likely effects of the key changes, it is not currently possible to provide further advice (further to that provided in NRW's 2016 Scoping advice) on the assessments that must be undertaken. We advise that information assessing the likely significant effects as result of changes in existing scope will need to be provided in the ES.
22. NRW understand that the proposal is to connect the Workers' Accommodation to the existing Cemaes sewage treatment works, but that this has yet to be confirmed. We request that the applicant confirms how foul drainage is to be dealt with as soon as possible to allow NRW to advise on the expected assessments. We refer you to our comment (no. 57) in relation to impacts on the Marine Environment as a result of discharges into the marine environment due to foul drainage.

23. Construction of large buildings close to the SSSI has the potential to impact on water quality and water flow down slope into the site. During construction and decommissioning of the Workers' Accommodation, HNP will also need to avoid damage to the culvert which carries the outflow from Tre'r Gôf and is critical to the functioning of the SSSI.
24. The ES will need to assess the construction, operational and decommissioning impacts of the changes in existing scope on Tre'r Gôf and Cae Gwyn SSSI. NRW has not been consulted by the applicant on any draft impact assessments or associated mitigation measures (as identified through the impact assessments) relating to these SSSIs. NRW advise the applicant to consult NRW as early as possible to allow NRW to advise prior to DCO submission.
25. We refer you to NRW's 2016 Scoping advice with respect to assessment of the impact of the project on Tre'r Gôf and Cae Gwyn SSSIs, and draw your attention to comment no. 31: "*NRW has previously advised that the applicant should avoid damage to protected sites, including Tre'r Gôf SSSI which is at particular risk in view of the works proposed. The ES should detail appropriate mitigation measures for avoiding and reducing impacts on Tre'r Gôf SSSI. Where damage to the SSSI features cannot be avoided, the ES should demonstrate how all alternatives have been fully considered*". In view of the increased risk of impacts to the SSSI particularly with the proposed siting of the Workers' Accommodation, NRW advise that the ES should clearly demonstrate how the applicant has considered other options/alternatives which are less damaging to the SSSI.
26. As highlighted in comment no. 31 of NRW's 2016 Scoping Advice, the applicant has initiated a 'SSSI Compensation Technical Advisory Group' to advise on the development of a potential compensation strategy for offsetting possible impacts to Tre'r Gôf SSSI. Where damage to the SSSI is considered likely then the ES should specify mitigation and /or compensation measures (including measures to ensure long-term site security and management) to offset the damage. We request clarification from the applicant on how compensation is proposed to be secured as part of the DCO.
27. Paragraph 7 (section 14.1) states that "*the modelling approach has been discussed with NRW, and the approach to designated habitats includes input from ecology specialists (Appendix B ref.50). The modelling focuses on Tre'r Gof SSSI*". Clarity is required as to which modelling work this refers to e.g. groundwater or hydrological modelling or the Conceptual Site Model. NRW has advised that the modelling work must also consider Cae Gwyn SSSI.

Associated Development

28. In relation to the Dalar Hir Park and Ride facility, table 14.1 identifies that Llyn Traffwll SSSI is downstream and could be impacted by the works. Any impacts on water quality (e.g. silt ingress during construction, and drainage of salty (winter) or oily surface water during operation) must be assessed for potential impact on the lake.
29. Paragraph 22 (section 11.2.3), which refers to potential effects, should also include damage and not just habitat loss.

30. The Llanfachraeth section of the A5025 Offline works are upstream of Beddmanarch-Cymyran SSSI. Construction and operational impacts of the A5025 offline works on the SSSI must be assessed. Paragraph 17 (section 11.2.2) refers to a buffer of at least 10m between development and water body “where possible”. Any assessment must address all relevant issues where 10m buffer is not possible.
31. Chapters 11 and 14 do not mention potential impacts due to water discharges from package treatment plants proposed as part of the Dalar Hir Park and Ride facility. We refer you to comment 57 in relation to our advice on connection to mains sewers. Impacts on water quality (including on SSSIs downstream) due to any discharges from package treatment plants must be assessed in the ES.
32. Section 14.2.2 states that the ES will assess: “*impacts on European Designated Sites (e.g. SSSIs) and other watercourses*”. This should read European and Nationally Designated Sites (e.g. SSSIs).
33. The ES must assess the construction, operational and decommissioning impacts of the Associated Developments on the relevant SSSIs.

Protected Sites – European Sites (SACs, SPAs, Ramsar sites)

Changes in Existing Scope

34. Paragraph 5 (section 11.1) of Chapter 11 states that “*the list of designated sites to be considered remains as described in table 11.1 of the 2016 Scoping Report*”. We refer you to comment no. 26 in NRW’s 2016 Scoping advice, advising that Glannau Ynys Gybi SPA is a relevant site that should be considered. This site is currently included in HNP’s draft Stage 1 HRA Screening report, as well as other additional sites which HNP have included in the Stage 1 HRA Screening but that were not identified in the 2016 Scoping report.
35. NRW provide further advice in relation to SACs and SPAs in our comments on the Coastal Processes and Coastal Geomorphology and Marine Environment chapters (see below).
36. There are references throughout the document to Ynys Feurig, Cemlyn and the Skerries SPA. This SPA has been reclassified and renamed Anglesey Terns / Morwenoliaid Ynys Môn SPA. The ES and Statement to Inform HRA should use the Anglesey Terns / Morwenoliaid Ynys Mon SPA name.
37. The ES and Statements to Inform Stage 1 (HRA Screening) and Stage 2 (Appropriate Assessment) HRA reports will need to clearly set out any effects on European protected sites and identify the appropriate mitigation which will avoid any likely significant effects on the site in question for Stage 1 or demonstrate that there will not be an adverse effect on the integrity of the site in question for Stage 2.
38. NRW has provided advice to the applicant on its Statement to Inform Stage 1 HRA Screening report (comments provided on Version 2, 9/5/2017). HNP will need to review

this report and consider whether the changes in existing scope affects the relevant sites considered in the report and/or sites progressed to the Stage 2 (Appropriate Assessment) HRA report.

39. Paragraph 8 (section 11.1) states that “*baseline reports and technical summary reports will also be provided to NRW for review as and when they are prepared and ready for submission*”. NRW advised (comment no. 42) in its 2016 Scoping advice that HNP should consult NRW on the preparation of their HRA Report (i.e. Statements to Inform HRA). NRW has reviewed and provided advice to HNP on their draft Stage 1 HRA Screening report however, to date, NRW has not been consulted on a draft Statement to Inform Stage 2 (Appropriate Assessment) HRA report. HNP have stated that given the current timeline for DCO submission there will be insufficient time ahead of DCO submission to adequately consult NRW on the draft Statement to Inform Stage 2 (Appropriate Assessment) HRA. NRW has concerns with this approach. The applicant is encouraged to consult with NRW (being the Statutory Nature Conservation Body) on draft HRA documents during the pre-application process. We strongly advise HNP to consult NRW on the draft Statement to Inform Stage 2 (Appropriate Assessment) HRA report as early as possible and that NRW is provided with adequate time to fully advise prior to DCO submission.

Associated Development

40. The applicant proposes to provide a single Statement to Inform HRA report for the whole project. NRW agree with this approach.

Protected Species

Change in Existing Scope

41. Section 11.1, paragraph 4 highlights the key changes to the Wylfa Newydd Power Station site. We refer you NRW’s 2016 EIA Scoping response for the assessments that will be required with respect to European and nationally fully protected species.
42. The Temporary Workers Accommodation is located adjacent the bat roost at Tyn y Maes. This roost was provided by the developer as compensation for buildings previously demolished on site. This change in the existing scope is likely to increase the risk of adverse effects on this roost. The ES will need clearly set out effects on protected species and, where adverse effects are identified, should propose and deliver appropriate mitigation and/or compensation schemes to ensure the Favourable Conservation Status (FCS) of the affected species is maintained. Where a European protected species is likely to be affected, a development may only proceed under a licence issued by NRW having satisfied the three requirements set out in the legislation. One of these requires that the proposal demonstrates that there is no detriment to the maintenance of the FCS of the species concerned.
43. The construction, operation and decommissioning of the Workers Accommodation also has the potential to disturb chough (Schedule 1 species) which use Wylfa Head. The

change in existing scope may increase risk of disturbance, which will need to be assessed in the ES.

44. Paragraph 8 (section 11.1) of Chapter 11 states that a Biosecurity Risk Assessment (BRA) will be included in the ES and will detail “*measures that would be undertaken to control and eradicate INNS within the area of works*”. The BRA should also detail measures to prevent the introduction of INNS. The method by which the BRA would be implemented and brought to the attention of all contractors and sub-contractors should also be stated in the BRA. One of the risks for invasive plant species is the landscaping and planting phase. The BRA must cover planting plans to prevent planting of ornamental species that have the potential to become invasive.

Associated Development

45. Table 11.2 provides a summary of baseline information collected for protected species at the three Associated Development sites. Great crested newts (GCNs) and otters are European Protected Species (EPS) protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Water voles, red squirrels, and Schedule 1 listed birds are protected under the Wildlife and Countryside Act 1981 (as amended).
46. The ES will need to clearly set out any effects on protected species and, where adverse effects are identified, should propose and deliver appropriate mitigation and/or compensation schemes. NRW advise HNP to consult NRW on the baseline information, as well as proposed mitigation and/or compensation measures in advance of DCO submission, and allow sufficient time for NRW to advise HNP appropriately.
47. NRW advise that mitigation and/or compensation plans should demonstrate long term site security (i.e. land ownership/control and funding for management in perpetuity) to demonstrate that appropriate measures will be delivered and maintained.
48. As stated in paragraph 19 (section 11.2.2) of the Addendum, where a European Protected Species is likely to be affected, a development may only proceed under a licence issued by NRW. Any licence issued must satisfy the three requirements set out in the legislation. One of these requires that the proposal demonstrates that there is no detriment to the maintenance of the ‘Favourable Conservation Status’ (FCS) of the species concerned.
49. In relation to the Dalar Hir Park and Ride facility, paragraph 12 (section 11.2.2) refers to “*loss, diversion or culverting of waterbodies (ditches and ponds) and possible terrestrial habitat during construction, with potential effects on great crested newt*”. Paragraph 21 (section 11.2.3) identifies receptors that need to be considered in the ES and refers to “*waterbodies (ditches and ponds)*”. As stated in NRW’s PAC2 response (comment 341), GCNs are present in the vicinity and must be considered in the ES in relation to the Dalar Hir development. We advise that the dry stone wall (which HNP stated in PAC2 would be a barrier to GCN movements) should be inspected as it may contain voids which could be used as a sheltering habitats or hibernacula by GCNs. If this wall is to be removed, either fully or partially, or disturbed during construction, then

this will open up the Dalar Hir site as potential GCN habitat. We recommend the utilization of modelling as a tool to inform impact assessments.

50. Paragraph no. 23 proposes that assessment of impacts on breeding birds are scoped out of the ES in relation to the Dalar Hir facility. Tables 11.1 and 11.2 indicates that a barn owl survey has been undertaken on the building on site and that they were negative. However, as NRW has not reviewed the baseline information collected, we cannot agree that barn owl, as a Schedule 1 bird, is scoped out of the ES at this stage.
51. Paragraph 21 does not identify otters as being a receptor that must be considered in the ES in relation to Dalar Hir. Table 11.2 states “N/A” in relation to baseline information collected for otters. We request clarification as to the rationale for “N/A” status for otters. In the absence of evidence or appropriate justification, NRW advise that otters are considered in the ES with respect to Dalar Hir.
52. All three Associated Developments may impact on water voles. NRW advise that there may be a requirement for licences to be issued under the Wildlife and Countryside Act 1981 (as amended) in respect of water voles.
53. For all three Associated Developments, NRW has not reviewed the baseline information summarised in Table 11.2. We are therefore unable to agree with the conclusions at this stage. NRW can provide further advice on the baseline surveys undertaken and the mitigation and/or compensation measures proposed.

RADIOLOGICAL ISSUES

54. NRW has no comments to make on this chapter in addition to those made in our 2016 Scoping advice.

SOILS AND GEOLOGY

55. NRW has no comments to make on this chapter in addition to those made in our 2016 Scoping advice. We would expect the points raised previously regarding the definition of the “Topic Specific Criteria” and “Definition of magnitude” to be addressed within the ES.

SURFACE WATER AND GROUNDWATER

56. As advised within PAC1, and PAC2 (comments 38-42), HNP will need to quantify the water supply needed and discuss with Dŵr Cymru/Welsh Water (DCWW) to ensure that sufficient potable water is available to meet the additional demand from the proposed development on the main site and Associated Developments over its lifetime. Any new options for DCWW to abstract water to meet the Wylfa Newydd will need to be fully assessed and information provided within the ES / Statement to Inform HRA / WFD Compliance Assessment submitted to inform the DCO application.

57. The Addendum provides no information regarding how foul drainage will be dealt with, either from the accommodation of up to 4000 workers on site or with regard to the Associated Developments. NRW is therefore unable to provide further advice on the expected assessments further to that stated in NRW's 2016 Scoping advice. As stated in NRW's 2016 Scoping advice, HNP will need to discuss the foul drainage options for any connection to the main sewer with Dŵr Cymru/Welsh Water (DCWW), to ensure that they have sufficient capacity within the sewer. If this is not the case, any further sewerage options will require a variation to an existing Environmental Permit or a new Environmental Permit for the proposed discharges. Project waste water discharges on the main site and Associated Developments (Dalar Hir Park and Ride and Logistics Centre) will need to be fully assessed and information provided within the ES (including consideration of Cemaes Bathing Water), Statement to Inform HRA, and WFD Compliance Assessments submitted to inform the DCO application.
58. NRW have the following comments to make on table 14.1:
- a) The presence of superficial material above the aquifer is irrelevant; the important measure is where the water table is. It is prohibited for any hazardous substances to enter groundwater (which will include fuels), regardless of the geological type. We advise HNP to refer to the groundwater protection pages on the UK Government website.
 - b) NRW agree that HNP need to undertake site walkovers for the Associated Development to understand the use of private groundwater supplies in the vicinity.

Flood Risk

Change in Existing Scope

59. NRW advised (comment no. 66) in its 2016 Scoping advice that HNP should consult NRW on the preparation of their Flood Consequence Assessment (FCA) however, to date, NRW has not been consulted on a draft FCA. Given the current timeline for DCO submission, and current progress on completion of modelling work to inform the FCA, NRW has concerns with this approach. We strongly advise HNP to consult NRW on a draft FCA for the main site as early as possible and that NRW is provided with adequate time to advise prior to DCO submission.

Associated Development

60. We advise that the Valley offline section is now classified as being within zone C2 rather than C1 as quoted in table 14.1.
61. We note the following text used in paragraph 21 (section 14.2.3): "*Detailed technical assessments and surveys will be undertaken to address specific areas of concern. These will include the assessments outlined below: a) FCA: Based on the assumption that the development layout can be adapted to address any major areas of concern, this will be a qualitative assessment undertaken for all Associated Development proposals, considering both the risk posed to the proposed development and the impact of the proposals on flooding, including those relating to the management of surface water runoff...*". We have previously raised concerns regarding the A5025

Valley intersection proposal. It is noted that an assumption has been made. NRW has not agreed nor seen sight of any flood modelling works since amendments were made to the alignment and, depending on the results, the development layout may have to be adapted to ensure compliance with TAN15.

