

From: [Hatcher, David](#)
To: [Glyn Rhonwy Pumped Storage Scheme](#)
Subject: Glyn Rhonwy Pumped Storage scheme - NRW response to Examining Authority's 2nd written questions
Date: 21 June 2016 11:58:43
Attachments: [ExA Second Written Questions NRW Response 21 06 2016.pdf](#)
[Glyn Rhonwy NRW Deadline 5 Response 21 06 16.pdf](#)

Dear Sir

Your ref: EN010072 - Glyn Rhonwy Pumped Storage scheme

Please find attached NRW's Deadline 5 Response and answers to the Examining Authority's 2nd written questions

We'd be grateful if you could acknowledge receipt of this email

Regards

Dr. David Hatcher MCIEEM

Arweinydd Tim / Team Leader

Gwasanaeth Cyngori Cynllunio Datblygu / Development Planning Advice Service

Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn/Tel: 03000 65 5239

E-bost/E-mail: david.hatcher@cyfoethnaturiolcymru.gov.uk /

david.hatcher@naturalresourceswales.gov.uk

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

www.naturalresourceswales.gov.uk

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

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Emre Williams, Case Manager
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Date: 21st June 2016

Dear Sir,

GLYN RHONWY PUMPED STORAGE SCHEME

PROJECT REFERENCE: EN 010072

Thank you for second written questions and notification of variation to the examination timetable letter dated 7th June 2016.

We provide the following responses in respect of Deadline 5:

RESPONSES TO THE ExA's SECOND WRITTEN QUESTIONS

Please see annex A for NRW's answers to the relevant questions.

COMMENTS ON THE APPLICANT'S REVISED DRAFT DCO (VERSION 5)

We provided comments on the draft DCO (revision 4) within our letter dated 13th May 2016, in advance of the DCO hearing. The majority of these have not been acted upon in Version 5, and therefore our previous comments still apply. They are repeated here as follows (please note that DCO references have been updated in light of other DCO amendments):

Requirement 9 (Water Management Plan)

NRW is satisfied with the wording of this requirement, subject to the following:

Requirement 9 (4) – the list of sampling suite parameters should include ‘turbidity (measured in Nephelometric Turbidity Units NTUs)’.

Requirement 9 (5) (i) and (ii) – The stipulated timescales should be amended to ‘12 months’

Requirement 9 (8) – Reference to ‘subsection 6’ is incorrect. This should read ‘subsection 7’

Requirement 9 (9) – Reference to ‘subsection 7’ is incorrect. This should read ‘subsection 8’

Requirement 11 (Drainage)

Requirement 11 (2) – the ‘*written details*’ referred to have not been provided.

Requirement 11 (3) –, the sewerage undertaker (Dwr Cymru) should also be consulted if the foul drainage is to be connected to the public sewer.

Requirement 23 (Excess Water Management Strategy)

Requirement 23(1) –The Excess Water Management Strategy controls discharge from the development and is important in managing flood risk. This is a matter upon which NRW should be consulted. Therefore, this provision should include ‘*in consultation with NRW*’.

Schedule 8 (Discharge of Requirements)

The Statement of Common Ground between the applicant and NRW details at 5.1.2 that the provisions of the draft DCO relating to the Discharge of Requirements are agreed between the applicant and NRW. This was based upon the applicant’s revision 3 to the draft DCO, with the provisions in question detailed under Schedule 9. However, the applicant has issued a further revision to the draft DCO (revision 5) incorporating substantive amendments to the Schedule (which has been re-numbered, now being Schedule 8).

The amendment to paragraph 2(3) relates to ‘reasonable further information’ required by the relevant planning authority and provides that NRW upon being consulted must notify the relevant planning authority in writing within 5 business days specifying the further information required. This amendment is not acceptable to NRW in the absence at this time of further details of the nature and complexity of the information in question. Accordingly, NRW may not be in a position to provide such response within the stipulated timeframe. It is suggested that the wording should be amended as follows ‘*Where the consultee requires further information it must notify the relevant planning authority in writing specifying the further information required within a reasonable timescale following receipt of consultation*’.

