

Annex B – NRW response to the first set of written questions from the Examining Authority

URN	Question to	Question	NRW's Response
1.	Development consent order (DCO), policy and other consents		
1.24	Applicant Natural Resources Wales (NRW)	Should Article 17 refer to the consents required by Natural Resources Wales (NRW)?	Article 17 paragraphs (7) and (10) of the current draft DCO (Revision 1 dated 03 March 2016) rightly indicate that irrespective of the DCO, other consents may be required from NRW. These are listed by the applicant in their <i>Other Consents and Licenses</i> document.
1.26	Gwynedd Council NRW	Are there any concerns regarding the resources required to discharge the draft DCO [APP-043] and, if there are any, can you suggest how these could be addressed?	NRW would be concerned if a large number of requests to discharge the requirements were received at the same time. We request that the applicant provide a timetable indicating how consultations for the various reports will be spread out over time.
Policy			
1.27	Applicant Gwynedd Council NRW Interested Parties	Although National Policy Statements (NPSs) EN-1, EN-3 and EN-5 are referred to in the Planning Statement [APP-057], no NPS is designated in respect to pumped storage developments. However, the ExA's preliminary view is that policies in these NPSs, and particularly EN-1, are potentially important and relevant to this examination. Interested parties are invited to comment on this and to	NPS EN-1, and possibly EN-5 appear to be relevant for the purposes of the Development.

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		<p>identify any particular policies in the NPSs that they consider to be important and relevant to this examination, as described under s105(2)(c) of PA2008.</p>	
1.28	Gwynedd Council NRW SNPA	<p>a) Please identify all Welsh and other local policy that is relevant and applicable to the consideration of this application, set out why that is the case and summarise the relevant policies as they relate to the application. Please include reference to Planning Policy Wales, Technical Advice Notes (TANs), Minerals Planning Policy Wales, the Gwynedd Unitary Development Plan, the Eryri Local Development Plan and the draft Anglesey Gwynedd Joint Local Development Plan.</p> <p>b) What policy support is provided for the application in the Development Plans?</p> <p>c) Is there any concern that the development conflicts with any of the identified policy? Please identify each concern and how it relates to a specific policy.</p> <p>d) Would any identified conflict amount to a reason to refuse development consent?</p> <p>e) Please comment on the relevance of renewable energy policies, of low carbon development policies and of specific policies for energy storage.</p> <p>f) Is the development expected to make a contribution to addressing climate change mitigation.</p>	NRW does not offer any comment and defers to GC

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Other consents			
1.33	Gwynedd Council NRW	a) Does the Details of Other Consents and Licences [APP-055] include all the necessary consents and licenses and is it an accurate reflection of the position held with the relevant bodies? b) Are the other consents and licenses required for the proposed development likely to be forthcoming within acceptable and predictable timescales? c) Are the measures required by any other consents and licenses likely to be consistent with the ES and the draft DCO [APP-043]? d) Are any consents and licenses likely to present impediments to the development becoming operational?	The details of Other Consents and Licences include all necessary consents and licences and is an accurate reflection. The current determination date for the outstanding discharge consent applications is the 18 th June 2016, and may be extended. Further information has been requested with respect to the discharge consent applications.
2.	General issues regarding the Environmental Statement (ES) and mitigation and management plans		
General issues regarding the Environmental Statement			
2.17	Applicant Gwynedd Council NRW	a) Please provide an update on progress in discussions regarding the alternative locations for the pumping station and comment on the differences in impacts of the alternative locations.	We have not been involved in discussion relating to alternative locations of the pumping station. The suitability of the location of the pumping station is outside of the scope of the abstraction licence.

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		b) Please could the applicant respond to the concerns received in relevant representations from Oggy East, Emily Wood and Stephanie Duits.	
2.19	Gwynedd Council NRW	Are you satisfied with the applicant's assessment of potential impacts during the operation and decommissioning of the proposed development?	We are satisfied with the applicant's assessment of potential impacts during operation and are also satisfied with their approach to the assessment of potential impacts during decommissioning.
2.21	Interested Parties	Are there any comments on the potential for transboundary impacts, following the conclusion of the screening [APP-054] that the proposed development is not likely to have a significant impact on the environment in another European Economic Area state?	We are satisfied given the distance involved, that there will be no significant impact upon the environment in another European Economic Area state.
	General issues regarding mitigation and the mitigation and management plans		
2.24	Applicant Gwynedd Council NRW	<p>a) Please could the applicant clarify the various management and mitigation roles identified in the draft CoCP [APP-142] and elsewhere in the ES, including the Environmental Clerk of Works, the Project Environmental Manager, the Environmental Manager, the Environmental Officer and the Ecological Clerk of Works?</p> <p>b) How will the applicant ensure that suitably qualified and experienced people are appointed to these roles?</p> <p>c) How are the roles to be secured?</p> <p>d) Please could Gwynedd Council (GC) and</p>	We consider that the management and mitigation roles should be clearly defined when drawing up the relevant environmental plans under the relevant requirements.