62. The FCA should demonstrate how the development complies with TAN15: Development and Flood Risk. Should any aspect of the Associated Developments (e.g. A5025 offline Valley improvement) increase flood risk (beyond modelling tolerances) and cause increased flood risk to 3rd parties then it would not be compliant with the requirements of TAN15.
63. NRW has not been consulted on a draft FCA for any of the Associated Developments. Given the current timeline for DCO submission, and current progress on completion of modelling work to inform the FCA, NRW has concerns with this approach. We strongly advise HNP to consult NRW on a draft FCA for the Associated Developments as early as possible and that NRW is provided with adequate time to advise prior to DCO submission.

Water Framework Directive (WFD)

64. Further to comment no.'s 79 and 80 made in NRW's 2016 Scoping advice, NRW has provided advice to HNP on its Preliminary WFD Assessment report. The report concludes that a WFD Compliance Assessment report is necessary, which NRW is in agreement with. The report will be submitted alongside the ES and will serve to identify any aspects of the project which *may* result in deterioration of a water body(ies), and element(s) within a water body or compromising a water body(ies) achieving its environmental objectives. If the WFD Compliance Assessment identifies that a water body may deteriorate as a result of the scheme, the scheme will be required to fulfil the stringent criteria set out in the Article 4.7 tests in order for the scheme to proceed.
65. In NRW's 2016 Scoping Advice (comment no. 80) we advised that HNP should consult NRW on the preparation of their WFD Compliance Assessment. NRW has provided advice to HNP on its draft Preliminary WFD Assessment however, to date, NRW has not been consulted on a draft WFD Compliance Assessment. Given the current timeline for DCO submission, and current progress on completion of modelling work to inform the WFD Compliance Assessment, NRW is concerned that there is insufficient time for HNP to consult NRW appropriately before finalising the WFD Compliance Assessment. NRW has concerns with this approach. We strongly advise HNP to consult NRW on a draft WFD Compliance Assessment within an appropriate timeframe prior to DCO submission.

Change in Existing Scope

66. As highlighted in comment 57 above, the Addendum report provides no information regarding how foul drainage at the main site will be dealt with (including the accommodation of up to 4000 workers on site). Project waste water discharges on the main site will need to be fully assessed and information provided within the WFD Compliance Assessment.

67. In relation to groundwater, the WFD Compliance Assessment should include the effects on groundwater bodies, which are classified as 'good' or 'poor' status (thereby different to surface water).
68. We refer you to our comments below (comments 92 - 94) in relation to marine related WFD comments, however, the applicant will be providing a single WFD Compliance Assessment that will need to assess the project as a whole.

Associated Development

69. We advise that table 11.2 should clearly make the link to chapter 14 and the WFD water bodies relevant to the Park and Ride and Logistics Centre, as has been done for the A5025 column in table 11.2. For example, the Freshwater Habitats and Quality section in table 14.2 should state if these small watercourses are part of a WFD water body (e.g. Crigyll) and if they will be considered in the WFD Compliance Assessment or if there any links to chapter 14. The same applies for macroinvertebrates and fish sections in relation to the Dalar Hir Park and Ride column in table 11.2.
70. In relation to the Dalar Hir Park and Ride facility, section 11.2.2 does not mention potential effects on fish (eels) or macroinvertebrates despite them being referred to in the baseline survey. We advise that they are assessed in the ES and WFD Compliance Assessment
71. In relation to the Dalar Hir Park and Ride facility, section 11.2.3 does not refer to the need to consider impacts from this part of the project within the WFD Compliance Assessment, despite mentioning the need to consider water bodies as an ecological receptor. This section does explicitly state that the A5025 Offline Improvements will be considered within the WFD Compliance Assessment. Impacts arising from all aspects of the Wylfa Newydd Project, including the Associated Development, should be considered within the WFD Compliance Assessment.
72. In relation to the A5025 column in table 14.1, NRW have the following comments:
 - a. Groundwater: WFD references need updating to cycle 2 as, for example, the River Basin Management plan reference should be the updated river basin plan for Western Wales published by NRW 2015; Water body names also need updating e.g. Ynys Mon Minor is now Ynys Mon Secondary.
 - b. The Ynys Mon Secondary Groundwater Body does not cover all of Anglesey. The description of the reason for WFD failure in the A5025 Offline Improvements column is unclear, however, further advice and clarification has been provided to the applicant on this matter.
 - c. Surface water and fluvial geomorphology: Water body list from cycle 1 should be updated to cycle 2.
73. In relation to the Dalar Hir Park and Pride facility we advise, for consistency, that the Surface water and fluvial geomorphology section of Table 14.1 should include reference to relevant WFD waterbodies as done for the A5025 column.
74. We advise that the quality elements listed in the 4th bullet point in paragraph 21 (section 14.2.3) should also include "chemical".

COASTAL PROCESSES AND COASTAL GEOMORPHOLOGY

Change in Existing Scope

75. Although table A1 acknowledges that TAN 14 will be taken into account in the coastal process and coastal geomorphology chapter of the ES, it is still absent from the Addendum chapter of the list of relevant policies and references used.
76. No information on maintenance dredging has been provided to date. Impacts from maintenance dredging will need to be assessed in the ES, Statement to Inform HRA and WFD Compliance Assessment.
77. As stated in NRW's 2016 Scoping Advice (comment no. 85), based on current information provided, NRW is unable to agree with the 5km study area proposed and advise that all sensitive receptors within the sediment sub cell be scoped in at this stage until evidence proves otherwise.
78. Paragraph 7 (section 15.1) states that an assessment is proposed using one or two tidal excursions. This has not been agreed with NRW. NRW advise that further discussion is required regarding this point.
79. NRW is concerned on the date of the baseline data associated with the understanding of Esgair Gemlyn as it is considered that data pre-2014 storms have been used. Further 2015 LiDAR is available free of charge from the Lle government portal (<http://lle.gov.wales>).
80. The modelling of the final design envelope for the Marine Off-Loading Facility (MOLF) and breakwaters has not been shared with NRW and therefore any modelling relating to coastal process and geomorphology cannot be agreed or confirmed at this stage.
81. In the absence of detailed design of the breakwaters, the range of potential options being taken forward must be adequately assessed, and whilst it is stated that a Rochdale Envelope approach based on worst case scenario is proposed, it may be that different breakwater designs have different potential impacts as opposed to one being a worst case; in which case a Rochdale Envelope approach may not suffice. NRW has advised the applicant that, in order to understand what the reasonable worst case would be, different scenarios would need to be modelled. Modelling and assessment of the project changes affecting the marine environment will be needed to inform both the ES as well as the Statement to Inform HRA and WFD Compliance Assessment.
82. Paragraph 4 (section 16.1) states: "*These structures and activities were considered as part of the 2016 Scoping Report. The study area and methodologies defined in the 2016 scoping report identified a 5km radius from the Power Station Site based on consideration of mixing zones and modelling information. The changes proposed do not substantially move or change the structures to the extent that a change to the study area would be required. The assessment methodology has already accounted for the design and operation of these structures. The scope of the assessment therefore*

remains as described in the 2016 Scoping Report". Evidence from modelled runs of sediment transport is required to determine if the 5km radius is an acceptable study zone for the coastal processes assessment. This was reiterated in comment no. 85 of NRW's 2016 Scoping advice. NRW's advice has been noted in section 15.1.7 (5th bullet point) of the Addendum. However, HNP have not considered it in Chapter 16 Marine Environment.

THE MARINE ENVIRONMENT

Benthic Ecology

Change in Existing Scope

83. Paragraph 3 (section 16.1) refers to the "*Changes to the MOLF and breakwaters including alteration of the dredging regime and construction methods*". Chapter 3 of the Addendum specifies a "*change in level around the circulating water intakes and MOLF to +6.6m Above Ordnance Datum (AOD)*" however, no additional information is included in the report explaining what this will mean in relation to potential impacts on marine ecology receptors. Any structural changes to any of the marine works will need to be incorporated, where relevant, into the coastal process modelling and related outputs.
84. In relation to the cooling water system and breakwaters, Chapter 3 of the Addendum states that there will be a "*Change in size of dredging area and internal configuration within the intake structure e.g. area of screens and number of drum screens per unit*". These include the following changes:
- East breakwater:
- a) crest length of 151.5m (an envelope of 131.5 – 151.5m); and
- West breakwater:
- b) Crest length of 500m (an envelope of 400 – 500m);
 - c) The knuckle / change in direction of the breakwater shifted 20m to the west from the design presented in the 2016 Scoping Report; and
 - d) The northern section of the breakwater shifted 20m to the west from the design presented in the 2016 Scoping Report.
85. The above specifications will need to be fully incorporated into the ES, with each of the worst-case scenarios for each modification taken into consideration regarding potential effects on marine ecology receptors. Given the changes to the marine works and construction footprint areas since the original Scoping Opinion was sought in 2016, NRW advise that the ES will need to fully account for these changes. We also reiterate (see also NRW's 2016 Scoping advice and PAC2 response) that the marine impact assessment must cover the full zone of impact / influence of the project (including construction / operation / decommissioning impacts, and include updated information from modelling studies associated with changes in hydrodynamics, thermal plume discharge, contaminants, and any other discharges arising from land-based sources.
86. We note that there are additional changes in relation to the construction and subsequent removal of the intake cofferdam, outfall cofferdam, semi-dry cofferdam,

temporary barge berth and temporary pontoon. No further detail has been provided in terms of what these design changes will mean in terms of potential impacts on receptors, however, it is essential that these modifications are fully assessed in the ES.

87. We advise the inclusion of detailed figures in the ES showing the extent of the seabed impact zone(s) from the various impact pathways overlain with the benthic ecology survey sites and the habitats identified from work to date.
88. We note HNP's response to several additional points from the Scoping Opinion as outlined in Section 16.1.5 of the Addendum Report and have the following additional comments.
 - a) The addendum report has not addressed the issue raised by NRW in relation to the assessment of Annex 1 Rocky reef (including intertidal rocky reef if contiguous with the subtidal) in the original scoping document. NRW advise that this habitat should be assigned a value of medium along-side Rock pool 'special interest' features.
 - b) The addendum report states that the design of the breakwaters is ongoing and opportunities for habitat enhancements are being explored to consider potential opportunities for biodiversity enhancement measures, however, to date NRW has had limited input on such measures. If effective biodiversity enhancement measures are to be achieved early engagement with NRW is essential.
89. We advise that a Biosecurity Risk Assessment is undertaken for all marine activities proposed and is included within the ES.
90. We note reference to the use of the 'Rochdale Envelope' approach to accommodate the need for flexibility in final design. The ES provided should assess effects based on the worst-case scenario. NRW will only be able to provide advice on the assessment of environmental effects and necessary mitigation if there are clearly defined maximum parameters. The applicant should note that the Rochdale envelope allows for flexibility but not so much as to create uncertainty regarding the likely range of impacts. The information provided in the ES must enable the likely significance of effects on the environment to be assessed and the necessary mitigation to be described.

Associated Development

91. In relation to section 16.2 Associated Development, although impacts on the marine environment should be avoidable, HNP has not provided any evidence to support scoping out potential impacts on the marine environment. NRW does not agree that impacts on marine receptors can be scoped out from the ES since sediments and / or contaminants could indirectly enter the marine environment via run-off from construction or operational activities. The risk of impacts need to be minimised through appropriate site-drainage management measures. There is a commitment to have regard for the marine environment in the impact assessment for surface and groundwater outlined in Chapter 14 (section 14.1.7). Impacts on marine ecology and waterbody receptors therefore need to be assessed if drainage from the Associated Development sites is likely to lead to a discharge to the marine environment. The same

applies to any other land-based discharges that could enter the marine environment as a result of the project.

WFD (Marine)

92. As advised above, any changes to the design of the marine structures will need to be remodelled and we advise that this is imperative to inform the WFD Compliance Assessment. Any underpinning assessments including the hydrodynamic modelling will be required to incorporate these changes. NRW has not seen evidence of this to date and advises this will need to be addressed in the ES and WFD Compliance Assessment.
93. We note that breakwater design is ongoing and that opportunities for habitat enhancement are being explored. We advise that this is developed in consultation with NRW and that the design of the breakwater is enhanced to counteract the negative effects of its installation as far as possible. Indeed, if the project is required to apply for a derogation under the requirements of Article 4.7 of the WFD, Test A requires that all technically feasible mitigation which is not of disproportionate cost must be incorporated into the scheme design, in order to fulfil the requirements of Article 4.7 should it be identified by the WFD Compliance Assessment that there is a risk of deterioration. Enhancement of the breakwater would be considered a measure to inform this test.
94. We also note that changes are proposed to the cooling water system, including configuration within the intake structure, relating to the drum screen area and number of drum screens per unit. NRW advises that these changes must be incorporated into the assessment process carried out to inform the ES and WFD Compliance Assessment and that any potential effects to organisms which may be at risk of entrapment within the cooling water system must be fully assessed.

Fish

95. NRW notes the point made in Section 16.1.5, bullet point 11 of the Addendum in relation to the assessment of potential effects on fish fauna. We advise that the WFD compliance assessment will also be required to assess potential effects to fish in WFD water bodies and that the geographical scope of the assessment should align with that of the HRA and ES. All WFD water bodies within this area for which fish is an element in the context of the WFD should be considered until justification, supported by robust evidence, can be provided for screening them out from further assessment.

Marine Birds

96. The ES will need to assess impacts on all species of seabirds and waterbirds that are features of SSSIs, not just SPAs.

Marine Mammals

97. Table A1 refers to feedback from the PAC1 consultation, and refers to the marine mammal management unit that will be considered for EIA and HRA. NRW advise that

additional units to that listed in the table should be considered. As advised in NRW's 2016 Scoping advice, due to demonstrated connectivity and wide ranging nature of the species, the relevant marine mammal management unit should be used as the basis of the spatial scale at which to assess effects on marine mammals, both in terms of inclusion of SAC sites and the consideration of activities/operations for the HRA and EIA including the in-combination (HRA) and cumulative impact assessment (EIA) (http://jncc.defra.gov.uk/pdf/Report_547_webv2.pdf). This includes all the harbour porpoise SACs and cSACs (not just North Anglesey Marine cSAC) in the Celtic and Irish Seas Management Unit, all grey seal SACs in the South and West England and Wales Management Unit and on East Irish and Northern French coasts of the Celtic and Irish Sea, and the bottlenose dolphin SACs in the Irish Sea Management Unit (not the Channel and South West England Management Unit).

WASTE AND MATERIALS

98. Excavated materials recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice, link here: http://www.claire.co.uk/index.php?option=com_content&view=article&id=210&Itemid=82. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation and/or land development works are waste.
99. The applicants will need to ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the applicant should contact NRW for advice.
100. The ES will need to be aligned with developments and strategies outlined in the Waste & Materials Oversight Group which is being progressed by the applicant. This Oversight Group has responsibility for the entire development and we advise the ES chapter on waste and materials reflect the strategies developed by this group.

CUMULATIVE EFFECTS

Change in Existing Scope

101. We note the different approach to assessment of the cumulative effects to carry out a project wide cumulative impact assessment. However, as the Secretary of State stated in its Scoping Opinion, it is also expected that details of any supporting applications are adequately described in the ES submitted in support of the DCO application, such that it can be clearly understood how the environmental effects have been considered as part of the ES for the DCO. This approach is applicable to Associated Development submitted with the DCO and for TCPA applications for the A5025 on-line highways improvements and the Visitor Centre. Clarity should be provided of interactions with other consents subject to EIA.

Associated Development

102. NRW recommend that the 'Wylfa Newydd Project' is defined in the Glossary of Terms.

MARINE WORKS – ADVISORY COMMENTS

103. Paragraph 7 (section 1.1.2) refers to the Marine Works EIA Scoping Report that is also included within the Addendum, and states that the EIA for Wylfa Newydd will consider project activities as a whole. NRW agrees with this approach and provide the advice below (on the Marine Works EIA Scoping section) in its role under the Infrastructure Planning (EIA) Regulations in order to advise the applicant in its assessment of the project as a whole in the ES.

