



Awel y Môr Offshore Wind Farm

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1 Summary of consultation relating to onshore biodiversity and nature conservation

- 1 The purpose of this annex is to provide comprehensive summary of the consultation that has been undertaken in relation to onshore biodiversity and nature conservation. Table 1 sets out in detail the date and type of consultation, key issues, and where these have been addressed in the Environmental Statement (ES), including cross references to relevant sections of the Onshore Biodiversity and Nature Conservation ES Chapter (Volume 3, Chapter 5, application ref: 6.5.3).

Table 1: Consultation Summary

DATE AND CONSULTATION PHASE/ TYPE	CONSULTATION AND KEY ISSUES RAISED	SECTION OF THE ONSHORE BIODIVERSITY ES CHAPTER WHERE COMMENTS ADDRESSED
Planning Inspectorate (PINS) Scoping Opinion July 2020	If Horizontal Directional Drilling (HDD) is employed there could be effects on migrating and/ or spawning fish; the ES should therefore include an assessment of this matter where significant effects are likely to occur.	Important ecological features, including fish, are identified in Section 5.7. Embedded mitigation measures are set out in Section 5.9. Construction effects on fish are assessed in Section 5.10. Noise related impacts to migratory and/or spawning fish from HDD are not anticipated to be significant and have been scoped out.
PINS Scoping Opinion July 2020	Impacts to designated sites over 200 m distant should be considered where significant effects may occur.	Designated sites scoped into the assessment are detailed in see Table 4 of the onshore ecology chapter. Sites scoped out of the assessment, and justification for scoping them out, are detailed in see Table 5 of the onshore ecology chapter
PINS Scoping Opinion July 2020	Cable checks and maintenance during operation should be included in the assessment where significant effects may occur.	Effects upon important ecological features during operation are assessed in Section 5.11.

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PINS Scoping Opinion July 2020	Effects on ecological features in England and Scotland can be scoped out	The scoping report initially proposed to scope in transboundary effects on the little tern <i>Sternula albifrons</i> feature of the Liverpool Bay and Dee Estuary SPAs, which can also use sites in Ireland. However, following confirmation of the landfall and onshore Export Cable Corridor (ECC) locations effects on these sites have since been scoped out (see Table 5 of the onshore ecology chapter) and all transboundary effects have therefore also been scoped out.
PINS Scoping Opinion July 2020	Ecological effects on Water Framework Directive (WFD) waterbodies should be assessed and reported in the ES or separate WFD assessment.	Effects on WFD waterbodies are reported in a separate WFD assessment (Volume 4, Annex 3.1: WFD Assessment (application ref 6.4.3.1)).
PINS Scoping Opinion July 2020	The onshore hydrology, hydrogeology and flood risk assessment should include further detail on designated sites with hydraulic connectivity to the study area	See Volume 3, Chapter 7: Hydrology, Hydrogeology and Flood Risk (application ref 6.3.7).

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PINS Scoping Opinion July 2020	Construction traffic impacts in terms of dust and vehicle emissions on human health and ecological designations should be undertaken.	See Volume 3, Chapter 11 (application ref: 6.3.11) for an assessment of air quality impacts to statutory designated sites and Ancient Semi-Natural Woodland (ASNW)/ Planted Ancient Woodland Sites (PAWS). Assessment of potential impacts to Local Wildlife Sites (LWS) were not proposed and have not been undertaken.
PINS Scoping Opinion July 2020	Operational traffic effects can be scoped out of the assessment.	Some consideration of operational traffic effects has been provided within the air quality assessment, with reference to likely vehicle movements as this had been requested by NRW and the consideration of impacts upon ecological receptors has been requested. See Volume 3, Chapter 11: Air Quality (application ref: 6.3.11).
PINS Scoping Opinion July 2020	The assessment should assess the impacts from emissions generated by construction and operational traffic on nutrient	See Volume 3, Chapter 11: Air Quality (application ref: 6.3.11) for an assessment of air quality impacts to statutory designated sites and ASNW/PAWS.