Our comments are also provided without prejudice to any decision NRW may make on any application made to it by the applicant for an Environmental Permit under the Environmental Permit Regulations 2010 (EPR), or Abstraction Licence under the Water Resources Act 1991.

Please contact Gareth Thomas, glyn.rhonwy@cyfoethnaturiolcymru.gov.uk or telephone 03000 65 3786 for further advice about this representation.

Yours’ sincerely,



Mr. RICHARD NINNES
HEAD OF ECOSYSTEMS, PLANNING, AND PARTNERSHIPS

Glyn Rhonwy - NRW Answers to the Examining Authority's 2nd Writtent Questions

	ExA's Question	NRW Response
1.	Development Consent Order (DCO) and other consents	
	Development Consent Order (DCO) [REP4-009]	
1.15	<p>a) Please could GC and NRW comment on whether it would be helpful for it to be required that the following final plans incorporate the matters agreed during the examination:</p> <ul style="list-style-type: none"> • Common, Access Land and Public Rights of Way Strategy [REP3-005]? • Construction Traffic Management Plan [REP3-007]? • Silt Management Plan [REP3-008]? • Water Management Plan [REP3-012]? • Excess Water Management Strategy [REP3-013]? • Biosecurity Plan [REP3-021]? • Outline Ordnance Management Strategy [REP4-017]? • Schedule of Required Plans and Strategies [REP3-024]? <p>b) Do GC and NRW have any concerns regarding the process of finalising of these plans if the plans are not required to incorporate the matters agreed during the examination?</p>	<p>a) – NRW advises that the versions of plans that contain changes agreed during the examination period should be the plans to which the final DCO will apply.</p> <p>b) – NRW has concerns because we wish to ensure that NRW's representations are reflected in the final plans</p>
1.16	<p>Further to the discussions noted by the applicant [REP2-011, question 8.10] and NRW [REP3-032] and the comments provided by NRW [REP4-036 and REP4-037], do GC or NRW have any further comments on the wording of draft DCO [REP4-009] Requirement 9 (water management plan) or Requirement 11 (drainage)?</p>	<p>We provided comments on the draft DCO (revision 4) within our letter dated 13th May 2016, in advance of the DCO hearing. The majority of our comments have not been acted upon by the applicant,</p>

	ExA's Question	NRW Response
1.25	Requirement 26(1) – decommissioning plan Are GC and NRW content with the 124 years specified?	Although the Local Authority should lead on this point, 124 years appears reasonable.
	Other consents	
1.34	Further to the applicant's response to the first written questions (FWQ) [REP2-011, question 8.3], is NRW content that a separate 'DSCO' consent will not be required?	The DSCO consent referred to is a consent under Section 28E of the Wildlife and Countryside Act 1981. Section 28P(4)(a), of the Act provides that it is a reasonable excuse to carry out an operation on a SSSI without consent if the operation in question is authorised by a planning permission. In the event that the DCO is granted, NRW would be satisfied that a separate DSCO consent would not be required.
1.35	<p>a) Please respond to the matters relevant to the application for development consent raised by Oggy East [REP2-049] in the form of comments on the applicant's Discharge Consent Supporting Statement, dated January 2016?</p> <p>b) Does the applicant consider that some of the matters do not relate to the application for development consent?</p> <p>c) If so, please could the applicant set out its reasoning and how this relates to the reliance placed on the discharge consent for mitigation of the proposed development and for the HRA conclusions?</p>	<p>We are unable to respond to Mr East's comments. The format that has been presented is difficult to follow, and it would be useful for the representation to be resubmitted in a separate document, rather than editing / adding to one of SPH's submissions.</p> <p>Any sampling issues will be relevant to the Environmental Permit application process and necessary controls be written as conditions into an environmental permit.</p>
1.36	<p>a) Please respond to the matters regarding the Water Discharge Consent relevant to the application for development consent raised by the Snowdonia Society [REP2-051, pages 6-8].</p> <p>b) Does the applicant consider that some of the matters do not relate to the application for development consent?</p>	The Afon Gwyrfai is a SAC and SSSI, Llyn Padarn is a SSSI – the assessment of any impact from a discharge consent would be determined by NRW's permitting function.