URN	Question to	Question	NRW's Response
		NRW comment?	
2.25	Applicant Gwynedd Council NRW	a) Please could the applicant clarify the nature of all monitoring proposed for each stage of the project, the scope of the proposed monitoring, the minimum measures that they intend to deliver and the actions that would be taken in response to the results? b) Please update the draft CoCP [APP-142] to include this information. c) Do GC and NRW have any comments on the proposed scope of the monitoring?	We are satisfied with the proposed scope of the monitoring.
2.31	Applicant Gwynedd Council NRW	a) Should there be more detail of the matters to be covered by the mitigation and management plans listed in draft DCO [APP-043], Requirement 6(2) and the draft CoCP [APP-142]? b) Do the draft DCO [APP-043] and the draft COCP [APP-142] provide sufficient detail on the mitigation measures in order to address the impacts of the development? c) Can all mitigation measures mentioned in the different topic chapters of the ES be set out in full in the draft CoCP [APP-142] and other mitigation plans, rather than being covered by general references to the ES?	We are satisfied that the details are adequate at this stage.
2.32	Gwynedd Council NRW	In order to demonstrate how the proposed mitigation measures would be delivered, are any further draft/outline mitigation and management plans required at this stage?	We are satisfied that details are sufficient to inform decisions with respect to the DCO but that certain reports that would be submitted under DCO requirements are required by NRW's permitting staff in order

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			to complete the discharge consent application process.
2.33	Gwynedd Council NRW	<p>a) Do GC and NRW consider that there is enough information on the principles and parameters used in the draft DCO [APP-043] and the draft CoCP [APP-142] to be confident that the submitted management and mitigation plans will be capable of approval?</p> <p>b) Do GC and NRW consider that they have sufficient information to be confident that the submitted CoCP and other management and mitigation plans will be monitored adequately during the pre-commencement, construction and operation of the proposed development to ensure the success of the proposed mitigation?</p> <p>c) Do GC and NRW consider that they have sufficient information to be confident that the CoCP and other management and mitigation plans will be appropriately enforced?</p>	<p>We consider that the submitted plans will be capable of approval, with sufficient information for monitoring and implementation.</p> <p>Successful mitigation will, in all cases, be reliant on plans that are clearly written and adaptive to change.</p>
3.	Biodiversity and ecology		
	Habitats Regulation Assessment (HRA)		
3.2	NRW	Please comment on the appropriateness of the baseline data used for the HRA.	We are satisfied that the baseline data within the NSER has used appropriate data / assumptions.

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3.3	Applicant NRW	Please confirm that the development is not connected with or necessary to the management for nature conservation of any of the European Sites considered in the No Significant Effects Report (NSER) [APP-054].	The development is not connected with or necessary to the management for nature conservation of any of the European Sites considered in the No Significant Effects Report.
3.6	NRW	<p>a) Please comment on the indirect impacts, including from blasting, noise, vibration and lighting, on lesser horseshoe bats linked to the Gyllifon Special Area of Conservation (SAC).</p> <p>b) Is NRW content with the level of the detail provided on the mitigation/enhancement measures for lesser horseshoe bats, including the use of other tunnels?</p> <p>c) Does NRW consider that these measures constitute mitigation relied on to reach the conclusion of no LSE, or enhancement measures?</p> <p>d) Are you satisfied that the measures are appropriately secured in the draft DCO [APP-043]?</p>	<p>a) NRW have no records that the lesser horseshoe bats from Glynllifon SAC are using these tunnels, This location is well within their commuting range, and therefore, their presence cannot be ruled out. The numbers of bats using these tunnels are quite low, and would be a very small percentage of the number of bats within the Glynllifon colony.</p> <p>NRW agrees with the AECON's assessment that the impact of noise from blasting and drilling would not have a significant effect on the bats using the tunnels to be maintained as roosts.</p> <p>b) Yes</p> <p>c) Yes</p> <p>d) Yes – these are detailed within Chapter 18, will be part of the Habitat Management Plan which is part of requirement 6, Code of Construction Practice, and are also covered by an appropriate licence.</p>
3.7	NRW	Do any other impacts need to be considered in respect to the Gyllifon SAC in addition to those assessed in the NSER [APP-054]?	We do not consider that any other impacts need to be considered.
3.9	NRW	Within the NSER [APP-054] the applicant is	NRW are considering the discharge

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		relying on proposed conditions that will be applied to the discharge consent in order to conclude no LSE. However, a discharge consent for the proposed development has not yet been obtained. Do the proposed conditions for the discharge consent provide the security that effects on European sites hydrologically linked to the development can be excluded, or is additional mitigation required to reach this conclusion?	consent applications. NRW will undertake a Habitats Regulations Assessment as part of the consideration of these applications. NRW will apply relevant conditions to these discharge consents to ensure no likely significant effects on European Sites. We do not believe that any of these conditions would contradict any measures/requirements within the DCO development and its associated plans.
3.10	NRW	Is NRW content with the in-combination assessment with the grid connection and the Dinorwig hydroelectric scheme in the HRA?	The Dinorwig Hydroelectric Scheme is an operational development. We are satisfied there will not be a significant effect from the associated grid connection relating to this proposal.
3.11	NRW	<p>a) Is NRW content with the applicant's screening conclusions in their NSER [APP-054] and have all qualifying features and interests been correctly identified?</p> <p>b) If not, then please could NRW provide specific information on any likely impacts on sites and qualifying features and interests, an assessment of the mitigation measures provided by the application and advise whether other mitigation measures could be provided?</p> <p>c) Does the NRW support the applicant's findings that likely significant effects on the European sites can be excluded and, if so, please can you confirm what mitigation measures you consider are necessary to</p>	<p>We are satisfied with the NSER screening conclusions which we have separately agreed with the applicants.</p> <p>Likely significant effects can be excluded as long as the mitigation measures within the Schedule of Mitigation (Chapter 18 of the Environmental Statement), the various plans and statements necessary under the requirements, and the conditions within any future discharge consents are met.</p>