Coastal Processes and Coastal Geomorphology

104. Paragraph 17 (section 7.3) states that the *“Wylfa Newydd Project marine licensable activities could change hydrodynamic and sedimentary processes both locally and potentially over a wider area. These changes to processes are described and predicted with respect to the baseline conditions and the consequence or significance of change for the environmental receptors (including designated sites)”*. NRW are concerned on the date of the baseline data associated with the understanding of Esgair Gemlyn as it may be that data pre-2014 storms have been used. Further 2015 LiDAR is available free of charge from the Lle government portal.

105. Paragraph 35 (section 7.3.1.14) states *“there are two sites on Anglesey specifically designated for coastal geomorphology, namely Newborough Warren which is important for its coastal features, and Tywyn Aberffraw comprising a large and intact dune system. These are 62km and 54km respectively from the Power Station Site. As a result of their distance from the site, they have been screened out of further assessment as there would be no anticipated effects*. NRW has consistently advised that until evidence is presented no protected sites should be scoped out of the sediment sub cell.

106. Regarding section 7.3.1.3 and sea level rise projections, confirmation must be provided on which sea level rise scenario has been used in UKCP09.

107. Table 7.2 identified potential effects of the marine licensable activities on coastal processes and coastal geomorphology at the Wylfa Newydd Development Area. NRW has the following advice on this table:

- a. *Loss of and change to the nature of the seabed*: The 'change to the nature of the seabed' potential impact should also be considered for the operational phase.
- b. *Alteration to waves, current patterns and Sediment processes potentially causing scour*: Consideration should also be given to refocussing of wave energy from wave reflection off structures towards sensitive receptors e.g. Cemlyn Bay SSSI/SAC. Scour should not be the only consideration. This needs to be considered for the operational phase as well as construction.

c. *Coastal Squeeze*: HNP should clarify what is meant by coastal squeeze. It would not currently be considered to have an effect due to the nature of the cliffs in the area. NRW consider that this potentially a footprint loss issue.

108. Paragraph 48 (section 7.3.3) states that “*Horizon has developed a marine hydrodynamic model to aid understanding of the potential influence of the structures associated with the Wylfa Newydd Project marine licensable activities on the marine environment. The hydrodynamic model has been developed in consultation with NRW*”. Please note, NRW have not currently seen or agreed to any accretion / erosion studies or agreed the wave modelling assessment. Suspended sediment concentration modelling has been introduced although not finalised. The modelling of the final design envelope has also not been shared with NRW.
109. Table 7.14 refers to physical disturbance of habitats including from scour and smothering during the construction phase. The ES must also assess physical disturbance effects from the changes in hydrodynamic conditions during the operational phase and not just the construction phase.
110. Table A.2 (2016 Scoping Opinion) states, in relation to coastal processes study areas, that for “*the dispersion of fugitive dredged sediment and fine silt it has been agreed to a study area which extends for a distance of up to one to two tidal excursions from the Power Station Site*”. NRW have not agreed to the above statement.

Benthic Ecology

111. NRW has conducted Drop Down video survey around the North and North West of Anglesey in 2016 that will be relevant to the characterisation and assessment of benthic ecology elements for the EIA. This draft report has been shared with the applicant.
112. In relation to disposal of sediments and rock at the Holyhead North (Holyhead Deep) Disposal Site, NRW advise that impacts on benthic ecology must be made. Disposal of large sediment fractions including rock at the disposal site is a departure from its intended use. The impacts of this activity on sensitive species and habitats (including Sabellaria reef which is an Annex 1 habitat) must therefore be considered. We advise that competent authorities and the applicant should consider, as far as is reasonably possible, impacts on Habitats Directive Annex I habitats outside of protected sites, to help ensure compliance with the requirements of the Directive. We therefore consider that the impacts of development or activities on 'undesigned' Annex I habitat outside SACs should be assessed and adverse effects minimised or mitigated as far as possible.
113. In relation to predicted sea level rise (section 7.3.1.3), the UKCP09 projections are currently being updated, and will be published as UKCP18 projections. These may need to be revised and considered when available.
114. With regard to sections 7.4.3.1.1.2 and 7.4.3.1.2.1 of the report, we again refer the applicant to the Draft 2016 NRW Drop Down Video survey report for additional

information on the existing benthic environment (habitats and species) found around Wylfa and in Holyhead North (Holyhead Deep).

115. A Biosecurity Risk Assessment (BRA) will need to be provided for all marine activities associated with the proposed development and included within the ES. NRW request clarification on the level of detail that will be provided for the BRA in the ES.

Seabirds

116. Regarding section 7.4.6.1.1 (Wylfa Newydd Development Area), the applicant should include JNCC data collected for the Anglesey Terns SPA in order to consider the terns from the SPA as well as other birds from other SPAs.
117. Paragraph 162 (section 7.4.6.1.2) refers to the data that Minesto used for their desk based study. HNP should clarify whether this data also covers the Holyhead North section (i.e. the disposal area) or whether this data covers the area used by Minesto only. This data is also dated, with the most recent records being from 2008 (WWT aerial data) and the others being from 1992, 1991 and 1988 (ESAS data). Some of the data is from the summer months however the survey coverage in winter for this area is limited. Also, the data doesn't cover the passage periods in spring and autumn. Minesto only considered diving seabirds which could have a direct interaction with the tidal kite and therefore will only have considered these species. HNP will need to undertake its own analysis of the ESAS/WWT data set, looking at what birds are present within the area and looking at all species potentially affected to provide an understanding of usage of the area. The applicant may then wish to request updated surveys from Minesto to provide an up to date analysis of the use of the area. HNP may then consider this data and assess the potential effect on local and national populations. The assessment would also need to look at the potential effect on SSSIs as well as SPAs.
118. With regard to paragraphs 164 – 167, NRW disagree with just focusing on Guillemots, Razorbills, Puffins and Gannets. The ES will need to assess what is in the area affected and then consider how they may be affected. For example, there are a number of Manx shearwaters in the area.
119. In paragraph 169, the applicant should explain which SPA is Guillemot and Puffin a feature of within the mean maximum foraging range from the development area.
120. The potential effects in Table 7.14 (section 7.4.6.2) should also reflect those in the HRA. The table fails to mention the potential effect of entrainment and entrapment of prey species or other parts of the ecosystem on seabirds.
121. Section 7.4.6.3 refers to "*Identification of data gaps and further work required*". As stated previously the applicant should request up to date data for Holyhead North (Holyhead Deep) collected by Minesto to give an up to date picture of the usage of the site.

Habitats Regulations Assessment

122. The applicant proposes to provide a single Statement to Inform HRA report for the whole project. NRW agrees that this report should consider the whole project, including that covered by the Marine Licence, alone and in-combination with other projects.

WFD

123. In relation to dredging and disposal of dredged material, we note that a number of additional points are made in the Scoping Opinion provided by the Secretary of State in response to the 2016 Scoping report. We advise that the WFD Compliance Assessment will need to cover all aspects of the project including the assessment of dredge related activities including capital and maintenance dredge campaigns and disposal of rock and dredge spoil at Holyhead North disposal ground. Plume effects will need to be addressed as part of the assessment.

124. The applicant proposes to provide a single WFD Compliance Assessment for the whole project. NRW agree with this approach. The applicant should note that, if there is a risk of deterioration, there will be a need for separate derogations under Article 4(7) in respect of the DCO and ML.

Landscape and Visual

125. The report sets out the range of proposed development and assessments required for the marine environment. The MOLF and associated breakwater has a bearing on the seascape character, scenic qualities, wildness and expansive views of the AONB at Porth Y Pistyll, to which Seascape Character Areas 9 Cemlyn Bay and 29 North of Anglesey contribute. These conservation aspects of the AONB referred to within the AONB management plan have not been set out within section 7.7 of the EIA scoping report. Whilst effects upon seascape character are included, the assessment of effects upon the AONB is not. The Seascape Character Areas help set out strategic area based characteristics, within which place based characteristics, views and perceptions of scenic quality, wildness, expansive views need to be added following site assessment. These elements need to be addressed within subsequent assessment stages.

126. Section 7.7 Landscape and visual (effects upon Seascape) states, in relation to potential effects on seascape, that the MOLF and associated breakwaters would substantially increase the extent of developed coastline adjacent to the Existing Power Station affecting seascape character and setting.

127. We note that the AONB Management plan's description of Special Qualities is an omission here and is relevant to the assessment of effects upon the AONB. The management plan identifies expansive views/seascapes as a special quality of coastal landscape/seascape features. The coastline at Porth y Pistyll lies within the AONB and the seascape context and sea views are part of the designated landscape's character and experience of natural beauty. Seascape Character Areas 9 Cemlyn Bay and 29 North of Anglesey provide the wider context to the specific local views and experience of natural beauty at Porth y Pistyll.

ANNEX 2

NRW PERMITTING SERVICE COMMENTS ON MARINE WORKS EIA SCOPING

1. Paragraph 7 (section 1.1.2) refers to the Marine Works EIA Scoping Report that is also included within the Addendum, and states that the ES for Wylfa Newydd will consider the project as a whole and will inform the Marine Licence application as well as the DCO. NRW Permitting Service (NRW PS) agrees with this approach. The comments below relate to the Marine Works EIA Scoping Report.
2. The Secretary of State's April 2016 Scoping Opinion for the DCO advised the applicant that any likely significant effects (and potential mitigation of such effects) from the proposed development which may be regulated by other statutory regimes are identified in the ES.
3. HNP's Addendum to the EIA Scoping report includes consideration of Marine Works components of the project, including works which will not form part of the DCO application (i.e. offshore dredge disposal activities). NRW PS makes no comments on the technical information in the Addendum, but welcome that the consideration of Marine Works components includes works which will not form part of the DCO application (such as offshore dredge disposal).
4. NRW PS are currently providing comments to the applicant on its site characterisation scoping report concerning information required for the characterisation of Holyhead North dredge disposal site (please note the name change from Holyhead Deep) which will help inform the requirements for the applicant's ES with regards to offshore dredge disposal.
5. The applicant has requested a screening and scoping opinion from the NRW PS under the Marine Works Environmental Impact Assessment Regulations 2007 (as amended) with regards to the Marine Works components of the proposed development. NRW PS is currently considering this, and whether the Exception to the need for a separate EIA for the Marine Licensable Activities can be relied upon on the basis that any effects on the environment of the project is being, or is to be carried out, by the Secretary of State and that such assessment is or will be sufficient to meet the requirements of the EIA Directive.

----- END -----

Ms Hannah Pratt
The Planning Inspectorate (on behalf of Secretary of State)
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

18 Ebrill / April 2016

Annwyl / Dear Ms Pratt,

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (AS AMENDED) –
REGULATIONS 8 AND 9**

**RE: SCOPING CONSULTATION – Application by Horizon Nuclear Power Wylfa Limited
for an Order Granting Development Consent for the Wylfa Newydd Project**

Thank you for your letter dated 21 March 2016 consulting NRW on EIA Scoping with respect to a proposed Development Consent Order application for the Wylfa Newydd Project.

The comments contained in this letter comprise NRW's response to this scoping consultation under the Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impacts Assessment) Regulations 2009 (as amended).

Please note that our comments are without prejudice to any comments we may subsequently wish to make when consulted as part of a formal pre-application consultation, or during the submission of more detailed information or on the Environmental Statement. At the time of any planning application there may be new information available which we will need to take into account in making a formal response to the Planning Inspectorate (PINS) / Secretary of State (SoS).

We note the information provided within the Scoping Report will be subject to further update and revision and that further detail of the various technical studies undertaken will be provided in the Stage 2 consultation and within the final Environmental Statement. On this basis, NRW reserves the right to make such further comments and representations during the course of the pre-application process, as may be required. The comments included in Annex I below are made purely in respect of the scoping consultation and are without prejudice to any future comments which may be provided by NRW.

Please do not hesitate to contact Bryn Griffiths should you require any further assistance.

Yours sincerely



Richard Ninnes
Head of Ecosystems Planning and Partnerships, North & Mid Wales

CONTENTS

Regulatory and Policy Background.....	3
Approach to Environmental Impact Assessment.....	3
Air Quality.....	4
Noise and Vibration.....	4
Landscape and Visual.....	5
Terrestrial and Freshwater Ecology.....	6
Radiological Issues.....	11
Soils and Geology.....	12
Surface Water and Groundwater.....	13
Coastal Processes and Coastal Geomorphology.....	16
The Marine Environment.....	18
Public Access and Recreation.....	23
Archaeology and Cultural Heritage.....	23
Cumulative Effects.....	24

ANNEX I

Regulatory and Policy Background

1. NRW note Section 2.2 on Nuclear Regulatory Context which states that *“At section 2.7, NPS EN-6 establishes that in coming to their conclusions on the DCO application, the examining authority and Secretary of State should act on the assumption that the relevant nuclear licensing and permitting regimes will be properly applied and enforced, and directs that they should not duplicate the consideration of matters that are in the remit of the relevant regulators.”*
2. NRW notes that NPS EN-6 also sets out expectations relevant under Other Legislative Requirements (2.3) such as Environmental Permitting (2.3.1) e.g. the expectation that applicants will demonstrate Best Available Techniques to minimise the impacts of cooling water discharges when applying for a permit.
3. With regard to section 2.3 Other Legislative Requirements, NRW confirms it is expecting to receive a variety of applications to carry out different activities as described in all sub sections.
4. Section 14.2.2 of the Scoping report states that the Wylfa Newydd Development Area is located in an area currently exempt from groundwater abstractions. NRW has made the applicant aware of changes to water abstraction licensing exemptions in England and Wales and advised the applicant that these changes are likely to result in the need to obtain an abstraction licence. We refer the applicant to: <https://consult.defra.gov.uk/water/water-abstraction-licensing-exemptions>
5. With regards to section 2.3.2 Marine Licensing, NRW notes the applicant’s recognition that the marine licence applications will require EIA to be carried out under the Marine Works (Environmental Impact Assessment) Regulations 2007 as amended by the Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2015. On that basis NRW recommends the applicant submit a request for an EIA scoping opinion - under the Marine Works (Environmental Impact Assessment) Regulations 2007 as amended - to NRW’s Marine Licensing Team.
6. The Welsh Government is in the process of developing the first Welsh National Marine Plan and shared an initial draft of the Plan in 2015. NRW recommends that the Welsh National Marine Plan is considered by the applicant.

Approach to Environmental Impact Assessment

7. Section 7.3.3 of the report discusses Habitats Regulations Assessment and we note the statement *“Horizon will provide the necessary information and analysis for the competent authority to undertake the HRA in tandem with EIA”*. NRW advise that the applicant should consult NRW on the preparation of their No Significant Effects Report (NSER) or Habitats Regulations Assessment Report (HRA Report). We refer you to our comments in points 40-41 below for further advice in relation to HRAs.

8. NRW advises that a holistic approach should be undertaken to the cumulative assessment that covers the whole lifecycle of the development. The assessment of the potential cumulative and in-combination effects of the Wylfa project with other existing or reasonably foreseeable projects is likely to be complex and will be required to be set out in the ES. The applicant should set out in the ES where impacts from consequential or cumulative development have been identified, and how it is intend to assess these effects in the ES. Where uncertainty remains about Wylfa project details, the applicant should assume worst case scenario. Where there are associated works that are subject to separate EIA the cumulative effects from the various associated works themselves and the main project should be assessed. NRW advise that a completed transboundary screening matrix should also be completed. Our detailed comments with regard to Cumulative Impacts are set out in points 125 – 127 below.