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	nitrogen deposition at ecological receptors.	
PINS Scoping Opinion July 2020	The ES should provide a justification for the extent of the area covered by the Preliminary Ecological Appraisal (PEA) and explain how it relates to the area likely to be affected by the Proposed Development.	Section 5.4.1 provides details of the study areas defined and agreed with key stakeholders. The study area for the PEA is defined in more detail in Volume 5, Annex 5.1 (application ref 6.5.5.1).
PINS Scoping Opinion July 2020	It is not clear if the surveys along the Onshore ECC would be carried out as part of the ES or would be proposed as future surveys that would be carried out as part of planned maintenance work. If the use of surveys is proposed as a form of mitigation intended to avoid significant effects on protected/notable species then this should be made clear in the ES.	All surveys proposed in the EIA scoping report have been carried out as part of the EIA. These are described in Section 5.4.2

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NRW Scoping Opinion July 2020	Construction dust impacts on ecological sites should be included.	See Volume 3, Chapter 11: Air Quality (application ref: 6.3.11), Section 11.10.1 for assessment of air quality impacts to statutory designated sites and ASNW/PAWS.
NRW Scoping Opinion July 2020	Screening of construction road traffic trips should be done in-combination with other committed developments, and not alone - as per the Wealden Judgement	See Volume 3, Chapter 11: Air Quality (application ref: 6.3.11), Sections 11.10.2 and 11.13 for assessment of air quality impacts.
NRW Scoping Opinion July 2020	The Afon Elwy is a sensitive WFD receptor and sediment pollution from the OnSS construction could have an adverse effect on the catchment, as well as affecting migratory fish such as sea trout and salmon. Depending on the area chosen for the OnSS, mitigation measures may be required to protect the water quality. There is also little mention of aquatic macrophytes and phytobenthos	Effects on WFD waterbodies are reported in a separate WFD assessment (Volume 4, Annex 3.1: WFD Assessment (application ref: 6.4.3.1)).

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	(diatoms); these are WFD classification elements and it is currently unclear how they will be considered within the project's environmental assessment.	
NRW Scoping Opinion July 2020	In principle at this early stage: All potential impact resulting from AyM have been identified for onshore ecological features, the methods described are sufficient to inform a robust impact assessment and embedded mitigation measures are a suitable means for managing and mitigating the potential effects.	Noted.
NRW Scoping Opinion July 2020	NRW note that the applicant proposes to scope out impacts to fish at watercourse crossings unless the HDD method is no longer proposed, in which case the impact would be scoped back in. NRW advise that impacts to fish are not scoped	Important ecological features, including fish, are identified in Section 5.7. Embedded mitigation measures are set out in Section 5.9. Construction effects on fish are assessed in Section 5.10. Noise related impacts to migratory and/or spawning fish from HDD are not anticipated to be

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	out at this stage, even with HDD, until the route is known as timings of the HDD work could potentially disturb migration or spawning (noise/vibration) if carried out for a prolonged period during the certain times of year. NRW would expect to see more detailed assessment regarding impacts to fish from watercourse crossings in relation to individual named waterbodies in the WFD compliance assessment.	significant and have been scoped out (refer to Expert Topic Group (ETG) Meeting on 24th November 2021, details below). Further information is presented in Volume 2, Chapter 6 Fish and Shellfish Ecology (application ref: 6.2.6). Effects on WFD waterbodies are reported in a separate WFD assessment (Volume 4, Annex 3.1: WFD Assessment).
NWWT and The Wildlife Trusts (TWT) Scoping Opinion July 2020	Wish for sites that qualify as LWS to be identified (in accordance with relevant local authority criteria) so adequate mitigation can be developed.	LWS scoped into the assessment are detailed in see Table 4 of the onshore ecology chapter. Effects upon LWS scoped into the assessment are assessed in Sections 5.10 – 5.13 With regard to other sites that may qualify as LWS, it was determined during discussion within ETG meetings that there are no current LWS selection

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		criteria for Denbighshire and so this scoping request cannot be met.
RSPB Scoping Opinion July 2020	All potential impacts from AyM have been identified, methods are appropriate to inform robust assessment, embedded mitigation measures are adequate.	Noted.
Evidence Plan onshore ecology ETG: Discussion following Scoping Response September 2020	NRW suggested the project also needs to consider Article 4.4 of the Birds Directive and whether air quality impacts could affect habitat for Annex 1 ⁱ bird species outside designated areas (to be informed by the results of the bird surveys).	Annex 1 bird species recorded during wintering and breeding bird surveys are identified in Section 5.7 and impacts upon these species are assessed in Sections 5.10-5.13. Further details are provided in Volume 5, Annex 5.2: Habitat and Hedgerow Survey Report (application ref: 6.5.5.2) and Annex 5.8: Breeding Bird Survey Report (application ref: 6.5.5.8).
Evidence Plan onshore ecology	NRW suggested it would be helpful to provide a report, as part of the	Section 5.2 identifies the legislation and policy that has informed the assessment of effects with

ⁱ (Annex 1 relates to Annex 1 of the Birds Directive, so far as it applies to the UK and as transposed to The Conservation of Habitats and Species Regulations 2017 (as amended)).