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		<p>reach this conclusion, and whether these are appropriately secured in the draft DCO [APP-043] or through other means.</p> <p>d) If not, then please could the NRW itemise the sites and qualifying features and interests in respect of which there are outstanding concerns?</p>	
	<p>Biodiversity and ecology – policy, scope, methodology and baseline</p>		
3.12	NRW Gwynedd Council	Are there any concerns on the scope of the assessment or on the methodology in the Ecology chapter of the ES [APP-074]?	We are satisfied with the scope of assessment and methodology within the Ecology chapter of the ES.
3.13	Applicant NRW Gwynedd Council	<p>a) When does the applicant intend to survey tunnel 16, will the findings be available by the close of the examination and how will the findings be incorporated into the assessment?</p> <p>b) Do NRW and GC consider that it is acceptable for the survey to be carried out post-consent?</p>	We have since been informed by AECOM (08/04/16) that although this roost is outside of the footprint of the scheme, it has been included for survey, and that these surveys have already commenced.
3.14	NRW	Are there any comments on the scope of the lichen surveys undertaken?	No comment
	<p>Biodiversity and ecology – impact assessment</p>		
3.15	NRW Gwynedd Council	<p>a) Are NRW and GC satisfied with the impact assessment and the conclusions reached in respect to the significance of potential impacts?</p> <p>b) Are there any concerns on which</p>	<p>We are satisfied with the conclusions of the significance of potential impacts.</p> <p>We agree with the projects that have been included within chapter 17 of the ES.</p>

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		plans/projects have been included in the cumulative impact assessment or the approach that has been taken for the cumulative impact assessment?	
3.16	NRW Gwynedd Council	<p>a) Please comment on the applicant's assessment of potential impacts on bats due to blast induced noise, vibration and air over blasts.</p> <p>b) Are there any suggestions for how the assessment could be improved?</p>	We consider the assessment to be adequate.
3.17	Applicant NRW	<p>a) Please clarify the potential impacts on fish in the Nant-y-Betwys, including from changes in water flows, from contamination and from noise and vibration.</p> <p>b) Is NRW content with the assessment undertaken?</p>	We are satisfied with the assessment undertaken, and these potential impacts will be further considered within the discharge consent applications.
3.18	NRW	With reference to the Wildlife and Countryside Act 1981 (as amended), is NRW content with the assessment of impacts on Schedule 1 species using quarry 5?	Yes, subject to compliance with appropriate mitigation plans.
3.19	NRW	<p>a) Is NRW content with the assessment of impacts on species for which breeding or other information is confidential?</p> <p>b) Are there any specific confidential matters that the ExA should be made aware of and explore during the examination?</p> <p>If any replies to this or other questions include information that is potentially exempt from release under Environmental Information Regulations, that information should be</p>	<p>a) Yes, we are satisfied with the assessment of impact on species for which breeding or other information is confidential.</p> <p>b) We are not aware of any such matters.</p>

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		submitted in a separate and clearly identified document.	
3.21	Applicant Gwynedd Council NRW	a) Please could the applicant provide plans to clarify the extent of removal, cutting or lopping of trees and hedgerows, including those subject to tree preservation orders and justify the necessity at each location? b) Please could GC and NRW comment?	The methods to be used for undertaking these activities should be included within the CoCP and associated plans.
	Biodiversity and ecology – mitigation, residual impacts and significance		
3.23	Applicant NRW	Please comment on inconsistencies between the draft Habitat Management Plan and the draft CoCP [APP-142], for example regarding pre-construction surveys for arctic charr.	There is no document titled Habitat Management Plan posted on the National Infrastructure Website but within the draft Code of Construction Practice (CoCP, document [APP-142]), Section 4.6 has the title Habitat Management Plan. No reference to arctic charr (<i>Salvelinus alpinus</i>) is made in this section or in other parts of the document. We are therefore unclear as to which documents we are being asked to comment on. However, NRW's survey knowledge of Llyn Padarn for Arctic char is extensive. Our concerns are relate to maintaining existing habitat quality (no deterioration in water quality) rather than any concerns regarding direct physical impact.
3.24	NRW Gwynedd Council	a) Please comment on the suitability of the mitigation measures proposed to reduce impacts on bats, including those required	a) Suitable mitigation has been included within the European Protected Species bat licence that has been granted.