	ExA's Question	NRW Response
	<p>c) If so, please could the applicant set out its reasoning and how this relates to the reliance placed on the discharge consent for mitigation of the proposed development and for the HRA conclusions?</p>	
1.37	<p>a) Following NRW's responses to the FWQ [REP2-047, questions 8.5 and 8.38] please could the applicant outline how it intends to meet the requirements of the Reservoirs Act 1975 and what confidence can be provided that this is capable of being achieved?</p> <p>b) There is no reference to the Reservoir Act 1975 in the draft DCO [REP4-009]. Are there any provisions/requirements in the draft DCO [REP4-009] which relate to measures required under the Reservoir Act 1975?</p> <p>c) Is it intended to secure the Onsite Emergency Plan in the draft DCO [REP4-009] or would this be secured by other means?</p> <p>d) There is no reference to the Reservoir Act 1975 in the Other Consents and Licence Status document [REP3-024]. Should this be included in this Schedule to clarify how this sits alongside the DCO consent and progress made/timescales for securing this consent?</p> <p>e) Do NRW have any views on what information needs to be included in the draft DCO [REP4-009] and what information can be appropriately provided outside of the DCO process in respect to compliance with the Reservoir Act 1975?</p>	<p>b) Reservoirs - The requirements of the Reservoirs Act 1975 remain extant and separate to the DCO. The Reservoirs Act 1975 includes provision for Ministers to direct reservoir undertakers to produce onsite plans, however this has not been implemented as a statutory regulation and remains best practice. The DCO may therefore include the requirement to produce an onsite emergency flood plan, which should be specified, reviewed and certified by an All Reservoirs Panel Engineer as satisfactory. See also item (c).</p> <p>c) Reservoirs - The Flood Consequence Assessment, p31 states: "An appropriate emergency plan will be developed in conjunction with the EAW and GC to ensure that an effective and coordinated response to any emergency can be implemented to further mitigate the potential consequences of such an event." It is Natural Resources Wales that is the relevant body (having assumed the functions of EAW) with respect to this.</p> <p>Within requirement 6 of the draft DCO, requires an emergency response and flood risk management plan prior to any development. The CoCP appears to relate to managing emergency and flood risks to mitigate the impacts of construction works, rather than ongoing risk management during the lifetime of the development.</p> <p>The DCO should underpin the best practice element of producing onsite emergency flood plans by including a requirement for the reservoir undertakers to produce an onsite emergency flood plan, the specification of which should be agreed by a qualified civil engineer within the meaning of the Reservoirs Act. Further, the completed</p>

	ExA's Question	NRW Response
		<p>onsite plan should be reviewed and certified as satisfactory by an All Reservoirs Panel Engineer. The requirement should also consider the need for periodic review of the plan.</p> <p>d) The Reservoirs Act 1975 prescribes minimum standards to be implemented by undertakers in the construction, supervision, inspection, monitoring, maintenance, abandonment and discontinuance of large raised reservoirs.. The requirements of the Reservoirs Act 1975 remain extant independent of the Planning Act 2008 and other statutory regimes.</p> <p>e) Further to comments made under items (c) & (d) above, the DCO should include a requirement for the production of an onsite plan as described, and direct the undertaker to comply with that the Reservoirs Act 1975.</p>
2.	Environmental Statement, mitigation plans and strategies	
	Mitigation plans and strategies – general matters	
2.6	Please comment on the Outline Ordnance Management Strategy [REP4-017] submitted by the applicant at deadline 4 and indicate whether you are satisfied that the necessary mitigation measures are covered appropriately.	As we advised previously in the process, while we welcome the ordnance management strategy, this is outside our remit and therefore we are not able to comment on the adequacy of the strategy.
2.10	The applicant has indicated [REP4-014, items 8.14 and 11.3] that various plans and an updated Schedule of Mitigation will be submitted at deadline 5. Please provide written comments on these by deadline 6, indicating whether you are satisfied that the necessary mitigation measures are covered appropriately.	Agreed

