

MONA OFFSHORE WIND PROJECT

Response to NRW Comments on the RIES

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Image of an offshore wind farm

MONA OFFSHORE WIND PROJECT

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MONA OFFSHORE WIND PROJECT

Glossary

| Term | Meaning |
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| Applicant | Mona Offshore Wind Limited. |
| Appropriate Assessment | A step-wise procedure undertaken in accordance with Article 6(3) of the Habitats Directive, to determine the implications of a plan or project on a European site in view of the site's conservation objectives, where the plan or project is not directly connected with or necessary to the management of a European site but likely to have a significant effect thereon, either individually or in-combination with other plans or projects. |
| Bodelwyddan National Grid Substation | This is the Point of Interconnection (POI) selected by the National Grid for the Mona Offshore Wind Project. |
| Competent Authority | Regulation 6(1) defines competent authorities as "any Minister, government department, public or statutory undertaker, public body of any description or person holding a public office". |
| Development Consent Order (DCO) | An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP). |
| Environmental Statement | The document presenting the results of the Environmental Impact Assessment (EIA) process for the Mona Offshore Wind Project. |
| Evidence Plan Process | The Evidence Plan process is a mechanism to agree upfront what information the Applicant needs to supply to the Planning Inspectorate as part of the Development Consent Order (DCO) applications for the Mona Offshore Wind Project. |
| Expert Working Group (EWG) | Expert working groups set up with relevant stakeholders as part of the Evidence Plan process. |
| Inter-array cables | Cables which connect the wind turbines to each other and to the offshore substation platforms. Inter-array cables will carry the electrical current produced by the wind turbines to the offshore substation platforms. |
| Interconnector cables | Cables that may be required to interconnect the Offshore Substation Platforms in order to provide redundancy in the case of cable failure elsewhere. |
| Intertidal access areas | The area from Mean High Water Springs (MHWS) to Mean Low Water Springs (MLWS) which will be used for access to the beach and construction related activities. |
| Intertidal area | The area between MHWS and MLWS. |
| Landfall | The area in which the offshore export cables make contact with land and the transitional area where the offshore cabling connects to the onshore cabling. |
| Local Authority | A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils. |
| Local Highway Authority | A body responsible for the public highways in a particular area of England and Wales, as defined in the Highways Act 1980. |
| Marine licence | The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for a DCO to apply for a 'deemed' marine licence as part of the DCO process. In addition, licensable activities within 12nm of the Welsh coast require a separate marine licence from Natural Resource Wales (NRW). |

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| Term | Meaning |
|---|---|
| Maximum Design Scenario (MDS) | The scenario within the design envelope with the potential to result in the greatest impact on a particular topic receptor, and therefore the one that should be assessed for that topic receptor. |
| Mona 400kV Grid Connection Cable Corridor | The corridor from the Mona onshore substation to the National Grid substation at Bodelwyddan. |
| Mona Array Area | The area within which the wind turbines, foundations, inter-array cables, interconnector cables, offshore export cables and offshore substation platforms (OSPs) forming part of the Mona Offshore Wind Project will be located. |
| Mona Array Scoping Boundary | The Preferred Bidding Area that the Applicant was awarded by The Crown Estate as part of Offshore Wind Leasing Round 4. |
| Mona Offshore Cable Corridor | The corridor located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables will be located. |
| Mona Offshore Cable Corridor and Access Areas | The corridor located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables will be located and in which the intertidal access areas are located. |
| Mona Offshore Transmission Infrastructure Scoping Search Area | The area that was presented in the Mona Scoping Report as the area encompassing and located between the Mona Potential Array Area and the landfall up to MHWS, in which the offshore export cables will be located. |
| Mona Offshore Wind Project | The Mona Offshore Wind Project is comprised of both the generation assets, offshore and onshore transmission assets, and associated activities. |
| Mona Offshore Wind Project Boundary | The area containing all aspects of the Mona Offshore Wind Project, both offshore and onshore. |
| Mona Offshore Wind Project PEIR | The Mona Offshore Wind Project Preliminary Environmental Information Report (PEIR) that was submitted to The Planning Inspectorate (on behalf of the Secretary of State) and NRW for the Mona Offshore Wind Project. |
| Mona Offshore Wind Project Scoping Report | The Mona Scoping Report that was submitted to The Planning Inspectorate (on behalf of the Secretary of State) and NRW for the Mona Offshore Wind Project. |
| Mona Onshore Cable Corridor | The corridor between MHWS at the landfall and the Mona onshore substation, in which the onshore export cables will be located. |
| Mona Onshore Development Area | The area in which the landfall, onshore cable corridor, onshore substation, mitigation areas, temporary construction facilities (such as access roads and construction compounds), and the connection to National Grid substation will be located |
| Mona Onshore Transmission Infrastructure Scoping Search Area | The area that was presented in the Mona Scoping Report as the area located between MHWS at the landfall and the onshore National Grid substation, in which the onshore export cables, onshore substation and other associated onshore transmission infrastructure will be located. |
| Mona PEIR Offshore Cable Corridor | The corridor presented at PEIR that was consulted on during statutory consultation and has subsequently been refined for the application for Development Consent. It is located between the Mona Array Area and the landfall up to MHWS, in which the offshore export cables and the offshore booster substation will be located. |
| Mona PEIR Offshore Wind Project Boundary | The area presented at PEIR containing all aspects of the Mona Offshore Wind Project, both offshore and onshore. This area was the boundary consulted on during statutory consultation and subsequently refined for the application for Development Consent. |

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| Term | Meaning |
|---|---|
| Mona Potential Array Area | The area that was presented in the Mona Scoping Report and in the PEIR as the area within which the wind turbines, foundations, meteorological mast, inter-array cables, interconnector cables, offshore export cables and OSPs forming part of the Mona Offshore Wind Project were likely to be located. This area was the boundary consulted on during statutory consultation and subsequently refined for the application for Development Consent. |
| Mona Proposed Onshore Development Area | The area presented at PEIR in which the landfall, onshore cable corridor, onshore substation, mitigation areas, temporary construction facilities (such as access roads and construction compounds), and the connection to National Grid infrastructure will be located. This area was the boundary consulted on during statutory consultation and subsequently refined for the application for Development Consent. |
| Mona Scoping Report | The Mona Scoping Report that was submitted to The Planning Inspectorate (on behalf of the Secretary of State) and NRW for the Mona Offshore Wind Project. |
| National Policy Statement (NPS) | The current national policy statements published by the Department for Energy Security & Net Zero in 2024. |
| Non-statutory consultee | Organisations that an applicant may choose to consult in relation to a project who are not designated in law but are likely to have an interest in the project. |
| Offshore Substation Platform (OSP) | The offshore substation platforms located within the Mona Array Area will transform the electricity generated by the wind turbines to a higher voltage allowing the power to be efficiently transmitted to shore. |
| Offshore Wind Leasing Round 4 | The Crown Estate auction process which allocated developers preferred bidder status on areas of the seabed within Welsh and English waters and ends when the Agreements for Lease (AfLs) are signed. |
| Pre-construction site investigation surveys | Pre-construction geophysical and/or geotechnical surveys undertaken offshore and, or onshore to inform, amongst other things, the final design of the Mona Offshore Wind Project. |
| Point of Interconnection | The point of connection at which a project is connected to the grid. For the Mona Offshore Wind Project, this is the Bodelyyddan National Grid Substation. |
| Relevant Local Planning Authority | The Relevant Local Planning Authority is the Local Authority in respect of an area within which a project is situated, as set out in Section 173 of the Planning Act 2008. Relevant Local Planning Authorities may have responsibility for discharging requirements and some functions pursuant to the DCO, once made. |
| the Secretary of State for Business, Energy and Industrial Strategy | The decision maker with regards to the application for development consent for the Mona Offshore Wind Project. |
| Statutory consultee | Organisations that are required to be consulted by an applicant pursuant to the Planning Act 2008 in relation to an application for development consent. Not all consultees will be statutory consultees (see non-statutory consultee definition). |
| Wind turbines | The wind turbine generators, including the tower, nacelle and rotor. |
| The Planning Inspectorate | The agency responsible for operating the planning process for NSIPs. |