Air Quality

9. Section 8.2.1 refers to European sites including SACs and SPAs that will be considered. The ES should also consider Ramsar sites for which UK government policy is to treat as Natura 2000 sites.
10. Section 8.4 refers to statements made in NPS EN-1 in relation to noise and vibration. We assume that these references are included in error in this section on air quality.
11. With regard to dust, we note the statement that 200mg/m²/day is considered as the threshold at which there may be impacts on amenity. We consider that this would also be an appropriate threshold with regard to sensitive vegetation.
12. The models used to undertake the air quality assessments will need to be updated to include the final design details and a more accurate reflection of the Proposed Activities, prior to completion of the ES and HRA.
13. The project has the potential to affect air quality and have in-direct effects on protected sites (e.g. SSSIs, SACs, SPAs, Ramsar sites) during both the construction and operational phase (due to both air pollution and dust). We advise that the ES should fully assess impacts of air pollution and dust on protected sites. NRW would expect the ES to include an assessment of the amount of predicted pollution from the proposal against the relevant nitrogen critical loads and relevant pollution critical levels for any designated sites that may be affected. NRW can provide further advice with respect to the critical load levels.

Noise and Vibration

14. Section 9.1.1 identifies sensitive receptors as human receptors, ecological receptors, and infrastructure receptors. NRW advise that the ES in support of the DCO should fully assess both construction and operational impacts of noise and vibration on ecological receptors and on the special qualities of the Anglesey Area of Outstanding Natural Beauty (AONB). Please note, NRW does not comment on assessment of impacts on human receptors with respect to noise and vibration with regard to the ES in support of the DCO, and we recommend that PINS liaise with the local authority for further advice.

15. We note that users of the Wales Coast Path will be considered, this being within the “open-air amenities” receptor.
16. Section 9.1.1 refers to the key ecological receptor as being Ynys Feurig, Cemlyn Bay and the Skerries SPA which has been designated due to its importance to four species of breeding terns. NRW agree that this is a key receptor and we refer you to our comments on protected sites below.
17. NRW also consider that noise and vibration has the potential to impact on mobile features of other protected sites (e.g. though using the site, which are linked to Glannau Ynys Gybi SPA). We advise that the ES should clearly set out how it assesses impacts on mobile features of other national (SSSI) and European protected sites (SAC/SPA/Ramsar).
18. As detailed in our comments under Terrestrial and Freshwater Ecology, there are protected species on site. These include species protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). Bats are particularly at risk of disturbance from noise and vibration, and bat compensation roosts have been located on site as part of building demolitions on site that have been completed. The ES should clearly set out how the impacts of noise and vibration on protected species have been assessed and detail any required mitigation and/or compensation. As detailed below, where a European protected species is likely to be affected, a development may only proceed under a licence issued by NRW having satisfied the three requirements set out in the legislation. One of these requires that the proposal demonstrates that there is no likely detriment to the maintenance of the ‘favourable conservation status’ of the local populations of species concerned.
19. We note that underwater noise and vibration effects on ecological receptors are considered under the Marine Environment chapter. We therefore refer you to our comments below (point no. 114). NRW can provide pre-app advice on the proposed underwater noise and vibration modelling and assessment methodology, in advance of submission of the ES.

Landscape and Visual

20. Section 10.2.4 identifies the Anglesey Area Outstanding Natural Beauty (AONB) as a key receptor. The Wylfa Newydd Development Area is located adjacent and partly within the Anglesey AONB and NRW consider that the Wylfa Newydd project has the potential to have significant adverse effects on the special qualities of the AONB.
21. NRW advise that the ES should fully consider impacts on the special qualities of the AONB. An assessment of impacts on the AONB will need to consider the physical and visual effects upon the area’s Natural Beauty - the scenic quality, distinctiveness, sense of place and special qualities of the area. The AONB management plan sets out special qualities that it seeks to conserve and enhance. These are often elements, features and attributes that the landscape contains, which contribute to character. The ES will need to demonstrate through its landscape and visual assessment and development

proposals how it has positively addressed the special qualities of the AONB and explain the iterative design process taken to minimising adverse effects.

22. We note and agree with the statement in section 10.1 that a similar approach should be undertaken when assessing the Off-Site Power Station Facilities.
23. We note and agree with the statement in section 10.3.1 that the Wales Coast Path should be noted as a sensitive receptor in relation to landscape and visual effects.
24. Given the scale of the proposal and sensitive landscape and seascape location, we consider that the draft principles for the Landscape and Environmental Master Plan (LEMP) need to develop and flow from a landscape character approach so that factors contributing to landscape aesthetics (e.g. designing with the landscape form, scale, pattern of landcover, habitat potential, colour and architectural options) are developed as one scheme through the analysis of the key viewpoints.
25. There is no mention of assessment of lighting and night time assessments. NRW consider that the operational phase, and particularly the construction phase, has the potential to cause light pollution. NRW advise that night time assessments on visitors to the AONB should be undertaken. There is potential for people to be at Cemlyn Bay within the AONB at around dusk time, as a result of activities such as experiencing sunsets and wildlife watching. Understanding the baseline experience of lighting is necessary to the lighting strategy for the development.

Terrestrial and Freshwater Ecology

- Protected Sites

26. Table 11.1 of the report lists statutory protected sites within the study area and which may potentially be impacted by the works. These sites include European sites (e.g. Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites) protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and nationally protected sites (e.g. Sites of Special Scientific Interest (SSSI)) protected under the Wildlife and Countryside Act 1981 (as amended). NRW advise that the proposal also has the potential to affect terrestrial statutory protected sites outside this study area e.g. chough populations on site are considered to be linked to the Glannau Ynys Gybi SPA.
27. We note that section 16.2.8 in the Marine Environment chapter lists protected sites of relevance to the marine environment that may be impacted, including sites not currently listed in Table 11.1 e.g. Bae Lerpwl/Liverpool Bay SPA. For clarity, NRW consider it would be useful to include all protected sites that will be considered in the ES together in a single table.

- Protected Sites: Tre'r Gôf SSSI and Cae Gwyn SSSI

28. Tre'r Gôf SSSI is located within the site and has the following special features: Lime rich wetland with associated plant communities characterised by blunt flowered rush, black bog rush and great fen sedge, and the nationally scarce marsh fern. Cae Gwyn

is located adjacent, and partly within, the Wylfa Development Area boundary and has the following special features: an area of acid wetland. Both SSSIs have the potential to be impacted by changes in hydrology/hydrogeology and changes in water quality.

29. Section 11.3.2 identifies the potential impacts to Tre'r Gôf and Cae Gwyn SSSIs during the construction works. NRW consider that the operational phase may also affect the functioning of Tre'r Gôf SSSI if, for example, the reactor foundations need regular dewatering. NRW advise that both construction and operational impacts on both Cae Gwyn and Tre'r Gôf SSSI are fully assessed in the ES.
30. The proposed works have the potential to have in-direct impacts on both Cae Gwyn and Tre'r Gôf SSSI through alterations to groundwater/surface water flows and water quality. NRW advise that sufficient hydrological/hydrogeological information should be provided in the ES as part of the DCO submission to demonstrate whether the proposal will damage the SSSI interest. NRW has provided advice and guidance to the applicant on the hydrological and hydrogeological monitoring work to be undertaken. As detailed in previous correspondence to the applicant, it is unfortunate that flumes and loggers installed in 2010 did not provide continuous data so as to provide reliable hydrological/hydrogeological data over multiple years and thereby provide confidence in predicted impacts on the SSSI. NRW consider that hydrological/hydrogeological data should normally be collected for at least 2 years to overcome seasonal variations. NRW can provide further advice on the expected hydrological/hydrogeological information expected to inform the ES.
31. NRW has previously advised that the applicant should avoid damage to protected sites, including Tre'r Gôf SSSI which is at particular risk in view of the works proposed. The ES should detail appropriate mitigation measures for avoiding and reducing impacts on Tre'r Gôf SSSI. Where damage to the SSSI features cannot be avoided, the ES should demonstrate how all alternatives have been fully considered. NRW consider that due to the limited hydrological/hydrogeological data that may be available to inform the ES, the applicant may not be able to demonstrate no damage to the SSSI, even if all reasonable mitigation measures are implemented. In July 2015, the applicant initiated a 'SSSI Compensation Technical Advisory Group' to advise on the development of potential compensation strategy for offsetting possible impacts to Tre'r Gôf SSSI. With consideration of the above, where damage to the SSSI is considered likely despite full consideration of avoidance and mitigation measures, then the ES should specify possible compensation measures (including measures to ensure long-term site security and management) in order to offset the damage.
 - *Protected Sites: Cemlyn Bay SAC & Cemlyn Bay SSSI*
32. We note that parts of the work will be located within the catchment leading to Cemlyn Bay SSSI/SAC. The features of Cemlyn Bay SSSI/SAC include the coastal lagoon and perennial vegetation of stony bank. Cemlyn lagoon is a saline lagoon and supports a diverse range of species, which are sensitive to pollution and/or nutrient inputs. NRW consider that the proposed works, including earthworks and mounding, within the catchment has the potential to have significant effects on the SSSI/SAC. The ES should provide sufficient information, including appropriate mitigation where necessary to demonstrate how impacts to the Cemlyn Bay SSSI/SAC will be avoided.

33. As detailed in point no. 87 below, works in the marine environment have the potential to indirectly affect Cemlyn Bay SAC through alterations to coastal processes and the functioning of the shingle ridge at Cemlyn. The ES should provide sufficient information, including appropriate mitigation where necessary to demonstrate how indirect impacts to the Cemlyn Bay SSSI/SAC will be avoided.
- *Protected Sites: Ynys Feurig, Cemlyn Bay and the Skerries SPA / Proposed Anglesey Terns pSPA*
34. The features of the SPA include the four tern species: Roseate, sandwich, arctic and common tern. The scale and duration of construction works on site indicate that the works have the potential to disturb tern colonies at Cemlyn Bay and impact on tern foraging and commuting. We advise that disturbance to terns (including from light, movement, noise and vibration) should be fully assessed in the ES. The ES should propose and deliver appropriate mitigation and/or compensation schemes, to ensure that the works are not detrimental to the Favourable Conservation Status of tern populations.
35. We note that the operational phase also has the potential to impact on the SPA e.g. through impacts on the terns' food source. This is discussed further in the Marine Environment section below.
36. There is also the potential for in-direct impacts on sandwich terns, and occasionally other terns, through impacts (loss of feeding areas) on black-headed gulls. Sandwich terns typically nest sympatrically with black-headed gulls, as the gulls help with the defence of the colony against predators which helps with nesting success (Eglington and Perrow, 2014). NRW also consider that works in the marine environment have the potential to generate sediment plumes that may affect foraging through reduction in visibility. We advise that these impacts are considered in the ES.
37. Section 16.2.8 refers to the proposed Gogledd-orllewin Ynys Mon/Northwest Anglesey SPA. Welsh Ministers have requested NRW to consult on a proposed extended Ynys Feurig, Cemlyn Bay and the Skerries SPA which includes tern foraging areas. Please note the name of the proposed site within NRW's consultation is Anglesey Terns SPA. At this consultation stage it is Government policy that the proposed sites are treated as a designated SPA. The proposed SPA should be included within Table 11.1. We therefore advise that the ES should assess any significant effects on this proposed SPA.
- *Protected Sites: Glannau Ynys Gybi / Holy Island Coast SPA*
38. Table 11.2 states that chough breed within the study area, and are present on site throughout the year. Chough populations are mobile and are considered to be linked to the Glannau Ynys Gybi SPA – we therefore advise that this SPA is included in Table 11.1. The proposed works has the potential for adverse impacts on the chough population through disturbance (during breeding and while foraging) and loss of foraging habitat. The ES should assess the likely impacts from disturbance and/or loss of foraging areas and, where required, should propose and deliver appropriate

mitigation and/or compensation schemes to ensure that the works are not detrimental to the maintenance of the Favourable Conservation Status of chough populations.

- *Protected Sites: North Anglesey Marine SAC*

39. As with the proposed Anglesey Terns SPA referred to above, Welsh Ministers have requested NRW to consult on a proposed SAC for harbour porpoise. At this consultation stage it is Government policy that the proposed sites are treated as designated SPAs/SACs. We therefore advise that the ES should assess any significant effects on harbour porpoise which are a proposed feature of the proposed North Anglesey Marine SAC. Further advice is provided in our comments on the Marine Chapter below. The proposed SAC should be included within Table 11.1 for completeness.
40. Section 16.2.8 refers to the proposed Gogledd-orllewin Ynys Mon/Northwest Anglesey SAC. However, the name of the proposed site within NRW's consultation is North Anglesey Marine SAC.

- *Habitat Regulation Assessment (HRA)*

41. Please note that, as the proposal may have implications for SAC/SPA/Ramsar sites, the Secretary of State (SoS) will need to carry out a test of likely significant effects (alone and in-combination) under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) before determining the planning application. We can help the SoS reach a conclusion on likely significant effects. If that assessment concludes there is likely to be a significant effect, we can also advise on the further, appropriate assessment that would be required under the Regulations. We remind you that, as a competent authority for the purposes of the 2010 Regulations, the SoS must not normally agree to any plan or project unless it is sure beyond reasonable scientific doubt that it will not adversely affect the integrity of a SAC, SPA or Ramsar site.
42. The ES will need to identify impact pathways for protected sites, clearly assess the possible levels of impact and, where impacts are likely, should provide full details of appropriate mitigation measures to address those impacts. NRW can provide further advice with regard to predicted impacts or on the suitability of mitigation measures. As mentioned above, NRW advise that the applicant should consult NRW on the preparation of their No Significant Effects Report (NSER) or HRA Report (i.e. Statements to Inform HRA).
43. In September 2015, the applicant proposed the adoption of a non-statutory, voluntary approach that is broadly analogous to, and applies the principles of an 'Evidence Plan'. NRW welcomes the applicants proposals for a formal mechanism to agree up front the information the applicant needs to supply to PINS as part of a DCO application and to help ensure compliance with the Conservation of Habitats and Species Regulations 2010 (as amended).

- *Protected Species*

44. Table 11.2 provides a summary of survey results with respect to protected species. Bats, great crested newts (GCNs) and otters are European Protected Species (EPS) protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Where a European protected species is likely to be affected, a development may only proceed under a licence issued by NRW having satisfied the three requirements set out in the legislation. One of these requires that the proposal demonstrates that there is no detriment to the maintenance of the 'Favourable Conservation Status' (FCS) of the species concerned.
45. Water voles, red squirrels, and Schedule 1 listed birds are protected under the Wildlife and Countryside Act 1981 (as amended).
46. Section 11.4.2 states that the baseline environmental information for protected species is sufficient to inform the EIA for the DCO works. NRW is unable to agree with this statement at this point however, NRW can provide further advice once in receipt of baseline information.
47. Section 11.4.2 states that uncertainty remains as to the status of GCNs on site and that "...Further survey work is required to confirm this status and would be completed prior to submission of an environmental statement, should land access issues be resolved". If land access issues are not resolved then NRW advise the applicant to seek further advice on the approach to assessment that should be undertaken.
48. Section 11.4.2 states that the EIA will focus on species valued as low, medium or high which include all the protected species referred to in our point 44 – 45 above, with the exception of red squirrels. We note that red squirrel surveys are proposed in 2016. If survey results indicate that red squirrels may be affected by the works, then red squirrels should be covered in the EIA.
49. With the exception of red squirrels (see comment above), NRW accept the statement in section 11.4.2 that those species given a negligible value, or where baseline surveys have concluded a likely absence from site, will not be included within the EIA. Please note, this should be reviewed should new information come to light regarding their status on site.
50. NRW advise that the ES should clearly set out any effects on protected species and, where adverse effects are identified, should propose and deliver appropriate mitigation and/or compensation schemes to ensure the Favourable Conservation Status of the affected species is maintained.
51. With regard to Ecological Compliance Audits, we advise that the ES includes provisions concerning ecological compliance audit requirements. We anticipate that the EIA will propose key performance indicator for assessing compliance with proposed method statements, planning conditions and licence conditions.