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		<p>for impacts from blasting.</p> <p>b) Please comment on the need to mitigate impacts on badgers.</p> <p>c) Has sufficient protection been provided for trees and hedgerows and is this adequately secured in the draft DCO [APP-043]?</p>	<p>b) Pre-commencement surveys for badgers will be undertaken. Mitigation and licencing requirements should be assessed following these pre-commencement surveys.</p> <p>c) These matters should be included within the CoCP and associated plans.</p>
3.25	Applicant NRW Gwynedd Council	<p>a) Please clarify the purposes of the various pre-construction surveys and any monitoring, including who is involved.</p> <p>b) How will results be interpreted and acted upon?</p> <p>c) How will the surveys and monitoring be secured in the draft DCO [APP-043].</p> <p>d) Should the DCO set out the species that require additional pre-construction surveys?</p> <p>e) Please could NRW and GC comment?</p>	<p>The mobile nature of certain species means that they should be surveyed shortly before the commencement of works so that likely impact can be more accurately assessed. Until these surveys are undertaken, monitoring strategies cannot be finalised. The CoCP as a requirement of the DCO should set out the species that require pre-construction surveys. Mitigation measure 8 notes the surveys required for certain species.</p>
3.26	Applicant NRW Gwynedd Council	<p>a) Please clarify the extent of restored/replacement habitats proposed to mitigate for the extent of removal, cutting or lopping of trees and hedgerows.</p> <p>b) Please clarify the extent of tree replacement that is proposed and the specification of replacement trees, including in the vicinity of the spillway infrastructure and pumping station.</p> <p>c) What will be the basis of calculation of the amount of any compensation to any person who suffers loss due to removal, cutting or</p>	<p>Tree replacement should be carried out in accordance with the methods specified within the CoCP.</p>

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		lopping of trees and hedgerows? d) Please could NRW and GC comment?	
4.	Landscape and visual impacts		
	Landscape and visual impacts – policy, scope, methodology and baseline		
4.1	NRW Gwynedd Council SNPA	a) Please comment on the methodology employed for the Landscape and Visual Impact Assessment (LVIA) [APP-073] and it's consistency with the Guidelines for Landscape and Visual Assessment 3rd Edition (GLVIA3). b) Do you agree with the methodology by which the degree of significance derives from the sensitivity and magnitude criteria? c) How should the magnitude of impact on a national park or a designated landscape be considered when only part of the designated area is directly affected? d) Please comment on the plans/projects included in the cumulative impact assessment.	a) We confirm that GLVIA 3 methodology has been applied in the assessment of landscape and visual effects of the proposal and the approach set out in the EIA adheres to GLVIA3. b) We confirm that we agree with the application of the assessment methodology in assessing the significance of effects. c) The location of the site places it outside but adjacent to the north western boundary of Snowdonia National Park. It is visible from adjacent hilltops within the designated landscape which are accessed for walking, recreation and enjoyment of the area's natural beauty. The site on the hillside of the Dinorwic valley also lies on an important gateway to Llanberis and Snowdon within National Park and there are public rights of way outside of the designated area which benefit from views of the designated landscape. The development lies within the setting of the National Park and where the development could be seen intervisible with the

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			<p>designated landscape it has the potential to affect the visual and sensory perceptions of the designated landscape. We have discussed the scale of impacts further under 4.7 below.</p> <p>d) No cumulative sites have been identified within the 10km study area. Cumulative assessment has therefore not been undertaken.</p>
4.6	NRW Gwynedd Council SNPA	<p>a) Please comment on the acceptability of summer only photomontages, seasonal variations in the screening provided by vegetation and the necessity for additional winter photomontages.</p> <p>b) Please comment on the presence of an interpretive board with respect to receptors and the value of the view from viewpoint 6.</p> <p>c) Any comments on the assessment of visual impacts of the conveyors during construction and should the assessment consider the impacts arising from the movement of the conveyors?</p> <p>d) Are NRW, GC and SNPA content with the assessment of impacts on geological landscapes?</p> <p>e) Please identify the degree of agreement with the specific applications of professional judgement in the Landscape and Visual Impact Assessment [APP-073].</p>	<p>a) We are satisfied that summer only photomontages have been adequate for us to understand the visual context and character of the site and nature of the development for the assessment of effects on statutorily protected landscapes.</p> <p>b) No comment.</p> <p>c) For considering the effects upon Snowdonia National Park (broad landscape views at some distance from the site); in view of the temporary nature of these works, we are satisfied with the assessment of visual effects taken by the ES. We have considered effects on statutorily protected landscapes only.</p> <p>d) In respect of Landscape and visual impacts, NRW is confining its comments to potential effects on statutorily protected landscapes</p> <p>e) We are satisfied that the overall scale of landscape and visual effects assessed and presented within the ES accord with our</p>

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			<p>understanding of the characteristics of the proposed development, the development's likely range of influence, the site's context and the landscape and visual resource of the study area. We make this statement in regards to our landscape interest in the proposed development upon Snowdonia National Park and the historic character of the Dinorwig landscape of Outstanding Historic Significance.</p>
4.7	SNPA NRW	<p>Are there any concerns on the assessment of impact on the setting of Snowdonia National Park or on the Llyn and Anglesey Areas of Outstanding Natural Beauty (AONB)?</p>	<p>We have no concerns regarding likely development impacts on the setting of the Llyn and Anglesey Areas of Outstanding Natural Beauty (AONB). These areas are some distance from the site and beyond its visual influence.</p> <p>Significant effects upon views within the setting of Snowdonia National Park have been identified by the EIA, with a temporary Major – Moderate adverse effect upon views from Cefn Du (viewpoint is located adjacent to the northern boundary fence of the site) and Moderate adverse effects upon viewpoints from Moel Eilio; Llanberis Lake Railway, Llyn Padarn; and Dinorwic during the construction phase. The assessment of the operational phase predicts that significant effects would be lower in scale and more geographically limited in extent, with a Moderate adverse effect on views from Cefn Du - the immediate vicinity of the site, where the key components of the</p>