MONA OFFSHORE WIND PROJECT

Acronyms

| Acronym | Description |
|---------|---|
| AfL | Agreement for Lease |
| BEIS | Department for Business, Energy and Industrial Strategy |
| BNG | Biodiversity net gain |
| DCO | Development Consent Order |
| EIA | Environmental Impact Assessment |
| EnBW | Energie Baden-Württemberg AG |
| EWG | Expert Working Group |
| HVAC | High Voltage Alternating Current |
| IEF | Important Ecological Feature |
| IEMA | Institute for Environmental Management and Assessment |
| ISAA | Information to support the Appropriate Assessment |
| MDS | Maximum Design Scenario |
| MHWS | Mean High Water Springs |
| MLWS | Mean Low Water Springs |
| NBB | Net Benefits for Biodiversity |
| NRW | Natural Resources Wales |
| NSIP | Nationally Significant Infrastructure Project |
| NTS | Non-Technical Summary |
| OSP | Offshore Substation Platform |
| PDE | Project Design Envelope |
| PEI | Preliminary Environmental Information |
| PEIR | Preliminary Environmental Information Report |
| POI | Point of Interconnection |
| SAC | Special Area of Conservation |
| SoCC | Statement of Community Consultation |
| SPA | Special Protection Area |
| TCE | The Crown Estate |
| WTW | Wildlife Trust Wales |
| TWT | The Wildlife Trusts |

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Units

| Unit | Description |
|-----------------|--------------------|
| GW | Gigawatt |
| km | Kilometres |
| km ² | Kilometres squared |
| kV | Kilovolt |
| MW | Megawatt |
| nm | Nautical miles |

1 Response to NRW Comments on the RIES

1.1 Introduction

1.1.1.1 The Applicant has responded to NRW's comments on the Report on the Implications for European Sites (RIES) below.

2 Response to NRW RIES Submission

Table 2.1: REP5-099 - Natural Resources Wales (NRW)

| Planning Inspectorate Ref. No. | Submission comment | Applicant's response |
|--------------------------------|---|--|
| REP5-099.1 | <p>1.1 Marine Ornithology</p> <p>1.1.1 General Comments</p> <p>2. On the whole, NRW (A) considers the relevant sections of the RIES to provide a balanced account of the key Habitats Regulations Assessment (HRA) issues for offshore ornithology. However, as per our response at Deadline 4 (1.1.5 within REP4-105), we wish to impress concerns that as there remain outstanding HRA issues in relation to ornithology which span beyond the publication date of the RIES - particularly with respect to in-combination assessments - the RIES at this point in time should not be considered a reflection of the finalised position. This is because the RIES was published ahead of HRA ornithology issues being resolved. It is our understanding that the Applicant will be submitting additional material to hopefully address some of NRW (A)'s concerns at Deadline 5. We will review this material and provide advice into the examination as soon as possible.</p> | <p>The Applicant notes NRW (A)'s response and confirms that the following document in relation to offshore ornithology were submitted at Deadline 5 to address NRW (A)'s remaining concerns:</p> <ul style="list-style-type: none"> • Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074). • In light of the Applicant's submission at Deadline 5, it is understood that NRW (A) can rule out Adverse Effect on Integrity (AEoI) for Welsh designated sites from the Mona Offshore Wind Project in-combination with other projects and plans apart from northern gannet at Grassholm SPA. This is reflected in the updated SoCG (S_D1_12 F02) submitted at Deadline 6 and the Applicant anticipates NRW (A) also confirming in its Deadline 6 submissions. The Applicant and NRW (A) have undertaken further engagement between Deadline 5 and 6 with regard to northern gannet at Grassholm SPA, and the Applicant has provided the additional information requested in the Revised Assessment for Northern Gannet at Grassholm SPA (S_D6_9) submitted at Deadline 6. This assessment concludes no AEoI for the Mona Offshore Wind Project in-combination with other plans and projects. The Applicant anticipates NRW (A) being able to confirm its position with respect to this conclusion at Deadline 7. |
| REP5-099.2 | <p>3. We note paragraph 1.1.8 of the RIES states that "...<i>The RIES will not be revised following consultation</i>". Whilst we acknowledge the implication of time limitations for the examination, we suggest that following Deadline 5 the RIES is updated - particularly in light of any changes the Applicant makes in relation to the in-combination assessment - before it is included alongside the ExA report to the Secretary of State (SoS), so that a full account of the Examination's considerations of HRA matters is presented in one place.</p> | |

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| Planning Inspectorate Ref. No. | Submission comment | Applicant's response |
|--------------------------------|---|---|
| REP5-099.3 | <p>1.1.2 Responses to specific questions within RIES</p> <p>1.1.2.1 Table 2.4</p> <p><i>2.4.4 Q c): Do JNCC/ NRW (A) consider a LSE should be identified for any European site with Atlantic puffin as a qualifying feature?</i></p> <p>4. The apportioned predicted puffin displacement impact for Skomer, Skokholm and Seas off Pembrokeshire (SSSP) Special Protected Area (SPA) for the Mona project alone, at the Worst Case Scenario (WCS) of 70% displacement and 10% mortality presented by the Applicant in REP4-031, is predicted to be 0.7 birds. Therefore, based on the Applicant's approach to screening Likely Significant Effect (LSE) of taking impacts through if the apportioned impact for a feature equalled more than 0 birds, then it should be considered that an LSE cannot be excluded for this feature of the SPA. However, given that the predicted level of displacement impact even the WCS equates to well below 1% of baseline mortality, and, would be undetectable against background mortality, we agree that an Adverse Effect on Site Integrity (AEoSI) can be ruled out for the puffin feature of the SSSP SPA from the project alone (as advised in our Deadline 4 response: Annex B of REP4-105). Given that even at the WCS of 70% displacement and 10% mortality the predicted impact as presented in REP4-031 equates to 0.01% of baseline mortality, which is below the Applicant's threshold for taking through to in-combination assessment of the project alone exceeding 0.05% of baseline mortality, we are content that this feature is not taken through to in-combination assessment.</p> | <p>The Applicant welcomes NRW(A)'s agreement that AEoI can be ruled out for the puffin feature of the Skomer, Skokholm and Seas off Pembrokeshire SPA from the project alone. The Applicant also welcomes NRW (A)'s agreement that no in-combination assessment is required for Atlantic puffin as the apportioned impact to SPA from the project alone is below the Applicant's threshold for taking through to the in-combination assessment.</p> |