	ExA's Question	NRW Response
3.	Biodiversity, ecology and geological conservation	
	Habitats Regulation Assessment (HRA)	
3.10	<p>The European sites screened into the assessment remained unaltered in the updated NSER [REP1-001]. NRW list all the European considered relevant to the assessment in Part 3.N.1 of their Statement of Common Ground (SoCG) with the exception of the Traeth Lafan / Lavan Sands, Conway Bay SPA, and confirm <i>'that adequate and sufficient consideration for potential impacts on...statutory designated sites has been undertaken.'</i> Do NRW's conclusions reached in respect to the other European sites also apply to the Traeth Lafan/ Lavan Sands Conway Bay SPA?</p>	<p>Yes. The Traeth Lafan / Lavan Sands Conway Bay SPA conclusions would be the same.</p>
3.11	<p>In their response to the FWQ NRW confirmed [REP2-047, question 3.11] that Likely Significant Effects (LSE) on European sites could be excluded providing the mitigation measures identified in the Schedule of Mitigation [APP-085], the various plans and statements necessary under the requirements and the conditions within any future discharge consents are met. Is NRW content that the mitigation to be delivered through the draft DCO [REP4-009] has been adequately defined and secured?</p>	<p>Yes. They are listed as requirements within the draft DCO.</p>
3.12	<p>The updated NSER [REP1-001, paragraph 4.2.22 and footnote D of corresponding matrix] confirms that the conditions of the Environmental Permit in respect to discharges from the Q1 spillway will ensure that there would be no LSE on the Afon Gwyrfaï a Llyn Cwellyn SAC as a result of potential changes to the flow regime. The applicant has yet to obtain an Environmental Permit for</p>	<p>a) NRW's permitting function states that the applicant has withdrawn its permit applications because it had not provided sufficient information for NRW to continue with its permitting process.</p>

	ExA's Question	NRW Response
	<p>discharge consent and therefore at present this mitigation measure is not secured.</p> <p>a) Please could the applicant NRW advise on progress made to determine the application for a discharge permit?</p> <p>b) Please could the applicant and NRW clarify whether the conclusion of no LSE on the Afon Gwyrfaï a Llyn Cwellyn SAC is reliant on the conditions imposed through the Environmental Permit?</p> <p>c) Do NRW envisage any impediments to their ability to grant the discharge license, should this not be obtained during the course of the examination?</p> <p>The applicant should note that the ExA may be unable to advise the Secretary of State to conclude no LSE on a site (and that the site may therefore need to be subject to appropriate assessment) without the certainty that all required mitigation measures have been secured, or it has been confirmed with the relevant statutory nature conservation body that there is no likely impediment to the security of the required measures.</p>	<p>b) While the Secretary of State's Habitat Regulations Assessment (HRA) of the project as a whole may have some reliance on the permitting system to ensure compliance with the Habitats Regulations (The Conservation of Habitats and Species Regulations 2010), before granting any permit that would allow the discharge of water into the Afon Gwyrfaï a Llyn Cwellyn SAC, NRW's permitting function would have to undertake its own HRA and if necessary impose appropriate conditions.</p> <p>c) As stated for a), (above) the applicant has withdrawn its permit applications. Therefore currently there is an impediment to NRW's ability to grant a consent.</p>
3.13	<p>In its response to the FWQ [REP2-047, question 3.6] regarding indirect impacts on lesser horseshoe bats linked to the Glynllifon SAC, NRW agreed with the with the applicant's assessment that <i>'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'</i>.</p> <p>a) Please could the NRW comment on other potential indirect impacts on the bats using the tunnels as well as due to noise from blasting and drilling (including vibration, air overpressure and lighting) and as well as the maintenance of the tunnels as roosts (including foraging)?</p>	<p>a) We don't have significant concerns regarding blasting and drilling on lesser horseshoe bats, although we don't have any information regarding the potential effects of 'air overpressure'. The applicants will have to demonstrate that this will not have an effect on the bats, or other protected species. There should be no light illumination of the roost tunnels or the direct flight paths to and from the tunnels.</p> <p>b) We are content with the level of detail provided on the mitigation/enhancement measures for lesser horseshoe bats.</p> <p>c) The measures concerned are not required to reach a conclusion of no likely significant effect on any European sites.</p>

