

From: [martin chambers](#)
To: [Mona Offshore Wind Project](#)
Cc: morganandmona@dalcourmaclaren.com; [Laura Leigh](#)
Subject: Mona Windfarm: Interested Party Reference 20047795 (Tan-y-Mynydd Trout Fishery Ltd)
Date: 01 December 2024 12:33:05
Attachments: [REDACTED]

Dear Sirs

We are pleased to attach our updated responses (and associated attachment) to the ongoing matters relating the onshore works and the dDCO.

Furthermore, we would appreciate the opportunity to address the hearing on Tuesday 10th December and hear any responses directly from The Applicant. The focus of our input will be to register our increasing levels of concern

Can you therefore please include a short slot for me within your timetable.

In the event that you need any further details from me for the virtual meeting please do not hesitate to either email me or ring on [REDACTED].

Kind Regards

Prof. Martin Chambers
For and on behalf of Tan-y-Mynydd Trout Fishery Limited

From: martin chambers [REDACTED]@btinternet.com

Subject: Re: Mona OWF

Date: 4 November 2024 at 10:10

To: Laura Leigh [REDACTED]@Dalcourmaclaren.com

Morning Laura

Thank you for the link to the examination timetable. Yes, it was a bit disappointing to have to leave the hearing on the 16th Oct before getting to put my points in person. That said, getting my [REDACTED] to her hospital appointment had to take precedence. Anyway not to worry Mr Stevens of the hearing team did confirm to me that my written representations would be dealt with in due course.

As we discussed in our call of the 23rd Oct I look forward to receiving from you the following:

1. A plan / details of the boreholes that were sunk in the area of Moelfre Mountain to the South of the fishery and more generally where the possible catchment areas for the springs that serve the fishery.
2. A copy of the results of your team's updated/revisited Risk Assessment for the fishery water supplies.
3. The further thoughts/proposals of your team relative to the option to carry out monitoring of the fishery water sources.
4. Proposals from the team regarding the provision of a long term indemnity against the loss/interruption/diminution of the underground water sources currently enjoyed by the fishery. As we discussed my concern here goes well beyond (in terms of time scale) the construction period and relates to any possible subsequent diversion etc. of the catchment flows that maybe caused by the works and then the ongoing existence of the cable routes across the mountain.
5. The proposals from your team as to how we draw all our concerns/outstanding matters together and close them off with a suitable overall indemnity or other solution they may have in mind.

Also, as we discussed the owner of the borehole at the former brewery at Tan-y-Mynydd is [REDACTED]. I'm sure you will have his contact details on file relative to his agricultural land holdings to the immediate North of the fishery, but if you need any other details just let me know.

Kind Regards

Martin

On 29 Oct 2024, at 17:43, Laura Leigh [REDACTED]@Dalcourmaclaren.com> wrote:

Hi Martin,

I hope you're well.

As discussed in our call last week, please find the link to the examination timetable here, which sets out the key dates of the examination process: [Mona Offshore Wind Farm I National Infrastructure Planning](#).

If you have any further queries in the meantime, please do let me know.

Many thanks,

Laura

[REDACTED]
Chat with me on Teams
dalcourmaclaren.com

Tan-y-Mynydd Trout Fishery
Tan-y-Mynydd
Moelfre
Conwy
LL22 9RF

Mona Windfarm
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Interested Party Reference: 20047795

27th November 2024

Dear Sirs

**Mona Offshore Wind Farm:
Response to ExQ2: 19 November 2024 on Behalf of Tan-y-Mynydd Trout Fishery**

Further to our previous submissions of 1st August 2024 and 27th September 2024 and the issue of The Inspectorate's document ExQ2: 19 November 2024 we are pleased to provide the following updates, namely:

Q2.8.2 Update on Dialogue between The Applicant and Tan-y-Mynydd Trout Fishery Limited

Since the hearing of 16th October 2024 The Applicant and myself have had one Teams meeting, this was on 23rd October 2024. During that meeting, The Applicant agreed to undertake a small number of actions. Those actions are set out in our confirmation email to The Applicant of 4th November 2024 (copy attached). To date none of the actions have been completed by The Applicant.

Our next Teams meeting is scheduled for Thursday 5th December 2024.