| Planning Inspectorate Ref. No. | Submission comment | Applicant's response |
|--------------------------------|---|---|
| REP5-099.4 | <p>2.4.6 Q: Are JNCC and NRW (A) content that an appropriate range of displacement and mortality has been presented in [REP4-031] to enable an informed decision to be made by the Secretary of State?</p> <p>5. In REP3-059 and the subsequent Deadline 4 update - REP4-031, the Applicant has considered the appropriate advised range of % displacement and % mortality rates for assessments of the project alone and in-combination assessments. This has enabled NRW (A) to be able to agree that AEOsI can be ruled out for all Welsh Special Protection Areas (SPAs) assessed for project alone impacts (as detailed our Deadline 4 response: Appendix 1 of Annex B of REP4-105). However, whilst the Applicant considers in-combination impacts across the range of advised rates in REP4-031, we advise that unfortunately, they still have not followed aspects of SNCB advice, particularly regarding use of stable age structures from Furness (2015) in the breeding season for age class apportioning of impacts from sites in the in-combination assessment. We consider that this approach risks significantly underestimating in-combination impacts on adult breeding birds and as a result are unable to reach conclusions on in-combination impacts. Further detail on this issue can be found in our Deadline 5 response to REP4-031.</p> | <p>The Applicant notes that NRW (A) do not agree with the Applicant's approach to using stable-age class apportionment during the breeding season for the in-combination assessment. The Applicant submitted a further supporting assessment for the following SPAs (as requested by NRW (A) and the Joint Nature Conservation Committee (JNCC)), which uses site specific information on age classes where available or otherwise assumes all birds are adults. This was included in the Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074) note submitted at Deadline 5.</p> <ul style="list-style-type: none"> • Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro SPA • Glannau Aberdaron ac Ynys Enlli/Aberdaron Coast and Bardsey Island SPA • Grassholm SPA <p>The Applicant intends to re-submit the HRA Stage 2 Information to Support an Appropriate Assessment (ISAA) Part Three: Special Protection Areas (SPAs) and Ramsar sites Assessments (REP2-010) at Deadline 7 to repackage the relevant examination materials into a series of Annexes, which will be appended to the ISAA as relevant. This will include an Annex which will provide an in-combination assessment using the SNCB's advised approach to age-class proportions in the breeding season for all relevant SPAs and Ramsar sites, which are both within and outwith the NRW (A)'s jurisdiction. This will provide a consistent SNCB (i.e. NRW (A) and the JNCC) advised assessment alongside the Applicant's identified assessment scenario for all relevant designated sites for consideration by the Secretary of State.</p> |

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| Planning Inspectorate Ref. No. | Submission comment | Applicant's response |
|--------------------------------|---|---|
| REP5-099.5 | <p><i>2.4.13 Q: Further to the Applicant's submission [REP4-042], can JNCC and NRW (A) confirm whether they are satisfied the Applicant's approach to age class apportionment during the non-breeding season can be considered appropriate and whether their previous concerns have been resolved?</i></p> <p>6. The Applicant has taken different approaches for non-breeding season apportionment in their assessments of impacts from the project alone and assessments of impacts in-combination. For the project alone assessments, the Applicant has taken an approach that results in higher non-breeding season apportioned values than if the standard NRW (A) (SNCB) advised approach was followed (i.e. the Applicant's approach here is more precautionary than the NRW (A) advised approach, which, is acknowledged by both NRW (A) and the Applicant). For the non-breeding season apportionment in the in-combination assessments, the Applicant has employed an alternative approach, which essentially appears to be an overly complicated way of arriving at the same apportionment values and impacts as if the NRW (A) (SNCB) standard advised approach was followed. However, we confirm that the non-breeding season apportionment issue can be considered resolved. Further details can be found in our Deadline 5 comments on REP4-042.</p> | <p>The Applicant notes and welcomes NRW (A)'s comment that whilst they do not necessarily agree with the approach for apportioning during the non-breeding season, as it generates precautionary results they are satisfied with this approach for the project alone and in-combination assessment for the Mona Offshore Wind Project. In row NRW.OO14 of the updated SoCG with NRW(A) (S_D1_12 F02) submitted at Deadline 6 NRW(A) have confirmed they are '<i>now content with the apportioning undertaken for both the breeding season and non-breeding seasons in both the alone and in-combination assessments</i>'. The Applicant therefore considers this matter to be closed.</p> |

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| Planning Inspectorate Ref. No. | Submission comment | Applicant's response |
|--------------------------------|---|--|
| REP5-099.6 | <p>1.1.2.2 Table 2.6</p> <p>2.6.1 Q a): <i>Further to the Applicant's Deadline 4 submissions, can NRW (A) and JNCC confirm whether they agree that all in-combination LSEs have been identified by the Applicant in respect of marine ornithology?</i></p> <p>7. The Applicant's approach to in-combination screening is that where the project alone impact equates to below 0.05% baseline mortality, then it is deemed non-material and within natural fluctuations of the population, and is therefore screened out of in-combination assessment. We have indicated that we are content with the Applicant's approach in this case where the impacts from the project alone are very small. Taking this and the fact that the Applicant has considered in REP4-030/031 that where the predicted project impact alone impact exceeds 0.05% baseline mortality across anywhere within the whole range of SNCB advised assessment rates, then the site and feature combination has been taken through to in-combination assessment, we are now content that all in-combination LSEs for Welsh SPAs/Ramsars have been identified by the Applicant and are taken through to in-combination assessment, namely:</p> <ul style="list-style-type: none"> • Skomer, Skokholm and seas off Pembrokeshire SPA: Manx shearwater; seabird assemblage, including named components: kittiwake, guillemot and razorbill • Grassholm SPA: Gannet • Aberdaron Coast and Bardsey Island SPA: Manx shearwater | <p>The Applicant welcomes NRW (A)'s confirmation that they are content that all in-combination LSEs for Welsh SPAs/Ramsars have been identified by the Applicant and taken through to in-combination assessment.</p> |

