



Maritime &  
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Agency

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**Peter Morrison**

Lead Specialist Officer (Marine Licensing)  
Natural Resources Wales  
Cambria House  
29 Newport Road  
Cardiff, CF24 0TP

Your ref: ORML2233

09 August 2022

Dear Mr Morrison

**MARINE AND COASTAL ACCESS ACT 2009: PART 4 MARINE LICENSING**

**Awel y Môr offshore wind farm**

Thank you for the opportunity to comment on the Marine Licence application and supporting information for the proposed Awel y Môr offshore wind farm project. The MCA's remit for offshore renewable energy development is to ensure that safety of navigation is preserved, as progress is made towards government targets for renewable energy. The Navigation Risk Assessment (NRA) and the shipping and navigation elements of the Environmental Statement have been reviewed and we would like to comment as follows:

**Environmental Statement Volume 4, Annex 9.1: Navigation Risk Assessment**

RWE has undertaken a detailed NRA and we are satisfied it has been conducted in accordance with the published guidance, MGN654, and NRA risk assessment methodology. We are satisfied that appropriate traffic data has been collected in accordance with MGN654, which includes twelve months of AIS data in addition to the minimum AIS and radar data requirements. Key and appropriate stakeholders were identified, and we are content that suitable consultation took place via a hazard identification workshop and dedicated meetings. A completed MGN 654 Checklist has been provided as part of the NRA, and we are content the recommended NRA process has been followed. Subject to the agreement and implementation of the requested marine licence conditions (see below) we are content with the assessment's conclusions that the risks to navigation and SAR will be Tolerable or Broadly Acceptable.

**Environmental Statement Volume 2, Chapter 9: Shipping and Navigation**

The list of mitigation measures in Table 9 are agreed to be appropriate for the site and we would expect them to be reflected in the conditions of the marine licence.

**Cable Routes**

Export cable routes, cable burial protection index and cable protections are issues that are yet to be fully developed. However due cognisance needs to address cable burial and protection, particularly close to shore where impacts on navigable water depth may become significant. Any consented cable protection works must ensure existing and future safe navigation is not compromised. The

MCA would accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum. Existing charted anchorage areas should be avoided.

### **Safety Zones**

Construction and operational safety zones will only be granted subject to a detailed justification with significant evidence from the construction and operational phases in addition to the baseline NRA required supporting the case.

### **Bathymetric Survey Data**

MGN 654 Annex 4 requires that hydrographic surveys should fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard, with the final data supplied as a digital full density data set, and survey report to the UKHO and MCA for updating of nautical charts and publications. This should include a cable route survey post-construction.

### **Turbine Layout Plan**

The turbine layout plan will require discussion and approval of the MCA and Trinity House prior to construction commencing. This is to ensure risks to navigation safety and search and rescue operations are minimised.

### **Marine Licence Conditions**

The MCA would expect the above comments to be addressed by the applicant before the MCA can confirm its support of the Marine Licence application. Once these have been discussed further the MCA would like to request the following navigations safety conditions and advisories are included in the Marine Licence:

#### Conditions

#### **Notifications and Inspections**

1. The undertaker must inform NRW in writing at least 5 days prior to the commencement of the authorised project or any part thereof, and within 5 days of completion of the authorised project.
2. The Kingfisher Information Service of Seafish, must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised project or any part thereof by email to [kingfisher@seafish.co.uk](mailto:kingfisher@seafish.co.uk) :-
  - a. at least 14 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data, and;
  - b. as soon as reasonably practicable and no later than 24 hours of completion of all offshore activities.

Confirmation of notification must be provided to the NRW within 5 days.

3. The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to the commencement of the authorised project or any part thereof advising of the start date of each Work No.<insert> and the expected vessel routes from the construction ports to the relevant location.

Copies of all notices must be provided to NRW, MCA and UKHO within 5 days.

4. The undertaker must ensure that local notifications to mariners are updated and reissued at weekly intervals during construction activities and at least 5 days before any planned operations (or otherwise agreed) and maintenance works and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction and monitoring programme approved under deemed marine licence condition <insert>.