Q2.8.5 Outline Construction Surface Water Drainage Management Plan (OCSWDMP)

We have been provided by The Applicant with a link to the 'Outline Construction Surface Water Drainage Plan' (Doc Nr MOCNS-J3303-RPS-10178) dated February 2024. Having reviewed the document we offer the following comments relative to its applicability and adequacy with respect to the Ground Water Supplies serving the fishery, namely:

1. At item 1.3.1.5 dealing with the 'focus' of the plan it makes no reference to Protecting Ground Water Sources or the routes they travel. It purely seeks to address Pollution and Flood Risk. We therefore consider the plan to be deficient.
2. At items 1.4.2 through to 1.4.4 no party is actually identified as being responsible for the initial creation of the 'Construction Surface Water Drainage Management Plan', we note The Principal Contractor will be responsible for its updating.
3. At item 1.6.1 the 'key objectives' are extremely narrow and as a consequence do not address the existence or routing and then protection of any underground water supplies or routes.
4. At item 1.6.2.2 the proposals for the installation of 'pre-construction drainage' give us great concern. If taken literally, the actions proposed have the potential to directly impact on the water supplies serving the fishery.
5. At item 1.6.3 recognition that the timing of works to minimise flood impacts is noted. However, we have previously highlighted that there may be benefits to carrying out works 'above' the fishery

i.e. where our water comes from, during the autumn and winter months. The logic being that any interruption of our water supplies should then become more readily identifiable.

6. At item 1.6.4.2 it is pleasing to note that measures will be implemented to prevent surface water runoff from the construction works reaching any natural ponds. This undertaking should however be extended to explicitly include the fishery pools.
7. At item 1.7.2 the focus of this section seems to revolve entirely around the impact of ground water on the construction works. We can find nothing in the section to address the protection of ground water sources, and more particularly those which serve the fishery.
8. At item 1.9 there is no mention of monitoring the 'quantity' of ground water flows nor the need to establish any baseline related data of the flows before the works are commenced.
9. At item 1.10 we are concerned by the broad suggestion that field drainage intercepted during construction may ultimately be diverted to secondary channels.

Overall, it is disappointing to see that the plan has not been updated since February 2024, particularly as representatives of The Applicant's team carried out their most recent site visit to the fishery in May 2024. Clearly, the said plan remains silent and indeed totally deficient of any consideration of the existence, protection and maintenance of the ground water supplies that serve the fishery.

Q2.8.6 Additional Commitments Required in Construction Operations Code of Practice (CoCP) and the OCSWDMP

We have been provided by The Applicant with a link to the 'Outline Code of Construction Practice' (Doc Nr. MOCNS-J3303-RPS-10161) dated 04 November 2024. Having reviewed the document we offer the following comments relative to its applicability and adequacy with respect to the Ground Water Supplies serving the fishery, namely:

1. At item 1.6.1.7 it is pleasing to note that there will be an Ecological Clerk of Works (ECoW). However, it is unclear whether this is intended to be the same person as the Clerk of Works described at item 1.6.1.8. From the responsibilities outlined in each item we have assumed they will be different persons, this needs to be confirmed.
2. At item 1.6.1.9 we are advised that the role of Agricultural Liaison Officer (ALO) will only remain established for up to 1 year post construction. Given that our concerns, in part relate to the possible negative effects over the long term. Further details should be provided as to how we will be supported over years 2-6 post construction.
3. At item 1.7.4.1 there seems to be some confusion as to whether the fact that each Principal Contractor will be required to be accredited to ISO14001 is the same as each Principal Contractor actually producing a Project specific Environmental Management Plan. We believe there should be a clear requirement in the DCO for the preparation and maintenance of the latter.
4. At item 1.9.3.2 we are deeply concerned by the statements about drains being installed parallel to the cable corridor post construction. Without evidence to the contrary we consider that such actions have the real potential to interrupt the underground water sources feeding the fishery. This potential needs to be strictly avoided.
5. At item 1.10.4.1 The Applicant is silent on the need to avoid impacting on underground water sources, this shortfall needs to be fully recognised and addressed.
6. At item 1.10.4.3 further analysis of the underground water sources should be explicitly required prior to the design and, if approved, installation of any land drainage measures.
7. At item 1.10.4.6 The Applicant advises that the 'campaign' of intrusive ground investigations was completed in 2023. We have been led to believe by The Applicant that further boreholes and long term monitoring was to be undertaken through the second half of 2024 and beyond. To date

we have not been provided with any details of what boreholes have been installed or what monitoring (and its results) has taken and continues to take place.

8. At item 1.10.4.9 there are details of The Applicant's Risk/Mitigation Hierarchy for groundwater supplies. To date, The Applicant has not made us aware of what risk rating it has ascribed to the fishery ground water supplies. For our part, and in the absence of any compelling evidence to the contrary, we would suggest the fishery supplies be rated as 'High'. In this regard we would welcome sight of The Applicant's proposed rating and in parallel its proposed mitigation measures.

In overall terms the current iteration of the CoCP does nothing to assuage our concerns regarding the adequacy of The Applicant's investigation works and proposed mitigation/protective measures as regards the security of our groundwater supplies.

Q2.8.7 Comments Relating to The Applicant's responses to The Fishery's ExQ1Responses [Rep4-080]

Rep3-107.01: The BRAG report has been received. Sadly, it is very light and 'very subjective', in its consideration of the impacts on the water sources enjoyed by the fishery. This is particularly the case regarding it adopting the Southern cable route. Indeed, based on the overall BRAG report, we would venture that the fishery water sources were at best an extremely minor area of consideration in the grand scheme of route selection.