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ETG: Discussion following Scoping Response September 2020	application, on how proposals comply with relevant nature conservation legislation and policy (both national and local). This should clearly differentiate between the EIA perspective (significance) and other legal requirements (e.g. maintenance of Favourable Conservation Status (FCS)).	respect to Onshore Biodiversity and Nature Conservation. A summary of the key provisions within the relevant legislation and policy is provided in see Table 1 of the onshore ecology chapter along with the section within the ES chapter where the key provisions are addressed.
Evidence Plan onshore ecology ETG: Discussion following Scoping Response September 2020	The proposed wintering bird survey areas and methodologies were presented at the September ETG meeting and in a technical note, circulated to the ETG on 30 September 2020. The survey areas and methodologies presented were subsequently agreed with the ETG.	Wintering bird survey methodologies are summarised in Section 5.4 and presented in more detail in Volume 5, Annex 5.2.
NRW advice note provided 24 February 2021 – prepared after	Advises that the EIA considers significance (both alone and in combination) and, where applicable, conservation status. In respect of conservation status, NRW	Conservation status is considered in the determination of significant effects. Further details regarding the assessment methodology are provided in Section 5.5.

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receipt of PEA report (Volume 5, Annex 5.1), prior to ETG meeting referenced below.	advise consideration is given to current conservation status (CCS), and demonstration of no likely detriment to maintenance of FCS during construction, operation and decommissioning phases of the scheme.	
NRW advice note provided 24 February 2021 – prepared after receipt of PEA report (Volume 5, Annex 5.1), prior to ETG meeting referenced below.	Advises modelling in respect of temporary severance of great crested newt <i>Triturus cristatus</i> (GCN) habitats. Advise that GCN compensation will likely be required and advocate an approach consistent with Burbo Bank and Gwynt y Môr projects.	Modelling approaches were discussed with Amphibian and Reptile Conservation (ARC) during a meeting in March 2021. However, it is considered that pre-existing spatial modelling data for North East Wales and review of the current conservation status of the species (Haysom, K. <i>et al</i>, 2018) is sufficient to inform the impact assessment process. Further spatial modelling in respect of GCN habitat use has therefore not been undertaken. Further details in respect of mitigation and compensation measures for GCN can be found at Section 5.9 and the outline Landscape and

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		Ecology Management Plan outline LEMP (application ref: 8.4).
NRW advice note provided 24 February 2021 – prepared after receipt of PEA report (Volume 5, Annex 5.1), prior to ETG meeting referenced below.	Concurs with observations and approach in respect of bats, dormouse <i>Muscardinus avellanarius</i> , otter <i>Lutra lutra</i> , water vole <i>Arvicola amphibius</i> and fish.	Noted.
NRW advice note provided 24 February 2021 – prepared after receipt of PEA report (Volume 5, Annex 5.1), prior to	Agrees that specified statutory sites can be scoped out [Liverpool Bay SPA, Dee Estuary SPA/SAC/Ramsar/SSSI, Llwyn SAC/SSSI, Elwy Valley Woods SAC/Coedwigoedd Elwy a Meirchion SSSI, Traeth Pensarn SSSI and Graig Fawr SSSI].	Noted. Designated sites scoped out of the assessment are listed in see Table 5 of the onshore ecology chapter

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ETG meeting referenced below.		
NRW advice note provided 24 February 2021 – prepared after receipt of PEA report (Volume 5, Annex 5.1), prior to ETG meeting referenced below.	Contends that the GCN population at St Asaph Business Park (SABP) is of national importance.	Noted. This population has been valued as being of national importance (see Table 11 of the onshore ecology chapter).
NRW advice note provided 24 February 2021 – prepared after receipt of PEA report (Volume 5, Annex 5.1), prior to	Requests clarity in how invasive non-native species (INNS) will be considered within the assessment.	Existing records and survey data relating to INNS are summarised in Section 5.7 with further detail provided in Volume 5, Annex 5.3. An Outline INNS Management Plan is provided in Appendix 11 (application ref: 8.13.11) to the Outline CoCP (application ref: 8.13).