- NERC Act 2006 & Local Interests

52. Please note that NRW has not considered or commented on possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests (including reptiles). Please note however that the ES will need to include an assessment of these interests.

- *Biosecurity*

53. We consider biosecurity to be a material consideration owing to the nature and location of the proposal. NRW is aware that a number of terrestrial and aquatic Invasive Non-Native Species (INNS) are present on site. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases. The proposed works have the potential to cause both the introduction and spread of INNS. We therefore advise that the provisions of the ES include a Biosecurity Risk Assessment, which will be implemented during all phases of the proposal including construction and operation of the facility. This information will also be required to inform the HRA We anticipate that the Biosecurity Risk Assessment will detail:

- a. measures that will be undertaken to control and eradicate INNS within the area of works;
- b. measures or actions that aim to prevent INNS being introduced to the site for the duration of construction phase of the scheme.

Radiological Issues

54. NRW note that the applicant is planning to submit an application for an environmental permit for disposal of radioactive substances. Requirements under that regime will ensure the company has sufficient resources and management arrangements to ensure the impacts of discharges from the site are minimised and dose to the public are kept as low as reasonably achievable. We note there is a specific chapter in the Scoping report on the assessment of radiological issues. NRW agree with this approach and advise that the EIA should include a chapter on radiological issues, setting out potential effects and proposed mitigation measures.

55. NRW note the statement in Section 12.1 that states “*the main potential radiological considerations associated with the Generating Station are doses to the public and biota which may arise during operation and decommissioning. The construction activities at the site will not generate radioactive waste or discharges and as such there is no further consideration of construction in this chapter.*” NRW advise that there should be consideration of the potential for mobilisation of radionuclides during construction works on site and within the marine environment.

56. The ES should assess, through appropriate modelling, the transfer of radionuclides present in the gaseous and aqueous radioactive wastes through the environment. The assessments should predict the dispersion of the radionuclides in the air or the sea, their transfer to, and accumulation in, other environmental media.

57. The Scoping report considers impacts as a result of discharges (asserted to be below 20uSv) but makes no further reference to shine impacts. Shine should be explicitly considered.
58. The radiological impacts on non-human species as a result of liquid and atmospheric discharges from the power station should be assessed with respect to the four broad habitat groups that are representative of the range of habitats in the locality of the power station (i.e. marine, freshwater, terrestrial and coastal). This assessment should use appropriate modelling to support the ES and HRA

Soils and Geology

- Contaminated Land & Pollution Prevention

59. We note that the EIA Scoping report makes reference to the Environmental Management Plan, Site Waste Management Plan, Materials Management Plan. NRW advise that the ES submitted as part of the DCO application should include sufficient information to assess the likely impacts and should also provide details of the mitigation measures to be undertaken (and which form part of these plans/strategies) i.e. only referencing the required plans/strategies in the ES will not be sufficient. The applicant should include sufficient detail in the ES and HRA to demonstrate that it has considered all the potential impacts and has provided details of mitigation, including pollution prevention strategies.
60. With regard to the above point, NRW advise that the impacts of waste generated during both the operational and construction phase should be fully assessed in the ES. The applicant should be aware that there are a limited number of permitted waste sites within the vicinity of the Project and that this should be considered when assessing the type and volume of waste that will be generated. The applicant should also be aware that a lack of waste options may also impact on the applicant's transport strategy and assessments of traffic volumes.
61. We note in section 13.4 that more detailed onshore ground investigations are being undertaken to further inform the assessment of potential effects on soils and geology. For the avoidance of doubt, NRW advise that assessment of impacts arising from disturbing Areas of Potential Concern (APC) should be based on surveys characterising the APCs, and should not be reliant on desktop studies. The assessments will also inform the waste strategy and management. Please note that APCs need to be considered for disposal as waste not managed. The data collected from the investigations will refine the understanding of baseline conditions and the assessments undertaken should inform the design of the Proposed Activities. The above investigatory approach should follow that recommended in CLR11. NRW can provide further advice to the applicant on receipt of the conclusions of the investigations, including analysis results and risk assessments. Upon receipt of this we will be able to advise further.
62. In addition to the point above, NRW advises that the applicant should undertake the following:

- a. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- b. Follow the Environment Agency document 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- c. Follow the Groundwater protection: Principles and practice (GP3)

- *Sites of Geological Importance*

63. Based on current proposal, it is considered unlikely that geological SSSIs or Geological Conservation Review (GCR) sites will be affected by the works. However, the applicant should be aware that NRW is undertaking a review of GCR sites in the area, including of the areas currently identified as Regionally Important Geological Sites (RIGS) along the north west coastline of the site.
64. With regard to the existing RIGS sites, we recommend that you liaise with with Anglesey Geopark (GeoMon), Gwynedd & Mon RIGS Group, and relevant geologists from British Geological Survey, National Museum Wales for further advice.

Surface Water and Groundwater

- *Flood Risk*

65. Section 14.2.5 of the Scoping report refers to areas of the site that are considered to be at risk of fluvial or tidal/coastal flooding. We advise that the opening paragraph in section 14.2.5 should be expanded in the ES so that the tidal flood risk is clearly stated due to the site's close proximity to the sea.
66. Section 14.2.6 of the Scoping report states that the "*TAN15 methodology has been followed to provide a preliminary flood consequence assessment (FCA) which has been supported by modelling to predict the potential for flooding under various scenarios. The FCA will be updated as more information becomes available*". The ES/DCO application should demonstrate, through the submission of an FCA, that the consequences of flooding can be managed over the lifetime of the development. Prior to completing the FCA, the applicant is advised to contact NRW for additional advice and information on preparing an FCA which is appropriate to the scale and nature of the development.
67. In relation to point 66 above, the applicant should be aware that the TAN15 zone C outlines are based on NRW's fluvial/tidal extreme flood outlines (flood zone 2) for the 0.1% annual exceedance flood. Fluvial flood zones have only been modelled using a technique for catchments larger than 3km² in area.
68. It is accepted that these fluvial (and pluvial) risks are based on the existing topography of the area and will need to be updated/re-modelled to establish the risks and mitigation measures required once the proposed landform has been re-profiled (and the presence of any buildings/structures have been included). The re-profiling works will significantly

change drainage patterns locally, and these will need to be engineered/mitigated to manage the risks. These will need to be demonstrated in the next stages of flood risk assessments (namely the Nuclear Safety Flood Risk Assessment and the TAN15 FCA).

69. Section 14.2.6 of the scoping report states the predicted tidal flood level of 13.3m AOD for the 0.01% AEP – this event is over and above events which are stipulated in TAN15. We note that such probability events are required as part of the nuclear safety case (NPS EN-1 and EN-6).
70. We note that one of the outfalls is through a culvert at Porth Wylfa beach. Further assessments should be carried out on the outfall and the consequence of failure (blockage/collapse) at this location for fluvial and pluvial events, including safe flood routing etc.
71. NRW advise that the applicant seeks further advice from NRW with regard to the above assessments.

- *Water Resources*

72. Appendix C, paragraph 4.11 refers to the Infrastructure Planning Commission's original Scoping Opinion comments that information should be provided in the ES on the Wylfa water supply. However, we note that no information is presented in this Scoping report to indicate that this information will be provided in the ES. The Wylfa Newydd project will require increased water supply during the construction and operational phase. Wylfa Newydd is located in the Dŵr Cymru Welsh Water (DCWW)'s water resources zone of North Eryri Ynys Môn (NEYM) which covers the whole of Anglesey (Ynys Môn) and the mainland adjacent to the Menai Straits (North Eryri). Based on DCWW's Water Resources Management Plan (2015-2040), this zone is surplus of 4.47Mega litres per day (Ml/d) for 2015-16. However this surplus was projected to decrease gradually to 0.42 Ml/d by 2023/14. From 2024/25 onwards there will not be any water availability in this resource zone under the dry year scenario. The ES should acknowledge the project's overall water demand and the impacts on water supply.
73. Appendix C, paragraph 4.11 also advises that the ES should include details of how sewage will be treated along with the potential impact of any discharges on the environment. The current Scoping report does not provide any information to indicate that such information will be provided. NRW note that both the construction and operational phase has the potential to generate large volumes of sewage. NRW advise that the potential environmental impact of any sewage discharges on the environment (including protected sites) should be fully assessed in the ES.

- *Surface Water*

74. As highlighted in points 28-31 above, impacts during the construction and operational phase of Wylfa Newydd has the potential to affect the hydrology on site, with in-direct impacts on protected sites within the study area. We note section 14.4.2 which states that the potential to affect these sensitive receptors will be assessed in the ES and the

need for any mitigation identified. As highlighted in point 31, there may also be a requirement for compensatory measures.

75. As highlighted in point 30 above, current hydrological monitoring work is ongoing. NRW consider that hydrological data should normally be collected for at least 2 years to overcome seasonal variations. NRW can provide further advice on the expected hydrological information expected to inform the ES.

- *Groundwater*

76. As highlighted in point 28-31 above, impacts during the construction and operational phase of Wylfa Newydd has the potential to have adverse impacts on groundwater dependent terrestrial ecosystems, particularly protected sites within the study area. We note section 14.4.2 which states that the potential to affect these sensitive receptors will be assessed in the ES and the need for any mitigation identified. As highlighted in point 31, there may also be a requirement for compensatory measures.
77. As highlighted in point 30 above, current hydrogeological monitoring work is ongoing. NRW consider that hydrogeological data should normally be collected for at least 2 years to overcome seasonal variations. NRW can provide further advice on the expected hydrogeological information, including the conceptual hydrogeological model, expected to inform the ES.
78. Section 14.2.2 states that the Wylfa Newydd Newydd Development Area is located in an area currently exempt from groundwater abstractions. Please see point no. 4 above with regard to possible changes to the groundwater abstraction exemptions.

- *Water Framework Directive (WFD)*

79. The applicant should also be aware that consideration must be given as to whether the proposed works as part of the DCO application could prevent any mitigation measures or actions intended to achieve Good Ecological Status (GES) / Good Ecological Potential (GEP) from being implemented, which could result in the water body failing to meet its objectives. Where a scheme is considered to cause deterioration, or where it could contribute to a failure of the water body to meet GES or GEP, then an Article 4.7 assessment would be required.
80. The applicant has informed NRW that a Preliminary WFD Compliance Assessment report is to be prepared in support of all planning applications and, where required, a detailed WFD Compliance Assessment Report will be undertaken. The ES should include a WFD Compliance Assessment report and NRW advise the applicant seek further advice from NRW on the preparation and completion of this report.
81. NRW advise that the applicant should update Water Framework Directive Water Body references to reflect changes made in cycle 2 of River Basin Planning (2015-2021). Please see link to Water Watch Wales for maps of the waterbodies and associated data: <http://waterwatchwales.naturalresourceswales.gov.uk/en/>

82. With regard to fluvial geomorphology, we note in section 14.2.4 that site-based assessment of the watercourses are ongoing in 2016. NRW can provide further advice with regard to the expected baseline assessments to inform the ES. NRW can also provide further advice with regard to mitigation where any watercourses are affected.

Coastal Processes and Coastal Geomorphology

83. Section 2.1.2 of the Scoping report describes the Welsh Planning Context where TANs have been considered relevant to the potential environmental impacts of the developments. An omission from the scoping report is TAN 14 Coastal Planning (1998) <http://gov.wales/topics/planning/policy/tans/tan14/?lang=en>. Of particular relevance is where TAN 14 describes the sediment cells and sub-cells that should be considered during planning – NRW advise that this is considered essential for a development of this size and nature.
84. Section 15.1 states that due to the location (being wholly terrestrial) of the preferred sites for the Off-Site Power Station Facilities, it is proposed to scope out the Off-Site Power Station Facilities from coastal processes and coastal geomorphology assessment. NRW accept this statement however, we advise that this should be reviewed if any alternative sites are put forward.
85. Section 15.2 of the report states “*an area within a 5km radius from the Power Station Site was used to inform site selection and survey extent; this distance was defined based on knowledge of the mixing zones, modelling and professional judgement*”. NRW is aware that the 5km zone of impact is based on professional judgement and on initial hydrodynamic modelling undertaken in 2009, which provided an initial indication of the extent of the dispersion of heat from the cooling water discharge. The coastal processes assessment will need to include the effects from all the offshore structures on hydrodynamics and sediment movement, not just the cooling water extent, and be of high enough resolution to identify any subtle but important effects. NRW advise that the study area should be defined by the zone of impact (which may potentially be considerably beyond 5km) from the effects of structures on hydrodynamics and sediment transport. Please note, professional judgement will need to be backed by evidence/data.
86. NRW consider it essential the study area is based on current design detail and scope in all projects with N2K status in the sediment sub cell area until evidence is presented to scope them out. Section 15.4.1 and section 16.4.1 both state the study area being 5km and tidal influence being 20-25km. NRW would expect to see studies out to the tidal excursion area with asymmetry being taken into account to understand the baseline conditions and future forecasts with structures in place. The sediment sub cell will encompass the tidal excursion boundary and NRW advise that this is the starting point for an impact assessment.
87. Section 15.2.1 refers to the relevant receptors, including Cemlyn Bay SAC, where the features include the coastal lagoon and perennial vegetation of stony bank. The ES should fully assess the effects of the marine works (during both construction and operational phase) on sediment processes and the likely effects on the shingle ridge which is critical to the functioning of the Cemlyn Bay SSSI/SAC and is also critical to

the functioning of the SPA as the nesting site. These assessments will also be required to inform the HRA that the SoS will need to undertake.

88. Section 15.3 refers to disruption of sediment transport processes during installation and dismantling of the temporary breakwaters and MOLF. NRW understand that the breakwaters and MOLF will be permanent – this should be clarified in the ES. NRW advise that the effects of permanent structures, as well as the construction works proposed, should be listed as a potential effect and should be modelled and assessed. NRW would expect to see any structures (Cooling Water System (CWS), breakwaters and the MOLF) entering or altering the existing marine and/or coastal environment to be assessed for impacts and/or changes to hydrodynamic or sediment movement during construction/operation and decommissioning, both near and far field effects. This information should be clearly set out in the ES and HRA.
89. Section 15.3 which lists potential effects does not mention possible requirements for dredging during both the construction and operational phase. NRW advise that plume effects and dredge disposal for both construction and maintenance dredging be investigated thoroughly.
90. Specific survey methods have been undertaken to characterise the coastal hydrodynamics and coastal geomorphology studies. NRW will be able to provide advice on the methods, data, and outputs through further discussions and consultations.
91. The Scoping report states that a Rochdale envelope approach will be used. NRW advise that clarity is required as to how this is to be implemented in the marine environment.
92. Section 15.3 of the report states “*The application of good practice in the construction of the MOLF and breakwater will reduce the predicted magnitudes of residual effects and mitigation through the design process should reduce the footprints of the structures to a minimum, thereby minimising potential effects during operation.*” Further development of the concept presented needs working up; the steeper the breakwater the greater the change in hydrodynamics and may also impact biodiversity interests and mitigation considered on the breakwater. Options should be presented at the detailed design stage.
93. NRW advise a high resolution study (modelling and field campaign) is conducted around Cemlyn Lagoon / Bay. NRW are unable to concur with the minor adverse assessment based on the current level of information. The Scoping report states that the applicant will model the expected changes to sediment transport depending on the final design chosen for the intake and any breakwaters. The further studies listed in section 15.4.2 (Tidal flow modelling, sand transport modelling (including bed shear stress) and sediment plume dispersion modelling) are welcomed and will aid assessment. As mentioned, NRW cannot concur with any impact assessment until further studies have been completed. NRW advise that the applicant models changes in hydrodynamics, such as incident wave reflection, current speed and direction off the breakwaters, MOLF and CWS, not just sediment transport. We advise that a model run with the chosen configuration of offshore structures is run at the earliest convenience

to understand the potential impacts and distance that changes may occur, thus possibly needing to follow an iterative approach and change model size and resolution depending on model outputs. NRW has provided advice and guidance to the applicant with regard to marine modelling methodology, however, we advise that further discussions are required to confirm that the modelling methodology is adequate before completing the associated assessments and ES/HRA.