| Planning Inspectorate Ref. No. | Submission comment | Applicant's response |
|--------------------------------|---|--|
| REP5-099.7 | <p>1.1.2.3 Table 3.3</p> <p>3.3.6 Q a): <i>The Applicant maintains that an outline EMP is not necessary. The ExA notes that Part e) of point 18 of conditions listed in Part 2 of Schedule 14 of the draft DCO refers specifically to the certified document 'Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels'. This document contains the cable installation restriction. Can JNCC and NRW (A) further elaborate why this is not sufficient to secure the necessary mitigation?</i></p> <p>8. We have reconsidered the information provided by the Applicant regarding this issue. We note that paragraph 1.1.3.8 of the 'Measures to minimise disturbance to marine mammal and rafting birds' document [REP3-020/021] states that this document '<i>...will be included as an appendix to the Offshore Environmental Management Plan (EMP), which is secured within Schedule 14 of dDCO and expected to be secured within the standalone NRW Marine Licence.</i>' As the cable installation seasonal restriction within Liverpool Bay SPA is included within the 'Measures to minimise disturbance to marine mammals and rafting birds' document, and, as noted above, will be included as an appendix to the Environmental Management Plan (EMP) -secured within of the dDCO and expected to be secured within the standalone NRW Marine Licence – then, based on this, we consider that the seasonal timing restriction mitigation measure is adequately secured.</p> | <p>The Applicant welcomes NRW(A)'s confirmation that they consider that the seasonal timing restriction (1 November to 31 March) with respect to the Liverpool Bay/Bae Lerpwl SPA is adequately secured as outlined in the Mitigation and Monitoring Schedule (J10 F06). As stated in the Marine Licence Principles Document (REP5-022), this commitment is expected to be secured in the standalone NRW marine licence.</p> |
| REP5-099.8 | <p>3.3.16 Q: <i>Further to the Applicant's Deadline 4 submission [REP4-042] and [REP4-049], can JNCC and NRW (A) provide an update on their positions in relation to the apportionment of impacts in the in-combination assessment?</i></p> <p>9. We note that the 'Offshore Ornithology Apportioning Clarification Note' [REP4-042] specifically covers clarification on non-breeding season apportionment methods the Applicant has used for project alone and in-combination assessments. The methods the Applicant has taken for apportionment of impacts in the breeding season in the in-combination assessment is detailed in their updated 'Offshore Ornithology Supporting Information in line with SNCB advice' document [REP4-030].</p> | <p>The Applicant refers NRW (A) to rows REP5-099.5 and REP5-099.4 above for the Applicant's response with respect to non-breeding season apportionment and breeding season age class proportions, respectively. The Applicant welcomes NRW (A)'s comment regarding the appropriate use of proxies for apportioning values to individual SPAs and the details provided (in Offshore ornithology supporting information in line with SNCB advice (REP4-030)) with respect to this.</p> |
| REP5-099.9 | <p>10. Based on the information provided by the Applicant in REP4-042, we are content with the Applicant's approach to the non-breeding season apportionment (age class and apportionment to sites), as the Applicant's approach for this for in-combination essentially results in the same overall apportionment rates as if our standard advised approach is followed.</p> | |

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| REP5-099.10 | <p>11. However, we do not agree with the use of the non-breeding season stable age structures from Furness (2015) for age class apportioning in the breeding season in the in-combination assessments, as had been indicated to the Applicant during the call NRW (A) and JNCC had with the Applicant on 29th October 2024 and as also raised in our Deadline 4 response [REP4-105]. We consider that this approach risks significantly underestimating in-combination impacts on adult breeding birds – further detail on this can be found in our Deadline 5 response to REP4-030. We are, however, content with Applicant's approach of using proxy wind farm sites for apportioning values to individual SPAs for those projects where that information is not available (e.g. for the gap filled projects). We also welcome that the Applicant has now included information on which wind farm has been used as the proxy for projects in REP4-030.</p> | |
| REP5-099.11 | <p><i>Paragraph 2.6.6 Q: Further to the Applicant's Deadline 4 submissions, can NRW (A) and JNCC advise whether it considers there to be a LSE to any qualifying feature(s) of any European site(s) in addition to those captured in Table 1.125 of the revised HRA Screening Report [REP2-012] and the lesser-black backed gull from Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro SPA? (Please refer to IDs 2.4.4 and 2.6.1 of this RIES where relevant).</i></p> <p>13. Table 1.125 of REP2-012 does not include Skomer, Skokholm and seas off Pembrokeshire (SSSP) SPA puffin. As noted in our response to Table 2.4 question 2.4.4 part c) above at paragraph 4, we consider that an LSE cannot be ruled out for this feature. However, we note that the Applicant has included an apportioned assessment of project impacts alone to puffin SPAs, including SSSP SPA, in their Deadline 4 'Supporting information in line with SNCB advice' document [REP4-030]. Based on this we can agree that an AEOSI can be ruled out for this feature for the project alone, and agree that based on the level of predicted mortality from the project alone that it is not taken through for a detailed in-combination assessment and that an AEOSI can be ruled out for the project in-combination with other plans and projects.</p> | <p>The Applicant refers NRW (A) to its response in row REP5-099.3 with respect to Atlantic puffin.</p> |

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| REP5-099.12 | <p><i>Paragraph 3.3.9 Q: Can NRW (A) confirm whether it is content with the projects included in the offshore ornithology in-combination assessment presented in [REP4-031]?</i></p> <p>15. Following the work undertaken by the Applicant to gap fill historical projects and that these are now included in the in-combination assessments presented in REP4-030/031, we are generally content with the list of projects included in the in-combination assessment. Due to the length of time it has taken the Applicant to address the concerns with the projects included in the in-combination assessments, we note that data are now available for the Llŷr 1 project, which is relevant for inclusion in the in-combination assessments and is currently not included in the assessments in REP4-031. This was highlighted to the Applicant at a call on 29 August 2024 where the Cumulative Effects Assessment (CEA) and gap fill methods was discussed with the SNCBs with respect to both the Mona and Morgan Generation Asset projects. The project level information about Llŷr 1 can be found on NRW's public register and this has been advised to the Applicant. We also note that, as yet, the Applicant has still not updated the figures included for the Morgan Generation and Morecambe Generation projects from those to the Preliminary Environmental Information Report (PEIR) to those in the submission documents. We have repeatedly advised since our Written Representations [REP1-056] that these numbers should be updated to account for the best available evidence currently available for these projects, i.e. updated to the submission figures that include 24 months of site-specific data for each project.</p> | <p>The Applicant welcomes NRW(A)'s confirmation that they are content with the list of projects included in the in-combination assessment.</p> <p>The Applicant submitted further supporting assessments for the following SPAs, which included the gap-filled projects and incorporated the relevant Llŷr 1 Floating Offshore Wind Farm estimated impacts and the updated impacts from the Morgan Offshore Wind Project: Generation Assets and Morecambe Offshore Wind Farm: Generation Assets applications in the in-combination assessments. This was included in the Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074) submitted at Deadline 5.</p> <ul style="list-style-type: none"> • Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro SPA • Glannau Aberdaron ac Ynys Enlli/Aberdaron Coast and Bardsey Island SPA • Grassholm SPA <p>The Applicant intends to re-submit the HRA Stage 2 ISAA Part Three: SPAs and Ramsar sites Assessments (REP2-010) at Deadline 7 to repackage the relevant examination materials into a series of Annexes, which will be appended to the ISAA as relevant. This will include the information presented in the Offshore ornithology additional supporting in-combination assessment information in line with SNCB advice (REP5-074).</p> |