Copies of all notices must be provided to NRW and UKHO within 5 days.

5. The undertaker must notify the UKHO of the completion (within 14 days) of the authorised project or any part thereof in order that all necessary amendments are made to nautical charts.

Copies of all notices must be provided to NRW and MCA within 5 days.

6. In case of damage to, or destruction or decay of, the authorised project seaward of MHWS or any part thereof, excluding the exposure of cables, the undertaker shall as soon as reasonably practicable and no later than 24 hours following the undertaker becoming aware of any such damage, destruction or decay, notify NRW, MCA, Trinity House, the Kingfisher Information Service of Seafish and the UKHO.
7. In case of exposure of cables on or above the seabed, the undertaker must within three days following identification of a potential cable exposure, notify mariners and inform Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to NRW, MCA, Trinity House, and the UKHO within 5 days.

#### **Pre-construction plans and documents**

8. The authorised project shall not commence until the following have been submitted to and approved by NRW. Each programme, statement, plan, protocol, scheme or other detail required to be approved under this condition must be submitted to NRW for approval at least 6 months prior to the commencement of the authorised project except where otherwise stated.
9. A plan to be agreed in writing with NRW following appropriate consultation with Trinity House, the MCA and UKHO, setting out proposed details of the authorised project, including the:
  - a. number, dimensions, specification, foundation type(s) and depth for each WTGs, offshore platforms, substations and meteorological masts;
  - b. the grid coordinates of the centre point of the proposed location for each WTG, platform, substation and meteorological mast;
  - c. proposed layout of all cables; and
  - d. location and specification of all other aspects of the authorised project.
10. An Aids to Navigation Management Plan to be agreed in writing by NRW following appropriate consultation with Trinity House specifying how the undertaker will ensure compliance with conditions (1) to (4) of '**Aids to Navigation**' from the commencement of construction of the authorised project to the completion of decommissioning.
11. No part of the authorised project may commence until NRW, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed all MCA recommendations as appropriate to the

authorised project contained within MGN654 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes.

12. A construction method statement in accordance with the construction methods assessed in the environmental statement and including details of:
  - a. Cable specification, installation and monitoring, to include:
    - i. technical specification of offshore cables below MHWS;
    - ii. a detailed cable laying plan for the Order limits, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to chart datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or such similar assessment to ascertain suitable burial depths and cable laying techniques, including cable protection; and
    - iii. proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised scheme which includes a risk based approach to the management of unburied or shallow buried cables.

### **Pre-construction monitoring and surveys**

13. A swath bathymetric survey to IHO Order 1a of the area within the Offshore Order Limits extending to an appropriate buffer around the site, must be undertaken. The survey shall include all proposed cable routes.

This should fulfil the requirements of MGN654 and its supporting 'Hydrographic Guidelines for Offshore Renewable Energy Developers', which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications. This must be submitted as soon as possible, and no later than [three months] prior to construction. The Order Limit shapefiles must be submitted to MCA. The Report of Survey must also be sent to NRW.

### **Aids to Navigation**

14. The undertaker shall during the whole period from the commencement of construction of the authorised project to the completion of decommissioning exhibit such lights, marks, sounds, signals and other aids to navigation, and to take such other steps for the prevention of danger to navigation as Trinity House may from time to time direct.
15. The undertaker must during the whole period from the commencement of construction of the authorised project to the completion of decommissioning keep Trinity House and NRW informed of progress of the authorised project including:
  - a. notice of commencement of construction of the authorised project within 24 hours of commencement having occurred;
  - b. notice within 24 hours of any aids to navigation being established by the undertaker; and
  - c. notice within 5 days of completion of construction of the authorised project.

16. The undertaker must provide reports to Trinity House on the availability of aids to navigation in accordance with the frequencies set out in the aids to navigation management plan agreed pursuant to condition <insert> using the reporting system provided by Trinity House.
17. The undertaker must during the whole period from the commencement of construction of the authorised project to the completion of decommissioning notify Trinity House and NRW of any failure of the aids to navigation and the timescales and plans for remedying such failures, as soon as possible and no later than 24 hours following the undertaker becoming aware of any such failure.