The Marine Environment

94. Section 16.1 states that the issues relating to the marine environment relate entirely to the main Power Station Site as none of the Off-Site Power Station Facilities in the DCO application are likely to affect coastal or marine water. NRW consider that this is likely to be the case however, this should be reviewed once more detailed information is available with regard to the sites and the works proposed.

- Marine Water Quality

95. As explained above in relation to coastal processes, NRW has provided advice and guidance to the applicant with regard to marine modelling methodology, however, we advise that further discussions are required with regard to the modelling methodology. For example, the hydrodynamic modelling for the thermal plume has not yet been agreed with NRW and we have yet to provide comment on calibration and validation studies. As advised above, NRW look forward to providing further advice to the applicant with regard to the marine modelling methodology in order to ensure that the modelling outputs are reliable and to ensure that the associated assessments and the ES /HRA are fit for purpose.

- WFD (Marine)

96. We refer you to our comments above (points 79 – 82) for our general comments with regard to WFD and which are not fully reiterated here.

97. The Scoping report does not mention that Cemaes Bay is a European designated Bathing Water, located approximately 3.5 – 4 km to the east. The impact on bathing water quality should be considered when looking at impacts on freshwater and marine sites, both during construction and the operation of the proposed facility. As well as being directly vulnerable to bacteria in wastewater (e.g. sewage and contaminated/sediment runoff), any additional sediment loading may contain bacteria that could impact on compliance. The scale and length of construction works in the marine environment has the potential to affect water quality e.g. dredging has the potential to cause mobilisation of sediments and any associated contaminants. NRW advise that impacts on the Cemaes Bay Bathing Water during the construction and operational phase are fully assessed within the ES and the WFD Compliance Assessment report, and appropriate mitigation specified in the ES.

98. As mentioned in point no. 89, NRW advise that plume effects and dredge disposal for both construction and maintenance dredging be investigated thoroughly.

- *Phytoplankton and Zooplankton*

99. By design, the construction of the MOLF and breakwaters will create a sheltered area of water within Port-y-pistyll. We note that further modelling work is to be completed in order to assess the effect of the structures on hydrodynamics and the potential for changes in water quality. We advise that plankton communities are also considered with any physicochemical (temperature/irradiance/hydrological) changes that may occur and how this may impact upon plankton. The potential increase in local water temperature combined with the construction of an area of slack water may result in undesirable increased algal growth and this should be considered with further hydrodynamic modelling of the breakwaters. With regard to the above impacts on plankton, the ES should also consider the 'knock-on' effects on key species within the associated marine food chain. This information will also be required to inform the HRA.

- *Marine Benthic Habitats*

100. Figure 16.1 shows the marine environment study area where marine environmental surveys have concentrated on a topic study area within a 5km radius of the Power Station Site (with additional reference sites further afield to the east and west). This study area is based on professional judgement and on initial hydrodynamic modelling which provided an initial indication of the extent of the dispersion of heat from the cooling water discharge from the Power Station using the previous reactor technology. We note that details, such as the cooling water volume, is still to be confirmed and that further modelling work is to be undertaken. NRW advise that it should be ensured that the study area adequately covers the area expected to be impacted by the work (during construction and operation). NRW can provide further advice to the applicant on the modelling work to be undertaken prior to completion.
101. Section 16.2.1 states that survey work to date has identified a number of habitats, including areas of rocky reef communities, but that no species with conservation protection have been recorded in the habitat surveys. As detailed in NRW's response to the applicant on the PAC1 (Stage 1) consultation, subtidal benthic surveys have found *Sabellaria spinulosa* in grab samples and from video surveys, and highlights the possibility that the biogenic *Sabellaria spinulosa* reef habitat reef may be present, though the extent of the habitat is unclear. As an Annex I habitat (under the Conservation of Habitats and Species Regulations 2010 (as amended) and Section 42 habitat (NERC Act 2006), NRW advise that it should be ensured that any possible reef locations within the benthic impact zone have been fully investigated and impacts clearly set out in the ES.
102. Section 16.3 outlines the potential for direct habitat loss beneath the footprint of the marine and intertidal elements of the Power Station. However, NRW consider that there is likely to be loss and/or modification of habitat associated to construction activities (e.g. dredging and blasting) within the whole marine element of the Wylfa Newydd Development Area, and not only under the direct footprint of the marine structures themselves. We advise that the ES should include clear differentiation between direct and indirect habitat loss and habitat alteration for all aspects of the marine elements work. The ES should consider the impacts of changes to the hydrodynamic regime on

benthic habitat during the construction phase (due to the length and scale of the works) and operational phase (as a result of the marine structures in place).

103. Annex 1 Rocky reef (including intertidal rocky reef if contiguous with the subtidal) has not been considered as part of the current assessment and ought to be assigned a value of medium along-side Rock pool 'special interest' features. NRW have a requirement to report on the quality and extent of Annex 1 habitats outside of sites and therefore this feature needs to be recognised in the current proposal.
104. NRW recommend early discussions with the applicant on the breakwater design (rock type, slope, architecture etc) in terms of biodiversity enhancement measures such as rockpools and reducing the likelihood of colonisation by non-native species. Post application of enhancement measures can be more costly than incorporation of such measures from the outset (i.e. planning stage).

- *Marine Fish*

105. The ES should include detail on the proposed screening and fish protection systems (including fish deterrents and return systems). As well as the fish species found, the fish protection system should also be informed by details of the approach velocity and volumes as well as the design itself. NRW advise that impacts on all Section 42-listed (NERC Act 2006) fish species and migratory fish are considered in the ES. As mobile features, impacts on fish linked to SACs should be assessed in order to inform the HRA.
106. NRW consider that species such as herring and sandeels are examples of fish species that may be at particular risk of being affected by impingement. These species are an important food source for tern species, which are a feature of the nearby Ynys Feurig, Cemlyn Bay and The Skerries SPA. As fish are an important food source of species which are features of European sites (e.g. terns and harbour porpoise), information on the fish protections systems will be needed to inform the HRA. Impacts on fish that are food sources of features of European sites should be assessed in the ES.
107. The presence of the breakwater would provide a shallow and sheltered area which may cause fish to be attracted into and congregate within the sheltered area. Some fish species that migrate around the coast, such as sea trout and eels (European eels are protected under the Eel Regulations 2009), may also be caught up in this semi enclosed area. Fish may also be chased in by predatory fish and mammals. These effects would be likely to increase the amount of fish being affected by impingement. In addition, once the breakwaters are constructed, there could be a change in the types of fish present in the area due to changes in the flows. We advise that these effects are investigated and considered in the ES. NRW can provide further advice with regard to the expected assessments.
108. NRW advise that the ES should provide a comprehensive assessment of how the results of the baseline fish and plankton monitoring (including entrapment studies) relate to the actual predicted effects of the proposed development when considering all of the design elements (e.g. intake design, velocity, screens, fish return system, presence of breakwaters etc) as well as the coastal hydrodynamic and water quality

elements. The ES should bring all these elements together in order to inform the likely effects of the project.

109. Section 16.2.4 refers to the marine fish surveys undertaken to inform the ES. NRW advise that sufficient baseline information should be collected to inform both the ES and HRA. NRW can provide further advice with regard to the information collected and the assessments proposed.

- *Marine Mammals*

110. We note that data on marine mammals have been collected through a combination of incidental sightings observed during surveys for other topic areas (boat based and land based surveys), and other datasets collected as part of other projects in North Anglesey. NRW has previously advised the applicant that sufficient information exists to describe or characterise the marine mammals in the area. However, the data may not allow an evidence-based assessment of likely environmental effects on marine mammals from the project because a quantitative baseline of data for the pathways presented is not available. NRW can provide further advice to the applicant with regard to baseline information collection and the associated assessments, including for HRA purposes.

111. Section 16.2.5 refers to the high degree of connectivity around the Welsh coast with regard to marine mammals. For marine mammals, we advise that the scale of the relevant marine mammal management unit is used as the basis for screening in marine mammal SAC sites and activities/operations for the in-combination/cumulative impact assessment (http://jncc.defra.gov.uk/pdf/Report_547_webv2.pdf). For example, we consider the Pembrokeshire Marine SAC should be screened in for assessment in the HRA Screening. The three welsh seals SACs should all be screened in for assessment in the HRA Screening given the known and demonstrated connectivity between these sites and Anglesey. The connectivity and movements of seals is such that all sites within the South and West England and Wales grey seal management unit (which includes the Irish Sea, Celtic Sea, and English Channel) should be included in the HRA Screening (e.g. Lundy SAC, Isles of Scilly Complex SAC etc). Irish sites along the east coast should also be included. We therefore advise that Table 21.3 on “*Reasonably foreseeable future projects long-list and scoping*” should be based on the above advice with regard to mobile features.

112. As mentioned above, Welsh Ministers have requested NRW to consult on proposed SACs for harbour porpoise. At this consultation stage it is Government policy that the proposed sites are treated as designated SPAs/SACs. We therefore advise that the ES should assess any likely significant effects on harbour porpoise which are a proposed feature of the proposed North Anglesey Marine SAC and two other welsh relevant pSACs (West Wales Marine and Bristol Channel Approaches pSACs). These other proposed harbour porpoise SACs are within the Celtic and Irish Seas Management Unit for harbour porpoise and therefore should be screened in for the HRA.

113. Please note, all cetaceans are protected under the Wildlife and Countryside Act 1981 (as amended) and are European Protected Species (EPS) under the Conservation of

Habitats and Species Regulations 2010 (as amended). Where an EPS is likely to be affected, a development may only proceed under a licence issued by NRW, having satisfied three requirements set out in the legislation. One of these requires that the proposal demonstrates that there is no detriment to the maintenance of the 'favourable conservation status' of the populations of species concerned.

114. The proposed marine works have the potential to generate significant noise and/or vibrations that has the potential to disturb marine mammals. It is typical to assess impact of noise in terms of noise propagation models to determine worst case areas of ensonification with Permanent Threshold Shift, Temporary Threshold Shift and behavioural disturbance contours, and potential barrier effects. Standard noise Mitigation, as per JNCC (2010) guidelines on mitigation for piling, should be utilised and assessed in the EIA. NRW look forward to providing further advice with regard to the underwater noise modelling and assessment methodology.

115. CWS intakes should be assessed against possible entrapment of marine mammals. Mitigation options (e.g. screens, acoustic deterrent devices) should be clearly set out in the ES.

- *Marine Birds*

116. The Wylfa Newydd Development Area is located in the vicinity of the Ynys Feurig, Cemlyn Bay and the Skerries SPA. The features of the SPA include the four tern species: Roseate, sandwich, arctic and common tern. As detailed in point 34 – 36 above, impacts on terns should be fully assessed in the ES, and where required the ES should propose and deliver appropriate mitigation to ensure that the works are not detrimental to the Favourable Conservation Status of tern populations. As well as the Ynys Feurig, Cemlyn Bay and the Skerries SPA, the proposed Anglesey Terns SPA should be also be assessed in both the ES and as part of the HRA.

117. Section 16.2.8 lists designated sites that are considered to be of relevance to the marine environment. However, NRW consider that there are seabirds of SPAs not listed which may use areas within the potential zone of impacts of Wylfa Newydd. In scoping designated sites in and out of the assessment, we advise the applicant to consider those birds with foraging ranges within range of the power station, as shown in Thaxter et al (2012). We advise the applicant to assess impacts on bird colonies which have mean maximum foraging ranges which overlap with the Wylfa Newydd Development Area in order to ascertain whether or not there will be direct interaction. For example, Puffin Island SPA is not listed (in either Table 11.1 or in section 16.2.8), yet it is within the foraging range of the Cormorant, one of the features of the SPA and therefore needs to be assessed. NRW can provide further advice with regard to scoping in/out of SPAs.

118. Section 16.2.6 refers to the marine bird surveys undertaken to inform the ES. NRW advise that sufficient baseline information should be collected to inform both the ES and HRA. NRW can provide further advice with regard to the information collected and the assessments proposed.

- *Marine Biosecurity*

119. As detailed above, we note the applicant's intention to use Porth y Pistyll for freight delivery by sea. This coupled with the new breakwaters will provide a high risk pathway (shipping vessels) and substratum (artificial breakwaters) for Marine Invasive Non Native Species (MINNS) to colonise. A marine Invasive Non-Native Species (INNS) risk assessment should be incorporated into all aspects of marine related developments and activities (including shipping and transportation for non-marine aspects of the development), as well as any potential increased effects that the cooling water outfall might have on encouraging the settlement of marine INNS. This risk will need to be assessed carefully and appropriate mitigation measures provided in the ES and HRA.

Public Access and Recreation

120. Section 19.3 states that the proposed works involve potential footpath diversions and closure of some Public Rights of Way (PRoW). The Wales Coast Path is listed as a receptor and NRW are aware that sections of the Wales Coastal Path will be diverted during the construction phase, and that some sections will require permanent diversions during the operational phase. NRW advise that disruptions to the WCP should be minimised. NRW advise that full consideration should be given to providing any alternative routing of the Wales Coastal Path away from the road side, and closer to the sea.

121. We consider it useful to include a summary of NRW's WCP Route Criteria which should be considered in the preparation of the ES:

RC1 There should be a continuous route around the coast of Wales;

RC2 The public should have a permanent right of access;

RC3 The route should be physically available at all times;

RC4 The route should be as close to the sea as practicable and desirable.

122. In addition, public roads which are shared with motor vehicles should only be utilised if there is no practical alternative – especially if there is no pavement or verge suitable for users.

123. NRW can provide further advice with regard to routing of the WCP and with advice on suitable mitigation measures for incorporating into the ES.

Archaeology and Cultural Heritage

124. We note section 17.2.1 which states that the "*Amlwch and Parys Mountain Registered Landscape of Outstanding Historic Interest in Wales (HLT16) is located outside the study area for terrestrial archaeology and cultural heritage, however, due to the potential for effects on its setting it has been included in the terrestrial archaeology and cultural heritage baseline*". We also note section 17.2.1.3 which states that "*due to its height above sea level the landscape has been included as there is the potential for distant views of the Wylfa Newydd Development Area from Parys Mountain*". We therefore advise that impacts on this receptor are assessed in the ES.