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| REP5-099.13 | <p><i>Paragraph 3.4.6 Q: Further to the Applicant's Deadline 4 documents, can NRW (A) provide comment on the level of significance of in-combination impacts for Welsh designated sites.</i></p> <p>16. Following review of the Applicant's Deadline 4 submissions, unfortunately our position regarding offshore ornithology in-combination impacts remains that we still consider it inappropriate to comment on the potential significance of in-combination impacts presented at this stage for relevant Welsh designated sites. This is because the Applicant has still not followed aspects of our advice/presented in-combination impacts following our advised approach alongside their preferred approach. The main issues that remain with regard to their assessments are:</p> <ul style="list-style-type: none"> We do not agree with the use of the non-breeding season stable-age structures from Furness (2015) for age-class apportioning in the breeding season. We consider that the Applicant's use of this approach risks significantly underestimating in-combination impacts on adult breeding birds. Further details regarding this can be found in our Deadline 5 comments on REP4-030/031. We reiterate our previous advice provided to the Applicant during the call on 29 October 2024, and as set out in our Deadline 4 response [REP4-105], that where there is site-specific information on breeding season age class proportions then this should be applied for the site in question in the in-combination assessments, otherwise taking the precautionary principle, it should be assumed that all birds are adults. | <p>The Applicant refers NRW (A) to the following responses:</p> <ul style="list-style-type: none"> REP5-099.1 – for the Applicant and NRW (A)'s latest position with respect to agreement on AEol in-combination for Welsh designated sites. REP5-099.4 – for further information on how the Applicant has addressed SNCB concerns regarding age class apportioning during the breeding season within the in-combination assessment at Deadline 5. REP5-099.12 – for further information on how the Applicant has addressed SNCBs concerns regarding the consideration of Morgan Generation Assets and Morecambe Generation Assets application numbers at Deadline 5. <p>The Applicant wishes to highlight that the information presented in Offshore ornithology, additional supporting in-combination assessment information in line with SNCB advice (REP5-074), also addresses the concern raised by NRW (A) in row REP5-099.14 and presents consistent figures for the Mona Offshore Wind Project across the alone and in-combination assessment for the Welsh SPAs.</p> |
| REP5-099.14 | <ul style="list-style-type: none"> The Applicant has included different figures for the Mona project alone in the in-combination assessments to those predicted in the project alone assessments. This is because different apportionment approaches have been taken for the alone and in-combination assessments in REP4-030/031 (different non-breeding season apportionment approach and use of Furness (2015) stable age structures for age class apportionment in the breeding season in the in-combination). | |
| REP5-099.15 | <ul style="list-style-type: none"> We also consider that the figures included for the Morgan Generation and Morecambe Generation Assets projects should be updated to account for the best available evidence for these projects, i.e. update the PEIR figures to the submission figures. Please see our Deadline 5 response to REP4-027 for further details. | |

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| REP5-099.16 | <p>Paragraph 4.1.7 Q a): <i>Based on submissions to date it may not be possible for the competent authority to exclude AEoI on all European sites beyond reasonable scientific doubt. As such, and in line with the relevant NPS EN-1 (paragraph 5.4.27), should the Applicant be unable to reach agreement with NRW (A) and JNCC that there would be no AEoI on all European sites from the project alone or in-combination with other plans or projects by Deadline 5, the ExA considers that a derogations case is required. This is to enable the ExA to examine the information during the Examination and make a recommendation to the Secretary of State, and so that the Secretary of State has all information available to them at the point of decision.</i></p> <p><i>The Applicant, NRW (A) and JNCC are requested to confirm at Deadline 5 whether an AEoI on all European sites from the project alone or in-combination with other plans or projects can be excluded.</i></p> <p>17. We can confirm that we can agree that an AEoSI can be ruled out for the following:</p> <p>Project Alone:</p> <ul style="list-style-type: none"> • Skomer, Skokholm and seas off Pembrokeshire SPA: Manx shearwater, storm petrel, lesser black-backed gull, puffin, seabird assemblage (including named components: guillemot, razorbill, kittiwake) • Grassholm SPA: Gannet • Aberdaron Coast and Bardsey Island SOA: Manx shearwater <p>In-combination:</p> <ul style="list-style-type: none"> • Skomer, Skokholm and seas off Pembrokeshire: Storm petrel, lesser black-backed gull, puffin | <p>The Applicant welcomes NRW (A)'s confirmation on the sites and species where they agree that an AEoI can be ruled out for the Mona Offshore Wind Project alone and in-combination with other projects and plans.</p> |

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| REP5-099.17 | <p>18. As noted in our response to the question on paragraph 3.4.6 above (paragraph 16), as the Applicant has still not presented in-combination totals following all of our advice, we unfortunately are currently unable to comment on the potential significance of in-combination impacts presented at this stage for the remaining features and Welsh designated sites. However, NRW (A) and JNCC had a productive call with the Applicant on 22 November 2024 to discuss these issues and a potential approach to rectifying them. On 28 November 2024, the Applicant sent both NRW (A) and JNCC some updated in-combination tables for the sites of relevance to NRW (A) and JNCC which we are currently reviewing. We understand that the Applicant will be submitting this information into the examination at Deadline 5. Therefore, we hope to be able to provide advice on levels of in-combination impact and site integrity for Welsh sites following Deadline 5 submissions.</p> | <p>The Applicant refers NRW (A) to the following responses:</p> <ul style="list-style-type: none"> • REP5-099.1 – for the Applicant and NRW (A)'s latest position with respect to agreement on AEoI in-combination for Welsh designated sites. • REP5-099.4 – for further information on how the Applicant has addressed SNCB concerns regarding age class apportioning during the breeding season within the in-combination assessment at Deadline 5. • REP5-099.12 – for further information on how the Applicant has addressed SNCBs concerns regarding the consideration of Morgan Generation Assets and Morecambe Generation Assets application numbers at Deadline 5. |
| REP5-099.18 | <p>19. NRW (A), therefore, cannot rule out AEoSI until all of its comments on methodology and CEA have been addressed and we have had the opportunity to fully review the information provided by the Applicant at Deadline 5. NRW (A) is actively engaging with the Applicant on this and has an agreed way to attempt to address these points. We anticipate that the remaining issues are capable of being resolved before the close of Examination, and therefore derogation and compensation may not be required for Welsh designated sites. This is subject to a full and comprehensive review of submissions made by the Applicant at Deadline 5.</p> | <p>In light of this, the Applicant and NRW (A) agree that derogation and compensation are not required for Welsh-designated sites (apart from Grassholm SPA). The Applicant and NRW (A) have undertaken further engagement between Deadline 5 and 6 with regard to northern gannet at Grassholm SPA. In light of these discussions, the Applicant has submitted a Revised Assessment for Northern Gannet at Grassholm SPA (S_D6_9) in accordance with NRW (A)'s advice at Deadline 6. This assessment concludes no AEoI for the Mona Offshore Wind Project in-combination with other plans and projects. The Applicant anticipates NRW (A) being able to confirm its position with respect to this conclusion at Deadline 7.</p> |