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ETG meeting referenced below.		
Evidence Plan onshore ecology ETG: Discussion of PEA report findings (refer to Volume 5, Annex 5.1) and detailed survey scope February 2021	Important Ecological Receptors – consultees were asked if they were comfortable with the identification and assessment of receptors as described in the PEA report: no objections were raised.	Noted.
Evidence Plan onshore ecology ETG: Discussion of PEA report findings (Volume 5, Annex 5.1) and detailed survey scope February 2021	NRW recommended biosecurity issues be considered during survey/construction works. NRW suggested that with respect to potential impacts to fish the key consideration is timing of works to avoid main run and peak times for migratory fish, both smolt heading downriver and	An Outline INNS Management Plan is provided in Appendix 11 (application ref: 8.13.11) to the Outline CoCP (application 8.13). Embedded mitigation measures for fish, are set out in Section 5.9.

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	adults heading upriver, most of which takes place at night.	Noise related impacts to migratory and/or spawning fish from HDD are not anticipated to be significant and have been scoped out (refer to ETG meeting from 24 th November 2021, below).
Additional Scoping with NRW in respect of bat survey of trees June 2021	Email and telephone correspondence with Matthew Ellis in respect of departures from standard survey guidelines.	Bat survey methodologies are summarised in Section 5.4 and presented in more detail in Volume 5, Annex 5.10: Bat Survey Report (application ref: 6.5.5.10).
National Grid Electricity Transmission and Gas PLC Section 42 Response September 2021	Requested that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.	The outline LEMP (application ref: 8.13) proposes enhancement to achieve a structurally diverse, species rich neutral grassland in this area

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Denbighshire County Council Section 42 Response October 2021	The Council were generally satisfied that the appropriate surveys and assessments have been undertaken, however it is essential that developer continues to engage with the Council's Ecology Officer and NRW on the development of necessary mitigation and compensation measures to ensure they are sufficient to offset identified significant and adverse effects. In addition to mitigation and compensation measures, the proposal is also required to demonstrate a net biodiversity gain, and therefore enhancement measures should also be embedded into the development.	This is noted and further engagement with NRW and DCC has taken place (November 2021 ETG meeting)
Denbighshire County Council	As open cut trenches are proposed to lay cables, it is noted that extensive sections of hedgerow and trees are proposed to be removed. The Council has concerns	The scheme design has sought to minimise loss of hedgerows and trees through careful routing and selection of cable installation technology. HDD will be used to install cables beneath areas of

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Section 42 Response October 2021	with the extent of hedgerow that would be removed, and further assessment is needed to demonstrate why trenchless ducts cannot be utilised to lay cables under existing hedgerow and trees in order to minimise the loss of important and biodiverse trees and hedgerow.	woodland and many areas have been offset from hedgerows to reduce impacts. Where temporary hedgerow loss is proposed, compensation will be provided by re-instating native, species-rich hedgerows with trees, and including ditches where these were also present originally. Hedges will be reinstated at their original location and comprise a locally appropriate mixture of at least seven woody species and including heavy standard trees at a 3:1 ratio for any lost (noting that trees will not be planted above the Onshore ECC itself). Further details are provided in the outline LEMP (application ref: 8.4)
Denbighshire County Council Section 42 Response	It is noted that the substation site would result in the direct loss of Great Crested Newt habitat. Any loss of habitat must be fully compensated for and the Council	The proposals for ecology compensation relating to the substation site have been discussed with NRW and found to be acceptable and are presented in the outline LEMP (application ref: 8.4)

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October 2021	would defer to NRW with respect to impact on protected species."	
NRW Section 42 Response October 2021	The proposed approach for GCN is satisfactory. Note that owing to more than three years' data with cumulative counts of over 100, NRW consider the area [at St Asaph Business Park and surroundings] to support a nationally important population of GCN. In NRW's view, modelling could be used to inform the relative importance of ponds from a habitat connectivity perspective. NRW concur with the proposed approaches to bat, otter, water vole and dormouse survey and assessment.	Noted
NRW Section 42 Response	Section 1.3.3, para [of the Preliminary Environmental Information Report (PEIR)]. 15: NRW suggest that horse chestnut, beech and pine are omitted [from the	This is accommodated in the outline LEMP (application ref: 8.13)