	ExA's Question	NRW Response
	<p>b) Is NRW (still) 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) Please confirm whether you consider that these measures constitute mitigation relied on to reach the conclusion of no LSE, or enhancement measures which are not required to reach the conclusion of no LSE?</p> <p>d) Is NRW (still) satisfied that the measures are appropriately secured in the draft DCO [REP4-009]?</p>	<p>d) Yes – these are detailed within Chapter 18 (Schedule of Mitigation), will be part of the Habitat Management Plan which is part of requirement 6, Code of Construction Practice, and are also covered separately by an appropriate European Protected Species licence.</p>
3.14	<p>The Other Consents and Licences Status Document [REP3-022] confirms that a European Protected Species Licence has been granted for lesser horseshoe bats, but the applicant intends to submit a variation to this licence to reflect the results of an additional bat survey of Tunnel 16 undertaken in summer 2015 and January/February 2016 for completeness (response to the ExA's FWQ [REP2-011, question 3.13]).</p> <p>a) Please could the applicant confirm when this variation will be submitted and whether this is anticipated before the close of the examination?</p> <p>b) Does this affect NRW's view that there are no LSE on any European sites screened into the assessment?</p> <p>c) Do NRW envisage any impediments to their ability to grant the variation to the bat licence, should this not be obtained during the course of the examination?</p> <p>The applicant should note that the ExA may be unable to advise the Secretary of State to conclude no LSE on a site (and that the site may therefore need to be subject to appropriate assessment) without the certainty that all required mitigation measures have been secured, or it has been confirmed with the relevant statutory nature conservation body that there is no likely impediment to the security of the required measures.</p>	<p>b) No, this does not affect NRW's view given in 3.13c above.</p> <p>c) Without receiving a variation application, we cannot give any certainty to granting any variation to the existing licence.</p>

	ExA's Question	NRW Response
3.15	Please could NRW provide comments on the updated NSER and screening matrices at deadline 6?	Noted.
	Other biodiversity, ecology and geological conservation	
3.19	Further to the FWQ [REP2-011, question 3.21] are GC and NRW content that the draft DCO [REP4-009, Article 30] does not require agreement in advance with the relevant planning authority for the felling or lopping of trees or shrubs not subject to a Tree Preservation Order?	Yes, subject to any necessary mitigation measures relevant to the CoCP (Breeding Bird Method Statement).
3.20	Further to its responses to the FWQ [REP2-047, questions 3.24, 3.2.5 and 3.2.6] is NRW content with the provisions for pre-commencement surveys and tree replacement included in the Outline CoCP [REP2-013]?	Yes, NRW are content with the provisions for pre-commencement surveys and tree replacement included in the Outline CoCP.
3.23	In its response to the FWQ [REP2-011, question 3.26] the applicant advised that tree loss will be quantified and appropriate mitigation provided in the Habitat Management Plan, that a tree survey will be undertaken once the detailed design is finalised and that calculations for tree replacement will be made in agreement with GC. a) Please could the applicant clarify the securing mechanism for the need for a tree survey? b) Please could the applicant clarify the securing mechanism for the need to quantify and agree tree loss? c) Please could the applicant, GC and NRW comment on what tree replacement calculations are required to demonstrate that an appropriate level of mitigation will be provided?	(c) NRW will only have a view on tree replacement if it is relevant to species licencing matters.
3.24	a) Following its response to the FWQ [REP2-011, question 3.27] regarding the timing of the works, please could the applicant identify precisely which species and times where works should be avoided in consultation with	(c) We request to be notified of any works which deviate from what had been specified in the outline CoCP and supporting plans. Works that could adversely affect bats during the hibernation period (mid-winter) should be