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| REP5-099.19 | <p>20. With regard to Liverpool Bay SPA and the potential impacts to the red-throated diver (RTD) and common scoter features of the site, we welcome and agree with the mitigation measures proposed by the Applicant, as set out in the '<i>Measures to Minimise Disturbance to Marine Mammals and Rafting Birds</i>' document, REP3-020/021, which includes the seasonal restriction on cable laying activities. However, we note our concerns raised in our Deadline 4 response (see Section 1.1.1 of REP4-105) regarding the lack of clarity over what extent the measures to minimise disturbance to rafting birds (including the seasonal restriction) would apply to pre-commencement activities, including UXO clearance. The Applicant has since confirmed in REP4-062 (see response to point REP3-084.3) that the seasonal restriction outlined in REP3-020/021 only covers export cable installation. The Applicant has noted that activities during this season of the year would be unlikely due to more challenging weather conditions, however they require flexibility to undertake pre-construction works at any time of year, to avoid impacts on the project delivery programme. We note that the UXO Clearance Position Statement [REP4-086] describes a Maximum Design Scenario (MDS) of up to 22 UXOs to be cleared within the Mona Array Area and Offshore Cable Corridor and Access Areas. However, we note that this MDS for UXO clearance has not been assessed by the Applicant within Volume 2, Chapter 5 Offshore Ornithology F03 [REP4-007] or within the Liverpool Bay SPA assessment within the updated HRA Stage 2 ISAA Part 3 (SPAs and Ramsars) F02 [REP2-010]. We consider that this should be assessed and note the RIES question to the Applicant in point 3.39 of Table 3.3 regarding pre-commencement works, UXO surveys and clearance and guarding vessels, and the request for the Applicant provide evidence as to why it considers no AEoSI would occur from these activities. Until this information is provided by the Applicant, we are unable to rule out an adverse effect on site integrity on the RTD and common scoter features of the Liverpool Bay SPA from either the project alone or in-combination. However, we do note that if the seasonal restriction on cable installation works was to also include pre-commencement activities, such as UXO clearance, then we would be able to agree that an AEoSI could be ruled out for these features of the SPA from the project alone and in-combination. Further details on this can be found in our Deadline 5 response to REP4-086. However, we understand from recent correspondence with the Applicant (02 December 2024), that it is their intention to remove high-order clearance options from the draft development consent order (dDCO), its associated deemed Marine Licence (dML), and the stand alone Marine Licence, and that the seasonal timing restriction on the cable activities within Liverpool Bay SPA will also be applied to the low-order UXO clearance. Once this information is submitted into the examination at Deadline 5, we will provide further advice with respect to the above.</p> | <p>The Applicant has assessed the potential impact of UXO clearance through the impact 'Indirect impacts from underwater sound affecting prey species'. This impact considers the maximum design scenario for underwater sound as described in Volume 2, Chapter 3: Fish and shellfish ecology (APP-057). The Applicant has not assessed UXO clearance as a separate impact in Volume 2, Chapter 3: Fish and shellfish ecology (APP-057) as this was not requested at the scoping stage, during statutory consultation or through the Evidence Plan process (see Technical Engagement Plan Appendices - Part 1 (A to E) APP-042)..</p> <p>Following further engagement with the SNCBs on their position with respect to ruling out AEoI and in light of the Examining Authority's RIES (notably Q4.1.7a,b), the Applicant committed at Deadline 5 to the use of low order UXO clearance methods only. High order UXO clearance will, therefore, not be authorised under the DCO, and will not be applied for under the NRW Marine Licence (ML). This is reflected in the updated drafting of the dML (C1 F07). The Applicant has also committed to a seasonal restriction on low order UXO clearance in the Liverpool Bay/Bae Lerpwl SPA between 1 November and 31 March. This is outlined in the Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (REP5-030). Both commitments are included in the Mitigation and Monitoring Schedule (J10 F06) and are expected to be secured via the standalone NRW ML as outlined in the updated Marine Licence Principles Document (J9 F06).</p> <p>In the updated SoCG with NRW (A) (S_D1_12 F02) submitted at Deadline 6, NRW (A) have ruled out AEoI for Liverpool Bay/Bae Lerpwl SPA both for the project alone (row NRW.HRA.37) and in-combination with other plans and projects (row NRW.HRA.38).</p> |

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| REP5-099.20 | <p>22. Paragraph 2.5.16: We note that our Deadline 4 comment in REP4-105 - that we were unable to replicate the Applicant's values in REP3-059 - was specific to being unable to replicate the Applicant's values in the in-combination assessments. We were able to make conclusions on project alone impacts on site integrity for Welsh sites in REP4-105.</p> | <p>The Applicant refers NRW (A) to its response in row REP5-099.4 for further information on how the Applicant has addressed NRW (A)'s concerns on the in-combination assessment at Deadline 5.</p> |
| REP5-099.21 | <p>25. Table 3.3, point 3.3.4: We do agree that the Applicant has now undertaken PVAs for site/feature combinations where the predicted in-combination mortality across the range of SNCB advised rates is predicted to exceed 1% of baseline mortality of the respective population. However, we note that as the in-combination mortalities are currently not agreed due to concerns with some of the Applicant's approaches, there remains a small possibility that any amendments to the Applicant's approach could result in further site/feature combinations triggering the requirement for further consideration through PVAs.</p> | <p>The Applicant refers NRW (A) to its response in row REP5-099.4 for further information on how the Applicant has addressed NRW (A)'s concerns on the in-combination assessment at Deadline 5.</p> |
| REP5-099.22 | <p>26. Table 3.4, points 3.4.1 and 3.4.2: We do not consider these matters to be resolved. This is because in REP4-027 the Applicant has essentially just summarised whether the Mona project has been included in the other projects cumulative/in-combination assessments or not, and listed how the project has been included (i.e. quantitatively or qualitatively) and then summarised the projects in question's conclusions in terms of significance of cumulative/in-combination totals. We do not consider this is appropriate as if quantitative figures are available for these additional projects, and there is potential connectivity for these projects with the populations potentially also impacted by Mona (i.e. located within the same respective BDMPS area or within foraging range of a relevant colony), then the quantitative figures should also be included into Mona's cumulative/in-combination assessments. We consider this to be particularly important regarding inclusion of updated figures for the Morgan Generation and Morecambe Generation Assets projects to the best available evidence currently in the public domain (i.e. the submission documents rather than the PEIR figures that were based on only 12 months of data). We again stress that as the Mona, Morgan Generation and Morecambe Generation Assets projects are all located in the Irish Sea and are in examination at the same time, there is a need for all projects to be undertaking cumulative and in-combination assessments covering the same list of projects and assessing the same cumulative/in-combination totals. Otherwise, there will be the potential for different conclusions as to the levels of significance depending on the total impacts considered.</p> | <p>The Applicant refers NRW (A) to the response to row REP5-099.12 for further information on how the Applicant has addressed the request for inclusion of Morgan Generation Assets and Morecambe Generation Assets application numbers at Deadline 5.</p> |
| REP5-099.23 | <p>1.2 Marine Mammals 1.2.1 General comments 27. We confirm that the RIES is a comprehensive and balanced account of the key HRA issues encountered so far with respect to Marine Mammals.</p> | <p>The Applicant notes NRW (A)'s response.</p> |