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			<p>development including buildings, the upper reservoir and dam would form a major component of views that take in Snowdon and adjacent hills.</p> <p>Due to the localised nature of adverse effects, which just reach the threshold of being significant, the development is acceptable to NRW on landscape grounds, subject to the details of the landscape reinstatement plan.</p>
4.9	Applicant NRW Gwynedd Council SNPA	<p>a) What is the likelihood of any tree or hedgerow removal being required for the grid connection and what is the likelihood of all or part of the cable route being overhead?</p> <p>b) Please comment on the assessment of cumulative impacts with the grid connection during construction and operation whether an overhead grid connection should be assessed as the 'worst case' scenario for the landscape and visual impact assessment.</p>	<p>a) NRW cannot comment on these matters.</p> <p>b) We cannot assess the likelihood of an overhead connection being considered as an alternative to that described in the Grid Connection Statement (Document 7.01). Therefore we cannot comment.</p>
5.	Historic environment		
5.11	Applicant Gwynedd Council NRW	<p>a) Please could the applicant justify the statement in paragraph 11.7.35 [APP-078] that the considerable impact identified on Historic Landscape Character Areas 07 and 45 using the ASIDHOL methodology "<i>is argued to be an overstatement of the true</i></p>	<p>ASIDOHL2 methodology is concerned with identifying where change would occur and quantifying it in terms of physical direct impacts and loss of key features by applying a formula. The methodology is less attuned to assessing and conveying visual indirect impacts and how changes to</p>

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		<p><i>level of effect"?</i></p> <p>b) Please could GC and NRW comment?</p>	<p>an area's historic character would be perceived. It is our view that this is better handled though landscape and visual impact assessment techniques. As noted at 11.7.35 "The ASIDOHL methodology imposes an impact score of.." but the lack of a narrative explanation to accompany the statement as to what "considerable" means is unhelpful. We leave this to the applicant to provide further clarification on, but provide the following comment on our interpretation of the visual impact issues:</p> <p>NRWs interest and scope of planning comments for the Dinorwic Registered historic landscape, relate the potential indirect visual effects on the area's historic character. It is our view that whilst the proposed development would introduce new largescale slate mounds which would result in an ASIDOHL "considerable" change to the existing features of the site through a direct effect loss of quarries, spoil tips, quarry infrastructure and world war two bomb-storage facilities; and indirect effect on the character of the site (perceived pattern, form and scale of the existing quarry), the character of the site and association with its former quarrying activity would not fundamentally change within wider landscape views from the study area.</p>

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7.	Noise and vibration		
7.8	Gwynedd Council SNPA NRW	a) Are GC, SNPA and NRW content with the scope, methodology, basis of the sensitivity and magnitude criteria used in the assessment? b) How should the noise, vibration and air overpressure impacts from blasting be assessed?	The proposed scheme will not be a facility regulated by The Environmental Permitting (England and Wales) Regulations 2010. Therefore the assessment of noise and vibration associated with its construction and operation are matters for consideration by the planning authorities and the Health and Safety Executive.
Noise and vibration – impact assessment			
7.15	Gwynedd Council SPNA NRW	a) Are GC, SNPA and NRW content with the assessment of noise, vibration and air overpressure impacts, including during construction, blasting, drilling and the use of conveyors? b) Please identify the degree of agreement with the specific application of professional judgement used in the noise and vibration assessment.	The proposed scheme will not be a facility regulated by The Environmental Permitting (England and Wales) Regulations 2010. Therefore the assessment of noise and vibration associated with its construction and operation are matters for consideration by the planning authorities and the Health and Safety Executive.
Noise and vibration - mitigation, residual impacts and significance			
7.24	Gwynedd Council SPNA NRW	a) Are GC, SNPA and NRW satisfied with the mitigation measures proposed and secured in the draft DCO [APP-043] and in the draft CoCP [APP-142]? b) Are GC, SNPA and NRW satisfied with the noise and vibration monitoring proposed and the means by which it is secured?	The proposed scheme will not be a facility regulated by The Environmental Permitting (England and Wales) Regulations 2010. Therefore the assessment of noise and vibration associated with its construction and operation are matters for consideration by the planning authorities and the Health and Safety Executive.