	ExA's Question	NRW Response
	<p>NRW and reflect this information in the Outline CoCP [REP2-013]?</p> <p>b) If the applicant intends to carry out works in the specified sensitive periods, should this be agreed in advance with NRW and GC?</p> <p>c) Please could GC and NRW comment?</p>	<p>avoided. Works that could affect birds during the bird nesting period should be avoided.</p>
3.26	<p>In its SoCG with the applicant [REP3-010, ID 3.I.1] NRW agreed that the applicant's approach to any potential noise impact on protected species as a result of the development is suitable, and any residual impact can be mitigated with the Outline COCP and Breeding Bird Method Statement</p> <p>a) Is NRW content with the applicant's impact assessment and proposed mitigation measures for the potential indirect impacts on protected species due to vibration, air overpressure and deposited dust?</p> <p>b) Is NRW content with the relevant mitigation measures secured in the draft DCO [REP4-009] and Outline CoCP [REP2-013]?</p>	<p>NRW have not been consulted on a draft Breeding Bird Method Statement but production of this document is a requirement within the draft DCO and as Gwynedd Council will be required to consult NRW on the CoCP and incorporated plans, we anticipate that relevant mitigation measures will be secured through this process</p>
4.	Landscape and visual impacts, good design	
4.2	<p>Further to its response to the FWQ [REP2-047, question 4.1(a) and 4.9] please could NRW comment on the cumulative landscape and visual impact with an underground grid connection?</p>	<p>The Environmental Statement provides only very brief information on the proposed grid connection. We can therefore only provide outline comments on the underground grid connection referred to and its potential for significant cumulative landscape and visual effects.</p> <p>The route indicated on Figure 1.14 appears to be entirely along roadways but with a potential deviation "to the north of the A4086 on the footpath along the southern bank of Llyn Padarn, prior to joining the Glyn Rhonwy Industrial Estate roads". The route of this deviation is not mapped and there is no information as to the working width</p>

	ExA's Question	NRW Response
		<p>required for cable installation or of possible mitigation methods. Therefore, other than to say that there may be some impact upon trees if this option is selected, its landscape and visual impact is unclear.</p> <p>For the option to place the underground grid connection within the public highway, assuming that all operations are within the carriageway and that consequently visible structures, trees and other tall vegetation would not be markedly altered, this option is likely to help maintain the landscape integrity of the valley both within local views and more distant views from Snowdonia National Park, thus avoiding significant cumulative adverse effects.”</p>
Traffic and transport		
Construction route from the A4085 to Q1 (Ffordd Cefn Du)		
6.16	<p>Please comment on the Alternative Access to Q1 document [REP4-015] submitted by the applicant at deadline 4, and specifically on the potential impacts of these alternatives compared to the construction route to Q1 currently proposed by the applicant.</p>	<p>Appendix 3.1 – Alternatives Access to Q1 (AECOM document no. SPH_GREX_WED4_03 – Q3.1) sets out the applicant’s consideration of alternative routes to Q1 for construction and operational access purposes, which include use of Mountain Road; and below ground penstock and above ground access road within the site.</p> <p>We concur with the summary table set out in the report - that these options are likely to result in significant adverse effects upon the landscape and visual amenity of Snowdonia National Park and the character of the Dinorwig Landscape of Outstanding Historic Interest. The development characteristics likely to result in significant effects are summarised within Table 1 at the end of the document.</p>