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| REP5-099.24 | <p>1.2.2 Responses to specific questions</p> <p><i>Table 2.6: 2.6.1 Q.b) Further to the Applicant's response at Deadline 4, Can NRW (A) provide comment as to whether it considers there to be any in-combination LSEs to marine mammals and if so, provide details?</i></p> <p>28. NRW (A) confirms that we are in agreement with the Applicant, and that we do not consider there to be any in-combination LSEs to marine mammals. With reference to our previous response from the ExA's first set of questions (Q 1.10.3), we would like to clarify that our previous response was due to a misunderstanding.</p> | <p>The Applicant welcomes NRW (A)'s confirmation that they do not consider there to be any in-combination Likely Significant Effects (LSEs) to marine mammals.</p> |
| REP5-099.25 | <p><i>2.6.3 Are JNCC/NRW content that a LSE can be excluded for the European sites listed in Table 2.2 of the RIES?</i></p> <p>29. NRW (A) confirms that for marine mammals an LSE can be excluded for the European sites listed in Table 2.2 of the RIES that are within NRW (A)s remit.</p> | <p>The Applicant welcomes NRW (A)'s confirmation that an LSE can be excluded for the European sites listed in Table 2.2 of The Report on the Implications for European Sites (RIES) that are within NRW (A)'s remit (Treshnish Isles Special Area of Conservation (SAC), Monach Islands SAC, North Rona SAC).</p> |
| REP5-099.26 | <p><i>2.6.6 Further to the Applicant's Deadline 4 submissions, can NRW (A) and JNCC advise whether it considers there to be a LSE to any qualifying feature(s) of any European site(s) in addition to those captured in Table 1.125 of the revised HRA Screening Report [REP2-012] and the lesser-black backed gull from Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro SPA? (Please refer to IDs 2.4.4 and 2.6.1 of this RIES where relevant).</i></p> <p>30. NRW (A) confirms that for marine mammals, we do not consider there to be an LSE to any qualifying feature(s) of any European site(s) in our remit in addition to those captured in Table 1.125 of the revised HRA Screening Report [REP2-012].</p> | <p>The Applicant welcomes NRW (A)'s confirmation that for marine mammals, it does not consider there to be an LSE to any qualifying feature(s) of any European site(s) in NRW (A)'s remit in addition to those captured in Table 1.125 of HRA Stage 1 Screening Report (REP2-012).</p> |

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| REP5-099.27 | <p><i>Table 3.2, item 3.2.5 Q. The ExA understands this matter to be resolved, however would appreciate confirmation from NRW (A) and JNCC as to whether the outline MMMP and UWSMS can be considered fit for purpose and sufficiently detailed to provide confidence that an AEoI on harbour porpoise can be excluded.</i></p> <p>31. As noted in our Relevant Representation [RR-011] and our written representation [REP1-056], we agree, in principle, with the commitment to develop an Underwater Sound Management Strategy (UWSMS) and Marine Mammal Mitigation Protocol (MMMP) and that these should identify all potential noise sources associated with the project with further detail provided in associated mitigation plans. We therefore confirm that the UWSMS and MMMP are fit for purpose and that they provide confidence that an AEoSI on harbour porpoise can be excluded. Whilst we acknowledge that further significant detail cannot be populated at this time, we consider it likely that the UWSMS and MMMP will reduce the magnitude of impacts to an acceptable level. We welcome the commitment of the Applicant to continue to engage with NRW (A) to develop the USWMS and MMMP during examination and post-consent, and as part of our written representations have provided a number of observations and recommendations on the draft outline UWSMS as provided with the application [APP-202]. These have since been adopted into the UWSMS. For further comments on the matters relating to UXO clearance, please see our Deadline 5 submission.</p> | <p>The Applicant welcomes NRW (A)'s comments.</p> <p>The Applicant has continued engagement with NRW (A) on the development of the outline UWSMS and outline MMMP during Examination and submitted an updated Outline UWSMS (REP5-028) and Outline MMMP (REP5-032) at Deadline 5, which incorporated NRW (A)'s and the JNCC's comments to date on the documents.</p> <p>Following the removal of high order UXO clearance from the Draft Development Consent Order (DCO) at Deadline 5 (REP5-006), NRW (A) has confirmed that the updates made at Deadline 5 to the Outline UWSMS (REP5-028) and Outline MMMP (REP5-032) are appropriate and will ensure significant effects are avoided. The SoCG between Mona Offshore Wind Project and NRW (A) – Offshore (S_D1_12 F02) has been updated at Deadline 6 to reflect this agreement (see row NRW.MM.19).</p> <p>The Applicant notes NRW (A)'s comments on UXO clearance and has responded accordingly in the Applicant's response to NRW (A)'s Deadline 5 Submission (S_D6_18).</p> |
| REP5-099.28 | <p><i>4.1.7 Q. Based on submissions to date it may not be possible for the competent authority to exclude AEoI on all European sites beyond reasonable scientific doubt. As such, and in line with the relevant NPS EN-1 (paragraph 5.4.27), should the Applicant be unable to reach agreement with NRW (A) and JNCC that there would be no AEoI on all European sites from the project alone or in-combination with other plans or projects by Deadline 5, the ExA considers that a derogations case is required. This is to enable the ExA to examine the information during the Examination and make a recommendation to the Secretary of State, and so that the Secretary of State has all information available to them at the point of decision.</i></p> <p><i>a) The Applicant, NRW (A) and JNCC are requested to confirm at Deadline 5 whether an AEoI on all European sites from the project alone or in-combination with other plans or projects can be excluded.</i></p> <p>32. NRW (A) confirms that for sites within NRW (A)s remit, and from a Marine Mammal perspective, an AEoSI on all European sites from the project alone or in-combination with other plans or projects can be excluded.</p> | <p>The Applicant welcomes NRW (A)'s agreement that, for marine mammal receptors, an AEoSI on all European sites within NRW (A)'s remit from the project alone or in-combination with other plans or projects can be excluded, in line with the Applicants conclusions in HRA ISAA Part Two: Special Areas of Conservation (SACs) Assessments (APP-032). This agreement is reflected in the Statement of Common Ground (SoCG) between Mona Offshore Wind Project and NRW (A) – Offshore (REP1-024) submitted at Deadline 1.</p> |

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| REP5-099.29 | <p>Fish and Shellfish</p> <p>1.3.1 General Comments</p> <p>33. NRW (A) confirms that the RIES is a balanced account of key HRA issues encountered so far for fish and shellfish ecology.</p> | <p>The Applicant welcomes the response from NRW (A). As outlined in the SoCG between Mona Offshore Wind Project and NRW (A) – Offshore (REP1-024) submitted at Deadline 1, all HRA matters related to fish and shellfish ecology are agreed.</p> |
| REP5-099.30 | <p>1.3.2 Detailed Comments</p> <p><i>Table 3.1, item 3.1.1 Q. The ExA notes that these measures are intended to be secured in the separate TA ML. Can NRW (A) confirm whether it is content with the Applicant's proposed approach to securing the relevant mitigation for the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC?</i></p> <p>34. Despite diadromous fish features being named within the detail of item 3.1.1, table 3.1, we advise that there are no designated fish features of Menai Strait and Conwy Bay Special Area of Conservation (SAC), and therefore this issue with regard to Management Plans is not applicable to diadromous fish.</p> | |
| REP5-099.31 | <p><i>2.6.6: Q. Further to the Applicant's Deadline 4 submissions, can NRW (A) and JNCC advise whether it considers there to be a LSE to any qualifying feature(s) of any European site(s) in addition to those captured in Table 1.125 of the revised HRA Screening Report [REP2-012] and the lesser-black backed gull from Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro SPA? (Please refer to IDs 2.4.4 and 2.6.1 of this RIES where relevant).</i></p> <p>35. NRW(A) consider Table 1.125 to be complete in regard to fish receptors.</p> | |