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October 2021	planting scheme] and black poplar is included.	
NRW Section 42 Response October 2021	It is suggested that reference to the Favourable Conservation Status (FCS) test is also cited (i.e. demonstrating no likely detriment to the maintenance of the favourable conservation status of the local population of GCN).	Reference to FCS has been included in Sections 5.10 – 5.13
NRW Section 42 Response October 2021	Section 1.4.3, para. 40: NRW note the requirements of a long-term plan that includes [but is not limited to] defined aims and objectives; habitat management prescriptions; contingency measures; site liaison and wardening; licensing requirements; tenure; roles & responsibilities and reporting requirements.	Measures to address potential impacts on protected and notable species during the operational phase are included in the outline LEMP (application ref: 8.4)
The Wildlife Trusts	With good design and planning it should be possible for there to be no significant	An outline Soil Management Plan (SMP), which sets out mitigation measures and best practice

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Section 42 Response October 2021	long-term impacts upon the Clwyd Estuary and Adjacent Fields LWS as a result of the proposed work. Where excavation is required, this would include ensuring subsoils and topsoils are separated during excavation and replaced in the correct order when cables are buried.	handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore works, is provided as Appendix 5 (application ref: 8.13.5) of the outline CoCP (application ref 8.13).
The Wildlife Trusts Section 42 Response October 2021	A proposed cable route would pass near to Bryn Cwnin Wetland (SJ025795). It is important that the effects of any work do not damage or disrupt the hydrology of this sensitive site and appropriate surveys and possibly longer-term monitoring will need to be undertaken to ensure no adverse impacts occur.	Mitigation to minimise potential impacts is described at section 5.9 and in the outline LEMP (application ref 8.4). Further detail in respect of hydrology is contained within Volume 3, Chapter 7: Hydrology, Hydrogeology and Flood Risk (application ref 6.3.7)
The Wildlife Trusts Section 42 Response	The proposed routes might also pass through other sites that may not be LWS but still may be important for wildlife, for	These areas are included in the baseline in section 5.7.3. Mitigation to minimise potential

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October 2021	example, the patches of uncultivated habitat at SJ 03426 80434; Bryn Cwnin Covert SJ 02754 79746; and uncultivated habitat at SJ 03158 79587. Potential damage to these sites must be considered and avoided or minimised as much as possible, as should damage to any hedgerows and trees on the route.	impacts is described in section 5.9 and in the outline LEMP (application ref 8.4).
The Wildlife Trusts Section 42 Response October 2021	Undergrounding of the cable using techniques that do not require tree felling should be adopted wherever required.	HDD will be used to install cables beneath areas of woodland so that the removal of woodlands is not required.
The Wildlife Trusts Section 42 Response October 2021	All ground work needs to be carefully timed to avoid significant disturbance to wildlife."	The final timing of works will be informed by pre-construction surveys and agreed with DCC, in consultation with NRW, through approval of the CoCP (application ref: 8.13) and outline LEMP (application ref 8.4)

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Evidence Plan Onshore Ecology ETG Meeting 24 November 2021 NRW	Summary of consultation feedback from Section 42 provided to attendees. NRW provided clarification in respect of noise and vibration impact to fish migration. Its concern is that HDD could result in hesitation by migratory fish due to physical activity and noise, but conceded that it lacks evidence for this stance. NRW noted that it is important to weigh up practicality of impact reducing measures against likely significant effect.	Refer to the evidence plan report (application ref 8.2) for minutes, and the offshore volume (6.2.6 vol 2, chap 6, FSF). Monitored levels have been sent to NRW, and at the meeting there was sufficient agreement that there is no pathway for a meaningful effect from HDD at 20m depth.
Evidence Plan Onshore Ecology ETG Meeting 24 November 2021 DCC	DCC noted that it held additional ecological information that could be shared in respect of wildflower verges, and at areas adjacent to SABP. DCC may be interested in taking on future management of mitigation/ compensation area at OnSS.	Wildflower verges adjacent to the A525 will be avoided by the use of HDD.