	ExA's Question	NRW Response
7.	Noise, vibration and air overpressure	
7.1.	<p>a) Further to its comments [REP4-014, item 6.3(b)] regarding <i>'the potential for some noise and vibration effects from piling works'</i> associated with the construction of the outfall to Llyn Padarn, please could the applicant clarify the potential impacts from these works on a worst case basis, proposed mitigation measures and how these are secured in the draft DCO [REP4-009]?</p> <p>b) Please could GC comment on whether it is appropriate for the applicant to use the s61 of the Control of Pollution Act process as a means to restrict construction noise impacts in this location, and whether more information should be included in the proposed mitigation strategy secured in the draft DCO [REP4-009] in respect to works in this location?</p> <p>c) Will a piling risk assessment [REP4-014, item 6.3(b)] be included in the Outline Noise Management Plan [REP3-006]?</p> <p>d) Please could GC and NRW comment?</p>	<p>NRW will provide its comments upon reviewing the Applicant's response.</p>
8.	Water resources, contaminated land, flood risk and climate change	
	Water Framework Directive	
8.1.	<p>a) Following its response to the FWQ [REP2-047, question 8.29] please could NRW clarify that what they consider the <u>relevant</u> mitigation measures to be and whether it is satisfied that these are appropriately secured in the draft DCO [REP4-009] or by other means?</p>	<p>The relevant mitigation measures secured by the DCO are contained within the water management plan, pollution prevention plan, habitat management plan, silt management plan. We are satisfied that the DCO, and supporting plans, will ensure no deterioration in the WFD status of the affected waterbodies. This is in line with the</p>

	ExA's Question	NRW Response
	b) Please could the applicant demonstrate specifically how all of these measures have been secured in the draft DCO [REP4-009]?	conclusions of SPH's submitted document: "Appendix 9.1 Water Framework Directive Assessment".
	Water resources and contaminated land	
8.6	<p>a) Further to the applicant's further response [REP4-011] to NRW's comments [REP3-032] regarding the proposal to form a drain between Q5 and Q6, does NRW still consider that an amendment to the discharge consent application is required?</p> <p>b) If an amendment to the discharge consent is required, what confidence is there that this can be granted before the close of the examination?</p> <p>c) Do NRW consider that that the content of the revised discharge consent permit could affect the conclusions of the HRA?</p>	Our permitting group advise us that an amendment to any discharge consent application would be needed if this drainage option is required, as the volumes, frequency and drainage strategy for the development may have changed. If such a change is applied for NRW will assess this as necessary. Assessments will include an HRA.
8.9	Further to its response to matters raised in the Issue Specific Hearing [OD-007, item 6.6], please could NRW clarify whether it is content with the applicant's mitigation measures for fine particulates leaching from the development?	Any mitigation should be based on risk and proximity of sensitive receptors rather than a standard numerical buffer distance of 10m. This mitigation is required within the Silt Management Plan.
8.11	Further to the applicant's response to the FWQ [REP2-011, question 8.37] does NRW require the discharge rate for pumping during the initial dewatering exercise to be specified within the Outline CoCP [REP2-013] or otherwise secured in the draft DCO?	<p>We note that the maximum pipe diameter for the Q1 scour/discharge infrastructure has increased from 800mm to 900mm. NRW have not been consulted on this increase in maximum diameter.</p> <p>NRW requests that the precise discharge rates is detailed in the CoCP, as described in the DCO.</p>
	Flood risk and climate change	
8.16	Following its response to the FWQ [REP2-047, question 8.31(b)], is NRW content that the applicant has considered	The FCA is a requirement of TAN15: Development and Flood Risk. The TAN (and guidance notes) state that fluvial flooding should consider the 1% Annual Exceedance flood