Rep3-107.2: As previously advised our concerns relate to both the potential for the construction works and the permanent cable routes to impact on our water sources.

It is pleasing to note that The Applicant does appear extremely confident that it will be able to develop both a risk assessment and Hydrological Conceptual Model that will result in no observable changes to the ground water flow to the fishery arising from the construction activities. However, we are totally unsighted on the data used to reach this conclusion and as a direct result are unsure as to how the outcomes of the 'conceptual model' can be demonstrably evidenced as proving conclusively that they will become the reality.

Furthermore, in its response The Applicant also makes no reference to the possible long term impacts that the installed cable corridor may have on both overground and underground water flows. Our concern here is to ensure that the backfilled cable corridor trenches do not effectively become a series of cut-off 'drains'.

We are pleased to note that the fishery will be provided access to the Agricultural Liaison Officer during the works. That said, if our water supplies become noticeably impacted by the works, simply having someone to talk to is not going to resolve matters. Hence, we remain firmly of the opinion that we need to be provided with a suitable protective and legally binding undertaking from The Applicant to make good any adverse impacts on water supplies to the fishery business over both the short and long term.

Rep3-107.3: The Response provided by The Applicant at Q1.21.11 (REP3-062) has unfortunately been rather poorly drafted. The drafting is such that it could be construed as to indicate that the Fishery does not consider a legal indemnity or undertaking is necessary. To be absolutely clear, this is not our position.

Sadly, we are disappointed that regarding our concerns The Applicant appears to be seeking to 'kick them in to the long grass'. Certainly, this appears to be the case by them suggesting that we rely solely upon our being classed as a 'Category 3 claimant'. Such a classification would result in a situation where the obligations of evidencing that we have suffered because of their works are passed entirely across to us to demonstrate we have a claim. This surely cannot be reasonable.

Summary

We have and continue to seek to engage with The Applicant in a manner that is positive and supportive of the greater national good that their proposed project should deliver for the nation. That said, the lack of transparency that The Applicant has demonstrated to date as regards site investigations and more particularly its desire to side line our concerns as simply a matter where our only remedy would be for us to pursue as a Category 3 claim now lead us to question their overall motives in dealing with our concerns.

Whilst it is a fact that our lands do not encroach on the Order Lands. In the absence of hard evidence to the contrary, we consider it is unreasonable for The Applicant to effectively suggest that the water catchment areas and associated strata upon which we rely for our ground water are similarly outwith the Order Lands.

To date The Applicant has not provided a shred of evidence to demonstrate that its works will not have a detrimental effect on the ground water systems that supply the fishery.

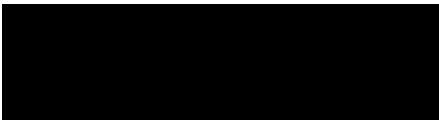
In connection with the proposed onshore cabling corridor works, we consider our situation to be unique. Afterall, we appear to be the only business along the proposed cable corridor that relies on ground water flows for its very existence.

We are therefore now requesting that the Inspectorate provide us with direct and undeniable support by it including within the DCO sufficient detailed obligations to protect our ground water supplies. We consider it vital that without there being any clear evidence to the contrary that The Applicant must be required to provide suitable indemnities and/or provide financial undertakings should the fishery suffer the total loss or reduction in the ground water supplies it currently enjoys.

The fishery has done nothing to cause its enjoyment of the ground water supplies to be put at risk. Therefore surely it must not be placed in a position where it would be exposed to the need for it to actively pursue (and at least initially fund) a claim against The Applicant for any harm or detriment arising either from the direct works or in the long term presence of the cable corridor route may have on it.

In conclusion, we ask that the Inspectorate, within the DCO considers elevating our interest in the ground water supplies serving the fishery to that of a Category 1 interest and in parallel The Applicant be legally bound to protect the fishery (which we assume would remain a Category 3 interest) against any harm it may cause during the works and then the consequences thereafter from any impact its actions or lack actions may have on our long term water supplies. Put simply, The Applicant is a very significant corporate organisation. It is therefore not unreasonable to assume that if it were minded to ignore the fishery's ground water supply concerns, it could literally 'starve us out'. Such a situation surely cannot be considered fair or reasonable. Therefore, we ask that the Inspectorate, in its DCO should ensure that such a situation can positively never be allowed to happen.

Yours faithfully



Prof. Martin Chambers
BSc(hons), CEnv, PPCIOB, FRICS, HonFQSi
For and on behalf of Tan-y-Mynydd Trout Fishery Ltd

Copy to: The Mona Windfarm Team

Attachments: Copy of email to Mona Windfarm Team of 04 November 2024 @10:10