



Awel y Môr Offshore Wind Farm

Applicant's Response to the Rule 17 Letter

Deadline 3a

Date: 16 December 2022

Revision: A

Document Reference: 3a.2

PINS Reference: N/A



REVISION	DATE	STATUS/ REASON FOR ISSUE	AUTHOR	CHECKED BY	APPROVED BY
A	December 2022	Deadline 3a	GoBe	RWE	RWE



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1 Introduction

- 1 On 15 November 2022, Awel y Môr Offshore Wind Farm Limited (the Applicant) received a Rule 17 letter from the Examining Authority (ExA) requesting further information and written comments from both the Applicant and Natural Resources Wales (NRW).
- 2 The Applicant's responses to these questions are tabulated in Table 1 below, with reference to separate documents submitted in response to that question where necessary.

2 The Applicant's Response to the Rule 17 Letter

Table 1: The Applicant's response to the questions asked within the Rule 17 letter dated 15 November 2022.

QUESTION REFERENCE	QUESTION TO	QUESTION	APPLICANT'S RESPONSE
R17Q1.1	The Applicant	<p>The Marine Licence (ML) and the draft Development Consent Order (dDCO).</p> <p>The Applicant's Deadline 1 Update on the ML Submission and Progress [REP1-014] states that:</p> <p>"The ExA is able to rely on Marine Licence conditions which are not within the control of the DCO (e.g. for securing mitigations offshore) provided the Secretary of State (SoS, as the DCO decision-maker) is confident that matters will be dealt with appropriately under a separate decision-making regime. This position is endorsed by NRW-MLT" (Para 2)</p> <p>To help ensure that the ExA (and the SoS) have this confidence, please provide the following documents or a deadline for when they can be provided which would allow sufficient time for comments from other parties within the Examination process:</p> <p>Templates to be used for:</p> <ol style="list-style-type: none"> 1. Emergency Response Co-operation Plan 2. Dropped Objects Plan <p>A draft Table of Contents for:</p> <ol style="list-style-type: none"> 1. Marine Pollution Contingency Plan 2. Lighting and Marking Plan 3. Cable Burial Risk Assessment 4. Construction Method Statement 5. Vessel Traffic Management Plan <p>An Outline for:</p> <ol style="list-style-type: none"> 1. Project Environmental Management Plan 2. Cable Specification and Installation Plan 3. Scour Protection Management Plan 	The Applicant confirms that submissions in relation to this request will be made at Deadline 4.

QUESTION REFERENCE	QUESTION TO	QUESTION	APPLICANT'S RESPONSE
		4. UXO specific Marine Mammal Mitigation Protocol.	
R17Q1.2	The Applicant, Natural Resources Wales (NRW)	<p>The Marine Licence Principles document [REP1-025]</p> <p>The ML Principles document provides a tabulation of the proposed principles which are anticipated to inform the MLs for the project. While noting that this document should not be considered prejudicial to the Licensing process, please provide your views on whether this document should be a certified document within Schedule 13 of the DCO.</p>	<p>The Applicant does not consider that the Marine Licence Principles document (MLPD) (REP2-022) should be a certified document within Schedule 13 of the DCO. As a matter of principle, the documents that are certified within the DCO are those that are specifically referred to in the Order (for example the environmental statement and outline plans referenced in the Requirements) and as they are referred to those documents are also defined in the DCO.</p> <p>As the marine licencing process is separate to the DCO application process for AyM the application for the marine licences (ML) will be determined by NRW. The MLPD includes a summary of the information anticipated to be included within the marine licences to assist the ExA in understanding how the DCO and ML consents will operate together. It is not a draft licence as this is the responsibility of NRW, and as the marine licencing for AyM cannot be deemed within the DCO there is no reference to the MLPD within the dDCO. It therefore should not be a certified document.</p>
R17Q1.3	The Applicant	<p>Plans</p> <p>Alterations at Deadline 1 removed Plot 26 from the proposed Order Limits. Please update the following plans to replicate this removal:</p> <ul style="list-style-type: none"> ▲ Statutory / Non-statutory Sites or Features or the Historic Environment Plan [AS-004] ▲ Street Works and Access Plan [AS-008] ▲ Temporary Stopping Up of Public Rights of Way Plan [AS-009] ▲ Water Bodies in a River Basin Management Plan [AS-012] ▲ Hedgerow and Protected Tree Plan [AS-013] ▲ Land Plan (Offshore) [APP-007]. In addition, this plan still refers to Her Majesty – please amend. <p>Please also provide a schedule of changes to all plan revisions after submission. This will assist the ExA and Interested Parties in understanding changes to plans and was highlighted in advice given under s51 of the Planning Act 2008 [PD-002].</p>	<p>The Applicant has provided updated versions of the below plans to remove Plot 26 from the proposed Order Limits:</p> <ul style="list-style-type: none"> ▲ Statutory / Non-statutory Sites or Features or the Historic Environment Plan (Document 3a.7 of the Applicant's Deadline 3a Submission). ▲ Street Works and Access Plan (Document 3a.8 of the Applicant's Deadline 3a Submission). ▲ Water Bodies in a River Basin Management Plan (Document 3a.9 of the Applicant's Deadline 3a Submission). ▲ Hedgerow and Protected Tree Plan (Document 3a.10 of the Applicant's Deadline 3a Submission). ▲ Land Plan (Offshore) (Document 3a.11 of the Applicant's Deadline 3a Submission). <p>The Applicant provided an updated Temporary Stopping Up of Public Rights of Way Plan at Deadline 3 (REP3-012) which included the requested changes.</p>

QUESTION REFERENCE	QUESTION TO	QUESTION	APPLICANT'S RESPONSE
			A Schedule of Changes to the updated plans has been included as Document 3a.12 of the Applicant's Deadline 3a Submission.
R17Q1.4	NRW, The Applicant	<p>Marine Licence Application</p> <p>A letter submitted to the Examination addressed to the Applicant by NRW (Ref ORML2233, dated 8 September 2022) [REP1-080] refers to various consultation responses received during determination of the ML application.</p> <p>To NRW: Please submit such responses to the Examination</p> <p>To the Applicant: Please provide a copy of your response to this letter.</p>	<p>The Applicant has submitted a copy of its response to NRW's Request for Further Information letter as Document 3a.13 of the Applicant's Deadline 3a Submission.</p> <p>The Applicant has also provided copies of its responses to the Marine Licence Application Consultation Comments (Document 3a.14 of the Applicant Deadline 3a Submission) which should be read alongside Document 3a.13.</p> <p>It should be noted that these documents that were provided directly to NRW MLT in relation to the Marine Licence application and were not intended (at the time of drafting) to be submitted to the DCO Examination process. Copies have been provided to the ExA in response to the Rule 17 request, and therefore document referencing within them is not consistent with documents that have been prepared specifically for the DCO Examination. For example, Document 3a.14 is referred to as 'Document ML-1.2 of the Applicant's Marine Licence Submission 1' within Document 3a.13.</p>



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