	ExA's Question	NRW Response
	the worst case scenario for the Flood Consequence Assessment?	event (1 in 100 chance in any one year) with an allowance for climate change (+20% in volume) and the 0.1% (1 in 1000 chance). With this application pluvial flood risk associated with surface water disposal should consider the 1 in 100 rainfall event with allowance for cc (+30% in intensity). The Reservoir Act is a separate requirement.
8.17	<p>a) NRW has stated [REP2-047, question 8.33(a)] that it usually requires that '<i>post development run off rates to watercourses reflect those of pre-development</i>'. Please could the applicant clarify whether this is achievable?</p> <p>b) What are the consequences if it is not - for flood defence consent, for example?</p>	There is No requirement for a FDC from NRW (nor FRAP). Surface water is controlled by the Drainage Plan requirement (requirement 11).
9.	Ordnance	
9.1.	<p>a) Further to the applicant's comments on NRW's response to the FWQ [REP3-026, question 8.7], is NRW content with the applicant's proposals for intrusive site investigation in the quarries?</p> <p>b) If not, what further clarification is required from the applicant?</p> <p>c) Please could NRW clarify its advice regarding the need for radiological surveys during the site investigations?</p>	<p>NRW have not seen proposals for intrusive SI in the quarry. As stated above (2.6), we expect the OMS to inform the design of the intrusive land contamination site investigation.</p> <p>b) No further clarification is required at this stage, as detailed proposals can be discussed when these are available.</p> <p>c) We are satisfied that the studies to date conclude that there is a low/no expectation of sources of radiological contamination being present on site. Our understanding is that should new information come to light during the OMS, then radiological contamination could be addressed; or measures could be put in place to investigate further and deal with such contamination appropriately. If the applicant can confirm that this is the case, then we would be satisfied.</p>

	ExA's Question	NRW Response
9.2.	<p>a) Please could the applicant respond to the queries raised by the Snowdonia Society [REP4-040] and Jeff Taylor [REP4-031] regarding the sampling undertaken in the quarry Q6 and clarify the extent of sampling and testing undertaken to date?</p> <p>b) Do GC and NRW have any concerns regarding the extent of sampling and testing undertaken?</p> <p>c) Please could GC and NRW comment on the concerns expressed [REP4-040 and REP4-031] regarding 'self-regulation'?</p>	<p>These are concerns relating to the permit application process which is independent to the DCO process. SPH have been made aware by NRW's permitting functions and of the data required for a permit application.</p>
Socio-economics, land use, accessibility, tourism and recreation		
Tourism and recreation		
12.9	<p>a) Following the applicant's comments on GC's response to the FWQ [REP3-026, question 10.10(b)], is more information required to allow GC to gain a better understanding of the energy involved with water abstraction for it to comment on the possibility of entrapment or snagging on infrastructure in Llyn Padarn or is sufficient control on this provided through the abstraction license?</p> <p>b) Please could NRW comment on whether the abstraction and discharge licenses include consideration of the safety of water users?</p>	<p>Abstraction and discharge environmental permits do not take into consideration the safety of water users. The permits only take into consideration the environmental impacts of the abstraction and discharges.</p>

Table 1

Question 6.16 Please comment on the Alternative Access to Q1 document [REP4-015] submitted by the applicant at deadline 4, and specifically on the potential impacts of these alternatives compared to the construction route to Q1 currently proposed by the applicant.

Appendix 3.1 – Alternatives Access to Q1 (AECOM document no. SPH_GREX_WED4_03 – Q3.1) sets out the applicant’s consideration of alternative routes to Q1 for construction and operational access purposes, which include use of Mountain Road; and below ground penstock and above ground access road within the site.

We concur with the summary table set out in the report - that these options are likely to result in significant adverse effects upon the landscape and visual amenity of Snowdonia National Park and the character of the Dinorwic Landscape of Outstanding Historic Interest. The development characteristics likely to result in significant effects include:

	Below ground penstock	Above ground access road	Mountain Road
Substantial engineering cutting and embankments within the hillside. The width of cutting slopes in places would be 240m across. Development would be conspicuous from the national park as an artificial intrusion, at odds with and disturbing both the existing landform and land cover pattern.	√	√	

Long term integration and naturalisation of disturbed areas would be problematic and unlikely to be achievable			
The new landscape pattern would disturb and remove historic elements referred to in the Dinorwic Landscape of Outstanding Historic Interest	√	√	
Modern highway upgrades to narrow country lanes and trackways; removal of and reconstruction of traditional boundaries; widening and surfacing of old trackways - would significantly alter the character of Mountain Road which gives access to the Snowdonia hills			√
Construction disturbance on amenity of local communities			√
Potential need for night time lighting during construction phase, with effects upon qualities of tranquillity and semi-remoteness on landscape within the setting of Snowdonia National Park	√	√	√