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		c) How should the noise, vibration and air overpressure impacts from blasting be mitigated?	However, with regard potential effects on protected species, we are satisfied that adequate mitigation measures if required, can be are secured through the CoCP and associated plans upon which NRW will be consulted under DCO requirements 6 and 7. The developers should avoid any identified sensitive periods for protected species.
Water resources and flood risk			
Water resources – policy, scope, methodology and baseline			
8.3	Applicant NRW	Please clarify the purpose of a 'Designated Site Consent Order', the legislation that this comes under and whether one will be required for working within the Llyn Padarn Site of Special Scientific Interest, as mentioned in paragraph 7.4.6 of the Ecology chapter of the ES [APP-074]?	We are not familiar with the term "Designated Site Consent Order". This may appertain to a consent issued under Section 28E of the Wildlife and Countryside Act 1981. If this is the case, and the works referred to would be granted by the DCO for this scheme, it is our understanding that such a consent would not be required.
8.5	Applicant NRW Gwynedd Council	a) Please comment on the suitability of the baseline information on groundwater conditions and drainage pathways for the impact assessment, including knowledge of existing tunnels, culverts, drainage systems and fractures in the bedrock. b) Please justify that there is sufficient information on the groundwater conditions for the likely impacts of the development to	b) Groundwater baseline information is suitable taking into account the type of aquifer in this area (Secondary B) and the low use of groundwater in the surrounding area. Regarding the escape of retained waters within the reservoirs, we suggest that the requirements of the Reservoirs Act and the supervising engineer (on behalf of the

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		<p>be fully understood and appropriately mitigated.</p> <p>c) Please comment on the need for, scope and timing of further investigations, when this data will be obtained and whether the need for the further investigation work should be secured in the draft DCO [APP-043].</p> <p>d) Please clarify the mechanisms by which the scope of the investigations will be agreed including who is involved and how results will be interpreted and acted upon</p> <p>e) What is the risk that the further information that will be obtained on the baseline conditions will lead to a need for works that have not been assessed in the ES and/or are outside the scope of the draft DCO [APP-043] to deliver?</p>	<p>applicant) should provide details on this aspect. The Flood Consequences Assessment states in para 3.3.2 "...It is unclear whether there is an abandoned drainage system within quarries Q3 – Q6 which continues to convey water towards Llyn Padarn and hence prevent the accumulation of water in some of the quarries...". The Applicant should provide comments on this aspect and confirm that the appointed reservoir engineer will consider this.</p>
8.6	Applicant NRW Gwynedd Council	<p>a) Please clarify the sensitivity attributed to private water supplies in the assessment.</p> <p>b) What gaps remain in information about private water supplies to residential properties and how will these be addressed?</p> <p>c) What confidence is there that that other surface water bodies, including any that are potentially used for private water supplies, are not hydrologically connected to the site?</p> <p>d) Please could NRW and GC comment?</p>	<p>Given the distances involved the risks to the groundwater fed private water supplies (springs and boreholes) is likely to be negligible.</p>
8.7	Applicant	<p>a) Please comment on the potential for unexploded ordnance (including mercury</p>	<p>Much of the application area was previously used by the MoD as a munitions</p>

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	NRW Gwynedd Council	and lead), copper or aluminium to contaminate water bodies, including consideration of slate dust. b) What is the potential for contaminated sediment in crevices in quarries 1 and 6?	<p>storage and demolition area; uses which could potentially result in contamination of the natural environment. The site was subject to an Explosive Ordnance Disposal programme between 1969-75, which removed a significant amount of the unexploded ordnance. Nevertheless, there will be areas of unexploded ordnance remaining. Furthermore, there is a risk of contamination from exploded (as well as unexploded) ordnance.</p> <p>For that reason, NRW advised that prior to the development and/or operation of the Pumped Storage system, an intrusive site investigation of the application area be carried out, the risks from contamination be assessed and based on the risk assessment a remedial strategy be prepared and agreed. The site investigation will be carried out after the waters in the quarries are drained, and will include analysis for a range of contaminants including, but not limited to mercury, lead, copper and aluminium. We also advised that the need for a radiological survey be considered as part of the site investigation, in order to pick up the presence of radioactivity that could be present for example as a result of the radium present in the paint in the dials of the aeroplane cockpits.</p> <p>In our view it is highly likely that contaminated sediment will be present in the crevices in the quarries. The site</p>

URN	Question to	Question	NRW's Response
			<p>investigation will be able to establish whether such contamination is present and assess the risks from such contamination if present. An appropriate remediation strategy should then be prepared.</p> <p>The applicant has already commissioned "Sitesafe UXO Desk Study" by Zetica, dated 13 February 2015, Report Reference P3300-12-R1-B, a desk study and preliminary risk assessment of the unexploded ordnance at the site. The report highlights potential areas where unexploded ordnance may be found and recommends safe working methods to address the health and safety risks of working in the area.</p>
	Water resources – impact assessment		
8.13	Applicant NRW	Are any cumulative impacts anticipated with the construction of the grid connection, including water quality in Llyn Padarn and where the grid connection crosses the Afon Rhythallt?	The grid connection will be subject to separate consultation under the Electricity Act. Some minor impact may be possible. The crossing of the Afon Rhythallt may require a separate Flood Risk Activity Permit, (previously known as Flood Defence Consent) which will be environmentally protective. This consent should be achievable.
	Water resources – mitigation, residual impacts and significance		
8.19	NRW	Is NRW content with the measures to protect the Nant-y-Betwys, including from surface	The Pollution Prevention Plan and Silt Management Plan will include suitable