### **Colouring of structures**

18. Except as otherwise required by Trinity House the undertaker must paint all structures forming part of the authorised project yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless NRW otherwise directs, the undertaker must paint the remainder of the structures grey (colour code RAL 7035).

### **Construction Monitoring**

19. Construction monitoring must include vessel traffic monitoring by automatic identification system for the duration of the construction period. An appropriate report must be submitted to NRW, Trinity House and the MCA at the end of each year of the construction period.
20. All dropped objects must be reported to NRW, UKHO and HMCG as soon as reasonably practicable and no later than 6 hours of the undertaker becoming aware of an incident. Immediate notification should be made to HM Coastguard via telephone where there is a perceived danger or hazard to navigation. On receipt of the notification, NRW may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and NRW may require obstructions to be removed from the seabed at the undertaker's expense if reasonable to do so.

### **Post-construction plans and documents**

21. The undertaker must conduct a swath bathymetric survey to IHO Order 1a of the installed export cable route and provide the data and survey report(s) to the MCA and UKHO. NRW should be notified once this has been done, with a copy of the Report of Survey also sent to NRW.
22. On post decommissioning, the undertaker must conduct a swath bathymetric survey to IHO Order 1a of the cable route and the installed generating assets area and provide the data and survey report(s) to the MCA and UKHO.

This should fulfil the requirements of MGN654 and its supporting 'Hydrographic Guidelines for Offshore Renewable Energy Developers', which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications.

23. Post construction monitoring must include vessel traffic monitoring by automatic identification system for a duration of three consecutive years following the completion of construction of authorised project, unless otherwise agreed in writing by NRW. An appropriate report must be submitted to NRW, Trinity House and the MCA at the end of each year of the three year period.

## Completion of Construction

24. The undertaker must submit a close out report to NRW, MCA, UKHO within three months of the date of completion of construction. The close out report must confirm the date of completion of construction and must include the following details:
- the final number of installed wind turbine generators;
  - as built plans; and
  - latitude and longitude coordinates of the centre point of the location for each wind turbine generator and offshore platform, substation, booster station and meteorological mast; provided as Geographical Information System data referenced to WGS84 datum.
  - latitude and longitude coordinates of the inter array and export cable routes; provided as Geographical Information System data referenced to WGS84 datum.

Notifications to MCA should be sent to:

- UK Technical Services – Navigation: [navigationsafety@mcga.gov.uk](mailto:navigationsafety@mcga.gov.uk)
- HM Coastguard: [renewables@hmcg.gov.uk](mailto:renewables@hmcg.gov.uk) and [zone32@hmcg.gov.uk](mailto:zone32@hmcg.gov.uk)

## Advisories

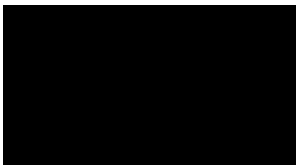
- No radio beacon or radar beacon operating in the Marine frequency bands shall be installed or used on the works without prior written approval by OFCOM.
- Any jack up barges / vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.
- It should be noted there is a legal obligation, under part 9 of the Merchant Shipping Act 1995, to report all recoveries of wreck material to the Receiver of Wreck. This must be done within 28 days of recovery. Failure to report the recovery of wreck material to the Receiver is a criminal offence. Additional information and a report of wreck and salvage form can be found at [www.gov.uk/guidance/wreck-and-salvage-law](http://www.gov.uk/guidance/wreck-and-salvage-law).

## Conclusion

On the understanding that above requirements will be agreed and implemented, and all maritime safety legislation will be followed, I can confirm we have no objections to a licence being granted on this occasion.

If you have any questions regarding any of the above, please do not hesitate to contact me or colleagues within UK Technical Services Navigation.

Yours sincerely,



Nick Salter  
Offshore Renewables Lead  
UK Technical Services Navigation