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| REP5-099.32 | <p>4.1.7 Q. Based on submissions to date it may not be possible for the competent authority to exclude AEoI on all European sites beyond reasonable scientific doubt. As such, and in line with the relevant NPS EN-1 (paragraph 5.4.27), should the Applicant be unable to reach agreement with NRW (A) and JNCC that there would be no AEoI on all European sites from the project alone or in-combination with other plans or projects by Deadline 5, the ExA considers that a derogations case is required. This is to enable the ExA to examine the information during the Examination and make a recommendation to the Secretary of State, and so that the Secretary of State has all information available to them at the point of decision.</p> <p>a) The Applicant, NRW (A) and JNCC are requested to confirm at Deadline 5 whether an AEoI on all European sites from the project alone or in-combination with other plans or projects can be excluded.</p> <p>36. NRW(A) are content that an AEoSI can be excluded for Welsh sites from the project either alone or in-combination with other plans or projects in regard to fish receptors.</p> | |
| REP5-099.33 | <p>1.5 Benthic Subtidal and Intertidal Ecology</p> <p>1.5.1 General comments</p> <p>38. We advise that the key HRA issues relating to benthic ecology are covered as comprehensively as possible in the RIES when considered alongside the supporting application documents and advice.</p> | <p>The Applicant notes the response from Natural Resources Wales (Advisory) (NRW (A)).</p> |
| REP5-099.34 | <p>1.5.2 Responses to specific questions</p> <p>2.6.3 Q. Are JNCC/NRW content that a LSE can be excluded for the European sites listed in Table 2.2 of the RIES?</p> <p>39. We agree that LSE can be excluded for the relevant Welsh sites – provided the mitigation and management plans are implemented as agreed with the Applicant, we do not consider that there is potential for LSE on the benthic features of the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC.</p> | <p>The Applicant welcomes the response from NRW (A).</p> |

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| REP5-099.35 | <p>2.6.6: Q. Further to the Applicant's Deadline 4 submissions, can NRW (A) and JNCC advise whether it considers there to be a LSE to any qualifying feature(s) of any European site(s) in addition to those captured in Table 1.125 of the revised HRA Screening Report [REP2-012] and the lesser-black backed gull from Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro SPA? (Please refer to IDs 2.4.4 and 2.6.1 of this RIES where relevant).</p> <p>40. NRW (A) confirms that there are no additional LSE to any qualifying features(s) of any European site(s) that are not already captured in Table 1.125 of the revised HRA Screening Report [REP2-012], with regard to benthic ecology.</p> | The Applicant welcomes the response from NRW (A). |
| REP5-099.36. | <p>Table 3.1: item 3.1.1: Q. The ExA notes that these measures are intended to be secured in the separate TA ML. Can NRW (A) confirm whether it is content with the Applicant's proposed approach to securing the relevant mitigation for the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC?</p> <p>41. NRW (A) confirms that we are content with the Applicant's proposed approach to securing the relevant mitigation for the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC and consider this matter to be resolved from a benthic ecology perspective.</p> | The Applicant welcomes the response from NRW (A) and confirmation that this matter is resolved from a benthic ecology perspective. |
| REP5-099.37 | <p>4.1.7 Q. Based on submissions to date it may not be possible for the competent authority to exclude AEoI on all European sites beyond reasonable scientific doubt. As such, and in line with the relevant NPS EN-1 (paragraph 5.4.27), should the Applicant be unable to reach agreement with NRW (A) and JNCC that there would be no AEoI on all European sites from the project alone or in-combination with other plans or projects by Deadline 5, the ExA considers that a derogations case is required. This is to enable the ExA to examine the information during the Examination and make a recommendation to the Secretary of State, and so that the Secretary of State has all information available to them at the point of decision.</p> <p>a) The Applicant, NRW (A) and JNCC are requested to confirm at Deadline 5 whether an AEoI on all European sites from the project alone or in-combination with other plans or projects can be excluded.</p> <p>42. Subject to the proposed mitigation measures (as previously agreed) being developed in consultation with NRW (A), captured and secured appropriately as part of the conditions of the DCO and the standalone Marine Licence, and correctly adhered to, then we can confirm that AEoSI on all European sites, under NRW (A)'s remit, from the project alone or in combination with other plans or projects can be excluded with respect to benthic ecology.</p> | The Applicant welcomes NRW (A) response confirming that an AEoI of all European sites, under NRW (A)'s remit, from the Mona Offshore Wind Project alone or in combination with other plans or projects can be excluded with respect to benthic ecology. This agreement is reflected in the updated SoCG between the Mona Offshore Wind Project and NRW (A) – Offshore (S_D1_12 F02) submitted at Deadline 6. |

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| REP5-099.38 | <p>1.6 Marine Water and Sediment Quality (MW&SQ)</p> <p><i>2.6.3 Q. Are JNCC/NRW content that a LSE can be excluded for the European sites listed in Table 2.2 of the RIES?</i></p> <p>43. NRW (A) confirms that LSE can be excluded for the European sites listed in Table 2.2 of the RIES for consideration of the pathways: changes in water quality; release of sediment bound contaminants; accidental pollution; and increases in Suspended Sediment Concentration (SSC) and associated deposition.</p> | <p>The Applicant welcomes the response from NRW (A).</p> |
| REP5-099.39 | <p><i>Table 3.1, item 3.1.1 Q. The ExA notes that these measures are intended to be secured in the separate TA ML. Can NRW (A) confirm whether it is content with the Applicant's proposed approach to securing the relevant mitigation for the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC?</i></p> <p>44. NRW (A) confirms that the proposed approach by the Applicant to securing relevant mitigation for the Menai Strait and Conwy Bay/Y Fenai a Bae Conwy SAC is appropriate, for matters relating to water and sediment quality changes for the impact pathways of increased SSC and related deposition, release of sediment bound contaminants and accidental pollution.</p> | |
| REP5-099.40 | <p><i>4.1.7 Q. Based on submissions to date it may not be possible for the competent authority to exclude AEol on all European sites beyond reasonable scientific doubt. As such, and in line with the relevant NPS EN-1 (paragraph 5.4.27), should the Applicant be unable to reach agreement with NRW (A) and JNCC that there would be no AEol on all European sites from the project alone or in-combination with other plans or projects by Deadline 5, the ExA considers that a derogations case is required. This is to enable the ExA to examine the information during the Examination and make a recommendation to the Secretary of State, and so that the Secretary of State has all information available to them at the point of decision.</i></p> <p><i>a) The Applicant, NRW (A) and JNCC are requested to confirm at Deadline 5 whether an AEol on all European sites from the project alone or in combination with other plans or projects can be excluded.</i></p> <p>45. Subject to the proposed mitigation measures (as previously agreed) being developed in consultation with NRW (A), captured and secured appropriately as part of the conditions of the DCO and the standalone Marine Licence, and correctly adhered to, then we can confirm that AEoSI on all European sites under NRW (A)'s remit, from the project alone or in combination with other plans or projects can be excluded with respect to marine and water sediment quality.</p> | |

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| REP5-099.41 | <p>2 Marine Licensing</p> <p><i>Table 3.2, item 3.2.1 Q. Can the Applicant explain why the dDCO was not amended to secure the approval of a Marine Mammal Mitigation Protocol (MMMP) for geophysical activities?</i></p> <p>46. Although not directed at NRW MLT we refer the ExA to our response to Q1.7.5 provided in REP3-93 which detailed that Marine and Coastal Access Act 2009 Part 4 section 66 sets out Marine Licensable activities. These include deposit or removal of material or substance using a vehicle or vessel, or construction, alteration and improvement works. Geophysical activities do not normally fall within the definition of Marine Licensable activities and therefore would appear to be more appropriately controlled under other/ separate regulatory regimes.</p> | <p>The Applicant notes and welcomes NRW's response.</p> |