URN	Question to	Question	NRW's Response
		runoff and from the construction of access track crossings and should a minimum distance between the new slate mounds and the Nant-y-Betws be secured in the draft DCO [APP-043]?	mitigation for such potential impacts. NRW would recommend a minimum distance between the new slate mounds and the Nant y Betws, although NRW cannot recommend the specified minimum distance.
8.25	NRW	Please comment on the proposed scope of the water monitoring.	Overall the monitoring should set a benchmark prior to the construction and operational phase of the project. The monitoring of the dewatering activities and discharge from the spillway and scour valves will be defined within any relevant discharge consents.
8.29	Gwynedd Council NRW	a) Do you agree with the applicant's assessment that compliance with the Water Framework Directive will be maintained? b) Could the upper and lower reservoirs be considered to be new water bodies?	a) We agree that compliance with the Water Framework Directive will be maintained, subject to compliance with all required mitigation measures. b) We've checked the existing approach to water body designation. There is no reason to designate the potential new reservoirs in the Glyn Rhonwy scheme as WFD water bodies.
	Flood risk		
8.30	Applicant NRW Gwynedd Council	a) Are there any difference between the information provided within a 'Flood Consequences Assessment' (FCA), as provided by the applicant, and a 'Flood Risk Assessment', as required by EN-1? b) How has the FCA been updated from the version submitted for the T&CPA	a) No. In Wales TAN15: Development and Flood Risk refers to Flood Consequence Assessments. b) The FCA has been updated to take account of the differences in the updated development, due to better understanding of the site.

URN	Question to	Question	NRW's Response
		<p>application?</p> <p>c) Please comment on the suitability of a qualitative assessment.</p> <p>d) What is the mechanism in the draft DCO [APP-043] for a quantitative assessment and for this to be approved?</p> <p>e) What comfort can be provided that the quantitative assessment will be approved?</p>	<p>c) We are satisfied that the qualitative assessment is suitable and considers the flood risk within the framework of TAN15 and the requirements as stipulated by the Reservoirs Act, subject to the Excess Water Management Strategy.</p> <p>d) The Flood Consequences Assessment includes a quantitative assessment of the flood risk</p> <p>e) We are satisfied that the quantitative assessment is suitable and considers the flood risk within the framework of TAN15 and the requirements as stipulated by the Reservoirs Act subject to the Excess Water Management Strategy.</p>
8.31	Applicant NRW Gwynedd Council	<p>a) Was the FCA [APP-131] based on NRW's latest flood risk data?</p> <p>b) Has the FCA considered the worst case scenario? Please confirm the parameters assessed.</p> <p>c) Do all parties agree that the FCA has factored in the relevant allowances for climate change?</p>	<p>A) Yes.</p> <p>b) It has used the parameters used in TAN15 (fluvial 1% and 0.1% AEP flood) etc. Surface water drainage design 1 in 100 year rainfall event plus climate change allowances)</p> <p>c) Section 4.2 of the FCA refers to this. It is incorrect in stating 60 years as lifetime of development – it should read 75 years. However there is no difference in peak river flow volume since 2025 to 2115 is deemed to be increased by 20%. Surface water drainage considers an increase in peak rainfall intensities of 30% which is as per our adopted guidance in terms of development proposals and flood risk.</p>

URN	Question to	Question	NRW's Response
8.33	Applicant NRW Gwynedd Council	<p>a) Please clarify the assessment of changes in peak rate of run-off due to loss of wooded areas and increases in areas of hard standing, slate dams and spoil heaps and any resulting impacts on flood risk.</p> <p>b) Is there any loss in usable flood water storage capacity of the quarries and workings?</p> <p>c) How will it be ensured that runoff rates to receiving water bodies are not increased?</p> <p>d) Please could NRW and GC comment?</p>	<p>a) Unknown, and to be agreed (as with usual development proposals where a condition is attached regarding agreeing surface water drainage arrangements). We usually require that post development run off rates to watercourses reflect those of pre-development.</p> <p>b)Unknown</p> <p>c and d)see a) above</p>
8.38	Gwynedd Council NRW	<p>a) Any comments on the risks of a dam breach and emergency planning measures [APP-063]?</p> <p>b) Any specific matters that the ExA should be made aware of and explore in the examination?</p> <p>If any replies to this or other questions include information that is potentially exempt from release, that information should be submitted in a separate and clearly identified document.</p>	<p>The proposed development includes the construction of two reservoirs which have been identified by the applicant as liable to regulation under the Reservoirs Act 1975. The Reservoirs Act 1975 amended with effect from 1 April 2016 to include a new duty on NRW to designate reservoirs as 'high-risk reservoirs' where, in the event of an uncontrolled escape of water human life could be endangered. High-risk reservoirs are regulated by NRW, and the reservoir undertakers will be required to comply with all requirements of the Reservoirs Act 1975. To fulfil our duty, an assessment of the likelihood of an uncontrolled release is not required and the term 'high-risk' may be better understood as 'high-consequence'.</p> <p>The information within the application</p>