Cumulative Effects

125. In assessing the potential impacts of the proposed development, the EIA must consider the potential cumulative and in-combination impacts of the development along with other developments and activities that already exist, or have planning permission, or are otherwise reasonably foreseeable. The Cumulative Impact Assessment (CIA) should not be restricted to activities that are part of 'project' developments but should look to evaluate other activities that would not be considered to be part of a project against the activities associated with Wylfa. It should be noted that it is not necessarily only 'major' projects that have significant impacts on the environment, and interaction between two or more activities/developments may exert an effect in combination/cumulatively.
126. It is also important to note that given the highly mobile, wide ranging nature of many of the receptors (e.g. marine mammal and seabird species), and the wide geographical areas over which certain ecological and physical processes operate, activities and developments located some distance away may have the potential to interact with the proposed development. As advised above in point no. 111, Table 21.3 on "*Reasonably foreseeable future projects long-list and scoping*" should be based on the pathways that exists for impacts and on the nature of the mobile feature.
127. Section 21.2.2 refers to topic specific study areas. The applicant should note that these areas should be conservatively defined to include influences that may occur at a level that is insignificant when considering a single activity but may become significant once combined with the effects of other activities. Similarly, when selecting residual effects after mitigation has been applied, it is important to recognise that the residual level of effect after mitigation may change in significance once an effect from another activity has been applied. Such effects would then need to be re-screened back into the Cumulative Impact Assessment.



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: SH39/BG/2460

Eich cyf/Your ref: 27C106A/SCO

Llwyn Brain

Parc Menai

Bangor, Gwynedd LL57 4DE

Ebost/Email: bryn.griffiths@cyfoethnaturiolcymru.gov.uk

Ffôn/Phone: 03000 65 3000

Rheolwr Datblygu Cynllunio
Cyngor Sir Ynys Môn
Swyddfa'r Sir
Llangefni
Ynys Môn

30 Gorffennaf / July 2015

Er sylw / For the attention of: Mr David Pryce Jones.

Annwyl / Dear Mr Jones,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

BWRIAD / PROPOSAL: Barn sgopio ar gyfer gwelliannau i'r briffordd A5025 rhwng Y Fali a Cemaes / Scoping Opinion for A5025 highway improvements between Valley and Cemaes

LLEOLIAD / LOCATION: Wylfa Power Station, Cemaes

Thank you for consulting Natural Resources Wales (letter dated 9/7/2015) regarding the above.

Natural Resources Wales brings together the work of the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales, as well as some functions of Welsh Government. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.

NRW have the following comments to make on the Scoping Report. Please note that our comments are without prejudice to any comments we may subsequently wish to make when consulted on any planning application, the submission of more detailed information or on the Environmental Statement. At the time of any planning application there may be new information available which we will need to take into account in making a formal response to the relevant planning authority/public decision maker.

Protected Landscapes

As stated in the Scoping report, the A5025 is within close proximity to the Anglesey Area of Outstanding Natural Beauty (AONB) along its length, and borders the AONB in some locations. We remind you of your Authority's duty under Section 85 of the Countryside and Rights of Way Act 2000 which requires public bodies to have regard to the purposes of

conserving and enhancing the natural beauty of the AONB. The statutory purposes of Areas of Outstanding Natural Beauty are conservation and enhancement of natural beauty.

We note the proposed assessment methodology outlined in section 10.3 of the report. We advise that you liaise with your internal landscape officer for further advice on the methodology proposed, including selection of appropriate viewpoints in relation to the AONB.

Protected Sites

Section 11.1.1 of the report lists the protected sites within proximity to the A5025 proposals. These sites include those protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). The proposal has the potential to have in-direct impacts on protected sites through impacts on groundwater/surface water flows and water quality. Table 12.1 in the report lists the protected sites that may potentially be impacted hydrologically and/or hydrogeologically.

The Environmental Statement (ES) should provide sufficient information to demonstrate whether the proposal will have adverse effects on protected sites. NRW can provide further advice once a more detailed assessment methodology has been produced. Where impacts are considered likely, the ES should detail appropriate mitigation measures for reducing and avoiding impacts on protected sites.

Please note, should the proposal have implications for the SAC/SPA site listed in Table 12.1, the Isle of Anglesey County Council would need to carry out a test of likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). We remind you that, as a competent authority for the purposes of the 2010 Regulations, your authority must not normally agree to any plan or project unless you are sure beyond reasonable scientific doubt that it will not adversely affect the integrity of a SAC, SPA or Ramsar site.

Protected Species

We note that protected species surveys have been undertaken for bats, otters, and great crested newts. These species are protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). We note that surveys have also been undertaken for water voles, which are protected under the Wildlife and Countryside Act 1981 (as amended).

It is unclear what time of year the surveys have been undertaken. We would like to highlight that water voles should be surveyed between May and the end of September.

Where protected species may be affected, then the ES should propose and deliver appropriate mitigation and/or compensation schemes, along with Reasonable Avoidance Measures, to ensure the favourable conservation status of the species is maintained.

The streams in this part of Anglesey host brown and sea trout and may have salmon and/or lamprey. No in-stream works should be carried out between October 17th and May 15th period to protect spawning salmonid fish and their eggs.

Please note that we have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. To comply with your authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological adviser and/or nature conservation organisations such as the local Wildlife Trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

Biosecurity

The ES should detail Invasive Non-Native Species (INNS) that are present within the survey corridor and the measures that will be undertaken to control and/or eradicate the species. This information should form part of a biosecurity risk assessment that should also detail measures to minimise the risk of introducing and/or spreading of INNS during construction.

Flood Risk

With regards to Chapter 12 Flood Risk within the Scoping report, it should be highlighted that flood zone C1 (or C2) are from the Development Advice Maps which accompany TAN15 Development and Flood Risk. The C zones are based on the NRW flood zone 2 extents (the extreme flood outline 0.1% AEP). NRW have flood zone maps which show the 0.1% fluvial/tidal extent as flood zone 2 and also flood zone 3 which show the 1% fluvial extent or tidal 0.5% extent.

We also suggest that the first bullet point in section 12.1.3 is also extended to include the following (in bold)-

- *A5 junction - this area is low-lying and is designated as flood zone C1 indicating that the annual probability of inundation is greater than 0.1% but that protection from **tidal inundation** is provided by significant flood defences. **The area is reclaimed land and suffers from poor drainage and can flood from fluvial sources and tide locking.***

The Flood Consequence Assessment (FCA) to be compiled will require detailed hydrology, understanding of the extreme tides along the coastal frontage and a suitable industry standard computer hydraulic model to assist in compiling the FCA.

Water Framework Directive (WFD)

Section 12.1.2, 12.2 and 12.3.2 of the Scoping report refers to waterbodies using Cycle 1 terminology. WFD Cycle 2 begins at the end of 2015 and Horizon should be aware that this affects the waterbody nomenclature and also status. This refers to both surface and groundwater bodies. All such information is available on Water Watch Wales. NRW can provide further advice if required.

With regard to section 12.1.2 on “...*flow pathways to secondary receptors*”, it should be noted that although some of the ‘un-named’ tributary waterbodies around the coast have now been de-designated under Cycle 2, there is still a requirement to maintain their quality and prevent pollution. Furthermore, they all drain to coastal waterbodies that are classified and cannot be allowed to deteriorate.

With regard to Section 12.2 “*Impacts on the water environment during construction – Mobilisation of existing contamination*”, the ES should provide information on how risk will be assessed and/or whether monitoring will be undertaken as work progresses. If there is a risk that contamination is encountered during the works then contingency measures should be produced in advance.

With regard to Table 12.2 Estimating the Importance of Water Environment Attributes, the WFD classification is not a reflection of the relative importance of a waterbody, but rather its current classification status. Under WFD 2nd cycle there is a requirement to prevent deterioration but also achieve ‘good’ status wherever possible. Waterbodies with a classification of ‘poor’ and ‘moderate’ are therefore of higher importance than the table suggests, as those waterbodies are currently failing.

We note the statement in section 12.3.2 that “*more detailed analysis and assessment could be required*” and that “*the scope of any more Detailed Assessment then agreed with NRW*”. NRW would be happy to provide further advice if required.

We advise that the ES should fully detail the potential effects on the watercourses and the mitigation measures proposed, with pollution prevention methodologies specified in PPG 5 and 6 incorporated into those mitigation measures.

- *Groundwater*

With regard to section 12.1 of the Scoping report, we advise that the first paragraph which states “...*to establish the existing hydrological conditions...*” should be amended to “...*to establish the existing hydrological/hydrogeological conditions*”.

With regard to the Ynys Môn Minor groundwater body (page 68 of Scoping report), we now have the results of the WFD 2nd cycle groundwater classification. The results for the Ynys Môn Minor groundwater body are as follows; Groundwater Quantitative Status Assessment – good; Groundwater Chemical Status Assessment – poor.

The chemical status test failed because of the surface water test as a result of point source discharges of heavy metals from abandoned metal mines into watercourses. This does not mean that the overall water quality of the groundwater body was poor and indeed there was no WFD failure for the General Chemical Assessment Test. Also there was no failure under the Groundwater Dependent Terrestrial Ecosystem (GWDTE) test when applied. It is incorrect to say that the problem is due to hazardous substances. Only one of the heavy metals is classed as a hazardous substance under the Groundwater Directive (Cd). The other heavy metals are currently classed as non-hazardous substances (e.g. Zn).

- *Fluvial Geomorphology*

It is recommended that the proposals should include a general presumption that all phases of the development will adhere to the following;

- Space will be provided for all watercourses and their associated riparian zone (floodplain and/or natural areas of lateral and vertical future erosion/deposition plus marginal and bankside terrestrial habitat buffer zones).
- Realigning watercourses will be avoided unless already straightened
- Where the development may infringe on a watercourse and its riparian zone either;
 - leave the watercourse in its present condition/route and work around them, or
 - restore watercourses, and their riparian zone, if they have been previously modified (e.g. deculverting, remeandering, removal/improvement of structures)
- Avoid culverts in preference for (in order of preference);
 - Clear span bridges (spanning the riparian zone)
 - Flexi-arches/bottomless culverts (providing space to include the riparian zone)
 - Oversized culvert (providing space to include the riparian zone)
- Ensure that all landscaping and drainage results in the same, if not very similar catchment areas, infiltration rates and drainage/flow rates for each watercourse
- Provide high quality pollution prevention measures
- Provide high quality SUDS to reduce pollution potential/increase water quality, retain natural flow variability, decrease flood risk, and retain existing catchment boundaries (i.e. do not discharge cross-catchment)
- All sewers/service crossing watercourses should wherever possible, preferably be contained within any existing/proposed highways. Where demonstrated to be impractical the few remaining such services should be either;
 - buried at least 1m below bed level (more if mobile bed material is present), or
 - set above the 100year plus climate change flood level with all supports located outside of the channel and riparian zone
- Any surface water outflows should be discharged into wetland/stilling ponds that are permitted to overflow into the adjacent watercourse via an earth channel.
 - Where this approach is demonstrated to be impractical the few remaining outfalls should be carefully set back from the bankside with minimal headwall/apron

Please do not hesitate to contact me if you require any further information or clarification regarding the above.

Yn gywir / Yours sincerely



Bryn Griffiths
Senior Conservation Officer
Casework Team



Office for Nuclear Regulation

The Planning Inspectorate
For the Attention of Hannah Pratt
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Nicholas Cooper
Site Licensing
Desk 30, 4S.2
Redgrave Court
Bootle
Merseyside
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Telephone: 0203 028 0293
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Our Reference: 2017/211551
Unique Number: HNP 50117N

Your Reference: EN010007-000882

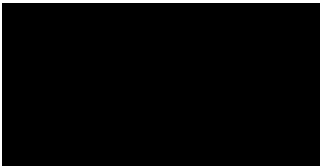
31st May 2017

Dear Madam

I acknowledge receipt of your letter of 5 May 2017, concerning the application by Horizon Nuclear Power Limited and its request for a scoping opinion concerning the environmental statement.

I confirm that there are no matters which the Office for Nuclear Regulation wishes to bring to the attention of the Secretary of State.

Yours faithfully



Nicholas Cooper
Nuclear Site Licensing Specialist



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England

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Hannah Pratt
Senior EIA and Land Rights Advisor
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Bristol, BS1 6PN

Your Ref: EN010007-000882
Our Ref: 31381

2nd June 2017

Dear Hannah

**Nationally Significant Infrastructure Project
Application by Horizon Nuclear Power Wylfa Limited for an Order Granting
Development Consent for the Wylfa Newydd Project. Scoping Consultation**

Thank you for your consultation regarding the above development. Public Health England (PHE) welcomes the opportunity to comment on the DCO Scoping Report Addendum at this stage of the project.

PHE which includes PHE's Centre for Radiation, Chemical and Environmental Hazards (Wales) notes we replied to earlier consultations as listed below and this response should be read in conjunction with earlier correspondence.

Request for Scoping Opinion I	18 th April 2016
Request for Scoping Opinion II	19 th October 2016
Section 42 Consultation	12 th December 2014

PHE has considered the submitted documentation and can confirm that we are satisfied that the additional details outlined in the Scoping Report Addendum reflect the evolving design of the Project.

We agree with the rationale taken in preparing one integrated Environmental Statement (ES) which we look forward to reviewing in due course. Two minor comments to note. Section 12.1.2 states that "The Environment Agency (EA) and NRW also require an assessment of the likely combined impact of radioactive discharges from all relevant existing and prospective site on humans and non-human biota as part of the permit application for radioactive substance activities". It would be more accurate to state to state that "The Environment Agency (EA) and NRW also require an assessment of the likely combined impact of historical, current and prospective discharges and direct radiation from all relevant sites on humans and non-human biota as part of the permit application for radioactive substance activities". Secondly, it would be helpful if all references are included e.g. Abbott et al 2009.

Finally, we would ask the developer to confirm there is no new electrical infrastructure that may have a public health impact associated with the site, otherwise PHE expects to see an assessment of the potential health impact associated with the electric and magnetic fields arising from such equipment, including substations and the connecting cables or lines.

We hope that the above is useful but should you have any questions or concerns please do not hesitate to contact us.

Yours sincerely

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

cc. CRCE (Wales)



Wylfa Newydd New Nuclear Power Station

Royal Mail Group Limited comments on information to be provided in applicant's Environmental Statement

Introduction

Reference the letter from PINS to Royal Mail dated 5 May 2017 requesting Royal Mail's comments on the information that should be provided in Horizon Nuclear Power Wylfa Limited's Environmental Statement.

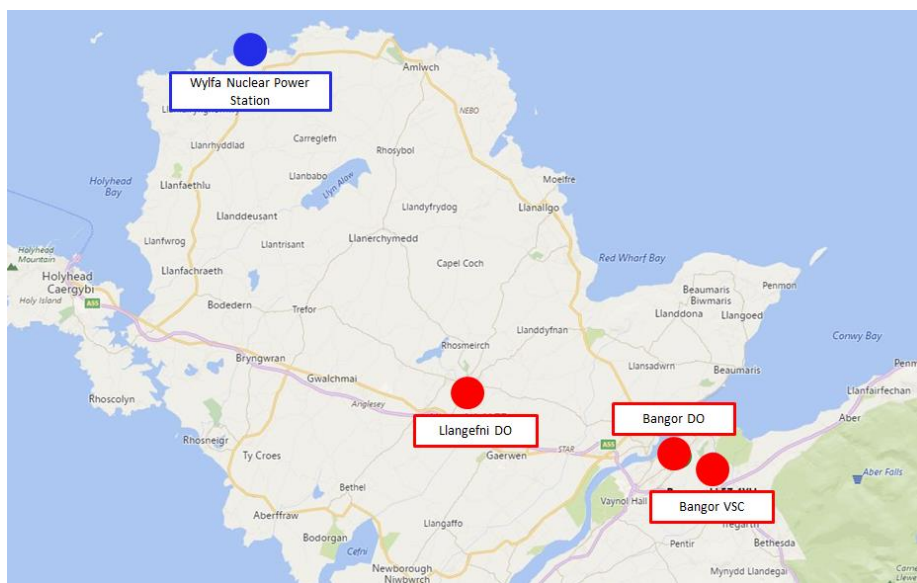
Royal Mail's consultants BNP Paribas Real Estate have reviewed the applicant's Scoping Report as submitted to PINS on March 2017.