URN	Question to	Question	NRW's Response
			<p>indicates that both reservoirs (Q1 & Q6) would be regulated as high-risk reservoirs, with a requirement for:</p> <ul style="list-style-type: none"> • a qualified civil engineer, within the meaning of the Reservoirs Act, to be appointed to design and supervise the construction • periodic inspection by a qualified civil engineer; independent of the reservoir undertaker • a Supervising Engineer appointed at all times to report on the behaviour of the reservoirs • monitoring and surveillance activities undertaken and recorded <p>Engineers may provide recommendations for measures to be taken in the interests of safety or maintenance, or provide directions to the undertakers to carry out visual inspections and to report on these inspections. These are statutory requirements and the activities are notifiable to NRW and are enforceable by us. Reservoirs which are managed to the minimum standards laid down by the Reservoirs Act 1975 present a high-consequence: low likelihood risk.</p> <p>It is best practice for reservoir undertakers to prepare an emergency plan (onsite plan) detailing what actions they will take</p>

URN	Question to	Question	NRW's Response
			<p>in the event of a potential or actual uncontrolled release of water. Advice and a template for this are provided on https://www.gov.uk/guidance/reservoirs-owner-and-operator-requirements#prepare-a-reservoir-flood-plan-and-flood-map. Emergency off site plans to guide responding authorities during an incident are managed by Local Resilience Fora. Consequently, the ExA may consider the value in:</p> <ul style="list-style-type: none"> • requiring an onsite plan to be prepared and maintained prior to completion of the reservoirs • seeking the opinion of the Local Resilience Forum as to need for specific off site planning for the development
Air quality and other health impacts			
Air quality – policy, scope, methodology and baseline			
9.2	Gwynedd Council SNPA NRW	<p>a) Are GC, SNPA and NRW content with the scope, the methodology and the basis of the sensitivity and magnitude criteria used in the assessment?</p> <p>b) How should the air quality impacts from blasting be assessed?</p>	<p>The proposed scheme will not be a facility regulated by The Environmental Permitting (England and Wales) Regulations 2010. Therefore the assessment of air quality associated with its construction and operation are matters for consideration by the local authority.</p>

URN	Question to	Question	NRW's Response
	Air quality – impact assessment		
9.7	Gwynedd Council SNPA NRW	Are GC, SNPA and NRW content with the assessment of impacts on human and ecological receptors, including from traffic, during blasting, the use of conveyors and the construction of the slate dams, spoil heaps, temporary storage mounds, roads and construction compounds?	The proposed scheme will not be a facility regulated by The Environmental Permitting (England and Wales) Regulations 2010. Therefore the assessment of air quality associated with its construction and operation are matters for consideration by the local authority.
	Air quality – mitigation, residual impacts and significance		
9.10	Gwynedd Council SNPA NRW	a) Are GC, SNPA and NRW satisfied with the mitigation measures proposed and secured in the draft DCO [APP-043] and in the draft CoCP [APP-142]? b) Are GC, SNPA and NRW satisfied with the monitoring proposed and how it is secured?	The proposed scheme will not be a facility regulated by The Environmental Permitting (England and Wales) Regulations 2010. Therefore the assessment of air quality associated with its construction and operation are matters for consideration by the local authority. However, with regard potential effects on protected species, we are satisfied that adequate mitigation measures if required, can be are secured through the CoCP and associated plans upon which NRW will be consulted under DCO requirements 6 and 7.

Abbreviations			
ALA 1981	Acquisition of Land Act 1981	LIR	Local Impact Report
AP	Affected Person	LPA	Local Planning Authority
AONB	Area of Outstanding Natural Beauty	LVIA	Landscape and Visual Impact Assessment
BoR	Book of Reference	MW	Megawatts
BPM	Best Practicable Means	NRW	Natural Resources Wales
BS	British Standard	NPS	National Policy Statement
CA	Compulsory Acquisition	NSER	No Significant Effects Report
CoCP	Code of Construction Practice	NSIP	Nationally Significant Infrastructure Project
COPA	Control of Pollution Act 1974	PA2008	The Planning Act 2008
CRoW	Countryside and Rights of Way Act 2000	PINS	The Planning Inspectorate
CTMP	Construction Traffic Management Plan	PM	Preliminary Meeting
DCO	Development Consent Order	PPV	Peak Particle Velocity
EIA	Environmental Impact Assessment	PRoW	Public Rights of Way
EM	Explanatory Memorandum	RIES	Report on the Implications for European Sites
EN-1	Overarching National Policy Statement for Energy	RR	Relevant Representation
EPA	Environmental Protection Act 1990	SAC	Special Area of Conservation
EPS	European Protected Species	SI	Statutory Instrument
ES	Environmental Statement	SoCG	Statement of Common Ground
ExA	Examining Authority	SoS	Secretary of State
GAPS	Gwynedd Archaeological Planning Services	SNPA	Snowdonia National Park Authority
GC	Gwynedd Council	SPA	Special Protected Area
GLVIA3	Guidelines for Landscape and Visual Assessment 3rd Edition	SSSI	Site of Special Scientific Interest
HGV	Heavy Goods Vehicle	TAN	Technical Advice Note
HMP	Habitat Management Plan	T&CPA	Town and Country Planning Act 1990
HRA	Habitats Regulation Assessment	TPO	Tree Preservation Order
IAQM	Institute of Air Quality Management	UXO	Unexploded Ordnance
ICNIRP	International Commission on Non-Ionizing Radiation Protection	WFD	Water Frameworks Directive
IP	Interested Party	WR	Written Representation
ISH	Issue Specific Hearing	WWII	World War II