Royal Mail- relevant information

Royal Mail is responsible for providing efficient mail sorting and delivery nationally. As the Universal Service Provider under the Postal Services Act 2011, Royal Mail has a statutory duty to deliver mail to every residential and business address in the country as well as collecting mail from all Post Offices and post boxes six days a week.

Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network.

Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to Royal Mail's business. Royal Mail's nearest operational property to the Wylfa Newydd site is Llangefni Delivery Office, Industrial Estate Road, Llangefni LL77 7AA as shown on the plan below.





Every day, in exercising its statutory duties Royal Mail vehicles use all of the main roads that may potentially be affected by additional traffic arising from the construction of Wylfa Newydd.

Royal Mail therefore wishes to ensure the protection of its future ability to provide an efficient mail sorting and delivery service to the public in accordance with its statutory obligations which may be adversely affected by the construction and operation of this proposed scheme.

Comments / observations on the applicant's Scoping Report

The Traffic and Transport section of the applicant's scoping report indicates that although a large proportion of heavy deliveries, and in particular most AILs, would be delivered to the Wylfa Newydd Power Station site by sea, the construction and Full Operation of the Power Station is likely to generate additional movements of light goods vehicles, buses and HGVs along the A55 and along the A5025 between Valley and the Power Station Site at different stages of the Development. These trips will principally be associated with construction and staff workers. The construction of the Associated Development will necessitate additional vehicles on the road network.

Royal Mail notes from the scoping report that key potential issues during the construction stage include:

- Increase in HGV and bus movements on the local road network;
- Increase in overall traffic flows;
- Potential effects on driver stress associated with changes in traffic speeds, flows, congestion, road layout and geometry, visibility, junction layout and frequency, road surface characteristics or carriageway widths;
- Potential effects on existing drivers, passengers and public transport users associated with changes in vehicle journey times and overall amenity experienced; and
- Increased risk of accidents.

Lastly it is noted that the scoping report includes a detailed chapter on cumulative impacts which sets out the steps that will be taken to carry out the Cumulative Impact Assessment and in doing so identifies a list of reasonably Foreseeable Future Projects (RFFPs) to be addressed in the Assessment.

Royal Mail's comments on information that should be provided in Horizon Nuclear Power Wylfa Limited's Environmental Statement

Royal Mail has the following comments / requests:

1. Royal Mail requests that the ES includes information on the needs of major road users (such as Royal Mail) and acknowledges the requirement to ensure that major road users are not disrupted through full advance consultation at the appropriate time in the DCO and development process.
2. The ES should include detailed information on the construction traffic mitigation measures that are proposed to be implemented, including a draft Construction Traffic Management Plan (CTMP).
3. Royal Mail considers that full attention is given to the potential for cumulative traffic impact during the construction and operation phases. The Scoping Report should address the potential cumulative traffic effects arising from the construction of Wylfa Newydd alongside other proposed major developments in the area as specified in the RFFPs list.



4. Royal Mail requests that it is fully pre-consulted by Horizon Nuclear Power Wylfa Limited's on any proposed road closures / diversions/ alternative access arrangements, hours of working and the content of the CTMP. The ES should acknowledge the need for this consultation with Royal Mail and other relevant local businesses / occupiers.

Royal Mail is able to supply the applicant with information on its road usage / trips if required.

Should PINS or Horizon Nuclear Power Wylfa Limited's have any queries in relation to the above then in the first instance please contact Jennifer Douglas (jennifer.douglas@royalmail.com) of Royal Mail's Legal Services Team or Daniel Parry-Jones (daniel.parry-jones@bnpparibas.com) of BNP Paribas Real Estate.

From: Stephen Vanstone [mailto:Stephen.Vanstone@thls.org]
Sent: 01 June 2017 13:57
To: Wylfa Newydd
Cc: Thomas Arculus; Trevor Harris; Nicholas Saunders; Martin Thomas
Subject: RE: Wylfa Newydd Project - scoping consultation

Good afternoon Hannah,

With reference to your attached letter, Trinity House would expect a full marine navigation risk assessment to form part of the Environmental Statement; which should also include details of proposed risk mitigation measures.

Having met with the developers at Trinity House on 22 May 2017 to discuss this project's likely risk to the mariner, we would of course be happy to engage directly again later in the application process, in order to give further advice concerning this matter.

Kindest regards,

Steve Vanstone
Navigation Services Officer
Trinity House

From: Wylfa Newydd [mailto:Wylfa@pins.gsi.gov.uk]
Sent: 05 May 2017 09:22
To: Navigation
Cc: Thomas Arculus
Subject: Wylfa Newydd Project - scoping consultation

FAO Steve Vanstone

Please see attached correspondence on the proposed Wylfa Newydd Project.

Please note the deadline for consultation responses is 2 June 2017 and is a statutory requirement that cannot be extended.

Kind regards
Hannah

Hannah Pratt
Senior EIA and Land Rights Advisor
Major Applications and Plans
The Planning Inspectorate, 3D, Temple Quay House, Temple Quay,
Bristol, BS1 6PN

Direct Line: 0303 444 5001
Helpline: 0303 444 5000
Email: Hannah.pratt@pins.gsi.gov.uk

Web: <https://infrastructure.planninginspectorate.gov.uk/> (National Infrastructure Planning)

Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)



Llywodraeth Cymru
Welsh Government

BY EMAIL - wylfa@pins.gsi.gov.uk

2 June 2017

3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

EN010007-000882 - Application by Horizon Nuclear Power Wylfa Limited for an Order Granting Development Consent for the Wylfa Newydd Project

This advice given below is in response to a scoping opinion as to the contents of an Environmental Impact Assessment for the Wylfa Newydd Nuclear Power Station and associated infrastructure.

A scoping opinion was adopted by the Secretary of State for Energy and Climate Change for this environmental impact assessment on the 28th April 2016. This consultation is made in response to an addendum to this document which is contained in a scoping report addendum dated 4th May 2017.

Transport

Consideration of Alternative Sites (Park and Ride & Logistics Centre)

The EIA Directive requires the developer to include in the environmental information "... *an outline of the main alternatives studied by the developer and an indication of the main reasons for his choice, taking into account the environmental effects*" and "*a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects*".

It does not appear that this alternative assessment has been undertaken in relation to the proposed Transport Strategy in relation to providing a main 1,900 space Park and Ride facility at Dalar Hir. Therefore it is not possible to conclude whether a range of smaller strategically located facilities (suggested by both Isle of Anglesey County Council and Welsh Government in response to PAC2) would avoid, reduce, or remedy impacts on



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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

both the local and regional transport network in a more beneficial manner than the current proposal.

There is a known Greater Crested Newt population in close proximity to the proposed development at Dalar Hir, and if there is likely to be an impact on the mitigation will be required.

In light of the changed approach to freight handling set out in the current PAC3 consultation (now requiring more suppliers to consolidate loads at source) an alternative assessment should also be made as to the possible alternative locations for the logistic centre. Whilst the transport section of the Environmental Statement provides details for the inbound freight movements it only counts single HGV movements, and to date there has been no detail as to how empty outbound HGV's will be controlled from site to ensure that there is no significant impact on the local roads and the trunk road (in particular Britannia Bridge).

The Transport Strategy in terms of Park and Ride and Logistic handling is predicated on what appears to be an arbitrary 30 minute drive time to site. Given the distance and time it is likely to take for HGV vehicles to make deliveries from the rest of the UK it is not clear as to why the logistic centre needs to be within such a zone, and justification for this approach should be provided within the Environmental Statement. For example, if the logistic centre were to be located at an alternative site on the mainland the following could be achieved:-

- It will control the times of the deliveries cross the A55 Britannia Bridge pinch point and avoiding peak times.
- It will reduce the number of vehicles over Britannia Bridge, as there will be the opportunity to combine loads before they cross.
- Deliveries to the hub will not be impacted on by the weather, and as there is advance warning of high winds on the bridge, there will be the opportunity to deliver the items to site so there will be no disruption to supply.
- It could provide a legacy.
- It will not increase the number of movements between A55 Junctions 2 and 3, and so not interfere with ferry traffic near the port and HGVs using the lorry park.
- A logistics hub on the mainland could also provide a layover for the movement of AILs (Abnormal Indivisible Loads) should the MOLF be delayed, or bad weather (rough seas) prevent marine freight being delivered from the main port site to the MOLF.

Existing Transport Modelling

The modelling we have seen to date is not AQUA book compliant.

Additional modelling that should be included as part of the EIA process

The extra vehicles that will be generated (both workers and HGV deliveries) are a considerable increase in traffic volume therefore in accordance with NPS- EN1 and NPS- EN6 the Trunk Road Network should be assessed, and where necessary upgraded to meet the DMRB standards.

Therefore a capacity analysis of the affected trunk road network is required. This should include but not be limited to:

- The Menai Loop which includes the A487/A5/Menai Bridge from Junction 9 to 8A of the A55 trunk road.
- The A487 from the Vaynol roundabout to Junction 9 of the A55.
- Any other section of the road network where traffic movements may impact the trunk road.

The outputs should include vehicle flows, queue lengths and delays per vehicle. Improvements should be put forward anywhere there is a deterioration in the operation and performance of the network. These improvements must be designed to DMRB standards.

The analysis should include the worse case scenario, i.e. that the MOLF will only accommodate 60% of freight. Furthermore the current documents contain no detail of the freight movements prior to the MOLF becoming operational, which we understand is unlikely to be before the end of 2021 although significant elements of the project (in particular the associated development) will be at various stages of construction. There is also projected to be between 3 and 5 thousand workers during this period. We would therefore request that the Transport Section of any Environmental Statement also provides analysis before the MOLF becomes operational.

The extent of consideration given to the impact on traffic movements across and in the vicinity of the Britannia Bridge is a major concern. Welsh Government has yet to have received the necessary information on the volume of traffic, type of traffic, time of day and traffic routing based on 40% of all freight movements are being made by road (worst case scenario). We also need to know how this additional traffic will impact on the adjoining network and other users. This includes the additional economic cost imposed on current users.

Cumulative Impacts

In looking at the potential for cumulative impacts we would suggest that the extent of use of Holyhead Port (particularly over the period of 2020 to 2026) should also be factored into any analysis and any associated work with this operation, for example, changes to the access to and from the Port as a result of implementing the Port of Holyhead Regeneration Masterplan.

In addition the analysis should cater for cumulative impacts such as:

- The decommissioning of Wylfa A Power Station.
- National Grid connection works (in particular transport movements across the Britannia Bridge) .
- Third Crossing
- All consented development works.

The analysis should justify the assumed assignment of trips and methodology of route choice.

It appears that the Scoping Report has not included all the information (for example Appendix B e.g. Reference 98 has not been provided to Statutory Parties to date) this has resulted in the Welsh Government Transport Division not being able to complete a full assessment of the proposal.

Agricultural Land Use

This response is made independently of other remits within DERA and focuses on Agricultural Land Classification (ALC) information and BMV policy (PPW 4.10.1).

Agricultural Land Classification:

Power Station Site

Surveyed – survey results submitted to and agreed by the Department (See consultation response dated 16/11/2016).

Off-Site Power Station Facilities

Possibly part of the A5025 Highway Improvements ALC survey.

Logistics Centre

Un-surveyed – A desk assessment of available information indicates this site will be a mosaic of ALC grades 3b, 4 and 5. Rock outcrops within the site indicate shallow soils.

Park and Ride Facility

Surveyed – Given as ALC grade 3b. The Department has requested the survey results from Horizon Nuclear Power but as yet not received.

A5025 Highway Improvements

Surveyed. Given as ALC grade 2, 3a, 3b, 4 & 5. “*Generally, much of the off site area is classified as Grade 4 or 5, with some areas of Grade 2, 3a and 3b around the LLanfaethlu and Llanfachraeth areas*” (Table 13.1). The Department has requested the survey results from Horizon Nuclear Power but as yet not received. Until we have these survey results the grade distribution cannot be assessed or quantified.

The surveys results were requested on Tuesday 9th May from Horizon Nuclear Power. They are required for validation by Departmental surveyors. The distribution of grades needs to be understood so the Department can assess the implications of the proposal against BMV policy (PPW 4.10.1).

The full ALC survey reports and maps should be made available as happened in the March 2016 Scoping Report for the Power Station Site. Horizon Nuclear Power have confirmed verbally (30/5/2017) that they will share these reports.

Historic Environment Service (Cadw)

Key changes to the Wylfa Newydd Project described in chapter 3 of this addendum that could potentially affect archaeology and cultural heritage include;

- increase in platform heights for some buildings;
- reduced footprint of the Power Station Site and changes to the layout to create a single power island;
- change in crane height during construction to a maximum of 250m;
- changes to the MOLF and breakwaters;

- the co-location of three Off-Site Power Station Facilities at Llanfaethlu (and avoidance of effects at the former AECC site);
- expansion of the On-Site Campus (Temporary Workers' Accommodation) within the Wylfa Newydd Development Area.

The scoping report also includes three areas of associated development:

- Park and Ride Facility at Dalar Hir;
- Logistics Centre at Parc Cybi the study areas;
- A5025 Off-line Highways Improvements.

The scoping report confirms that a number of points raised in the adopted scoping opinion report will be carried out;

- The results of archaeological trial trenching will be used to update the cultural heritage baseline (Appendix B ref.84);
- Any archaeological mitigation measures and/or management plans will be cross referenced with others, including the LEMP (Landscape and Environmental Masterplan), such that mitigation measures are complimentary and not contradictory;
- The study area for terrestrial archaeology, historic buildings and the historic landscape will be defined as the Power Station Site and an area extending 6km from it;
- Where off-site facilities fall outside the 6km study area, bespoke study areas will be defined, and agreed with Gwynedd Archaeological Planning Service (GAPS) and IACC;
- Measures to mitigate predicted effects on marine archaeological remains will be identified within the Environmental Statement;
- The statutory Grade II designation of Cestyll Garden as a Historic Park and Garden under section 18 of the Historic Environment (Wales) Act 2016 will be taken into account in the Environmental Statement;
- The draft guidance on setting produced by Cadw will also inform the assessment.

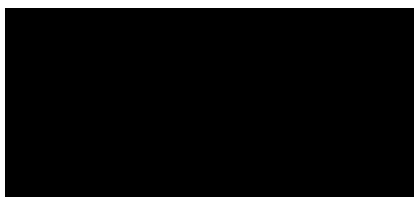
We welcome these clarifications and consider that they are appropriate.

One issue raised in the adopted scoping opinion but not included in this scoping report addendum is the need or not for the impact of the proposed development on the Registered Historic Landscape of Amlwch and Parys Mountain to be considered. Welsh Ministers are the consultees on this issue, and in our opinion, given the distance between the proposed development and the boundary of the registered historic landscape, this impact is unlikely to be significant. Consequently we do not consider that an Assessment of the Impact of Development on the Registered Historic Landscape is required to be produced as part of this environmental impact assessment

The initial analysis included in the scoping report addendum identifies the historic assets which the three areas of associated development: could have an impact upon and proposes methodologies for determining the scale of these impacts. We consider that these are correct and appropriate.

Finally the scoping report addendum states that the assessments will be informed by relevant best practice guidance including Conservation Principles for the sustainable management of the historic environment in Wales (Cadw, 2011), and Technical Advice Note 24 Historic Environment (Wales) Act 2016, and Cadw's Best Practice Guidance Documents which are due to be issued on the 31st May 2017.

Yours sincerely



Prys Davies
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