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Evidence Plan Onshore Ecology ETG Meeting 24 November 2021 DCC	Proposed new TCC at Y Ffrith discussed. DCC confirm there are records of badger nearby and that grassland including orchid and common lizard populations are present.	DCC records have been used in the baseline, habitats and species at the TCC at Y Ffrith are covered in section 5.7.3 and 5.7.4.
NRW/SLR/GOBE discussion on ecology mitigation 26 November 2021 NRW advice provided via email dated 25 November 2021 prior to meeting.	NRW considers the Current Conservation Status of the local GCN population at St. Asaph to be 'unfavourable'.	Noted.
	NRW consider the extent of the proposed ecology area to be satisfactory in principle.	Noted.
	Areas required for surface water attenuation (i.e. detention/ retention water features) would be expected to be included in the GCN monitoring proposals.	Refer to Section 5.9 for details of embedded mitigation, which makes reference to GCN monitoring. Further details are included in the outline LEMP (application ref 8.4), final detail would be provided in the European Protected Species Licence (EPSL) application post consent.

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	In terms of the [outline LEMP] plan, we advise the approach follows the previous Gwynt y Môr and Burbo Bank Sub-station proposals.	The approach taken provides a greater quantum of land for mitigation, compensation and enhancement than that which was provided for the named schemes (ie a larger area is provided than is to be permanently lost), and also provides additional ponds (five compared with three provided for Gwynt y Môr and Burbo Bank Sub-stations). Further details are included in the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent.
	We advise the submission of details concerning GCN avoidance and mitigation measures including, but not limited to: fence design, specifications and proposed locations; consideration of access issues across fence lines (including Public Rights of Way (PROW) if applicable); fence monitoring and maintenance requirements; and	Refer to Sections 5.9 – 5.13 for details of mitigation, compensation and enhancement measures included for GCN. Further details are included in the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent.

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	supervised removal of barrier fences. The submission should include proposed timescales and reporting requirements.	
	We advise that pond creation is also considered as one of the underpinning mechanisms for evidencing no detriment to maintenance of the FCS of the local population of GCN. This is consistent with restoration under Article 2(2) of the Habitats Directive and the previous substation mitigation schemes (3 ponds were created in respect of both previous substation mitigation schemes).	Noted. Pond creation details are included in the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent. Consideration of FCS is included in section 5.10 of the ES.
	No consideration appears to have been given to incidental capture/killing of amphibians during the operational phase of the scheme. E.g. the installation and maintenance of an amphibian friendly	Detailed engineering design will be concluded post consent: fine details to be conditioned/supplied later on in the planning decision-making process (i.e. post-consent). All

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	surface water management system that does not include gully pots (or other similar features).	such detail would also be included in the EPSL application.
	Previous infrastructure proposals (where impacts on GCN included temporary habitat loss/severance) have included commuted sums to Building Wildlife (see www.buildingwildlife.org.uk), we therefore suggest that this is considered as part of the suite of proposals.	The suggestion for commuted sums to local wildlife organisations in respect of temporary impacts to GCN will be considered as part of the final EPSL application, if it is not possible to adequately address potential impacts within the confines of the DOL.
	(We advise the submission of a long-term site management plan (for the operational phase of the proposal) We advise that post construction monitoring and record dissemination lasts for a period of not less than 25 years. All ponds to be added to the Wales Great Crested Newt Monitoring Scheme, (see https://www.cofnod.org.uk/LinkInfo?ID=7)	Further details are included in the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent.

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	with individuals/bodies identified as being responsible for monitoring and reporting works. The methodology should include annual [or biennial] abundance counts and Habitat Suitability Index (HSI) assessments. Each water body should be individually numbered on site. In terms of tenure we suggest consideration be given to the selection being informed by the definition of 'responsible' bodies under Section 119 (9) of the Environment Act 2021 (Environment Act 2021 (legislation.gov.uk)). We also advise that you consider the submission of a biosecurity risk assessment and external ecological compliance audit.	
	NRW's re-confirmed position is that pond creation is required in order to move towards favourable condition	Creation of ponds is not considered habitat or landscape restoration since there is no evidence of additional ponds having previously occurred

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	conservation status (noting Gwynt y Mor and Burbo Bank Extension both included creation of 3 ponds).	within the OnSS area, compared to those present today. On that basis the proposed pond creation is considered enhancement. For the purpose of this EIA pond creation is therefore considered to be a habitat enhancement that assists toward the restoration of the local GCN population to favourable conservation status (noting it is considered by NRW to be unfavourable at present).
	NRW asked that RWE provide consideration of the conservation status of species alongside consideration of EIA significance.	Reference to FCS has been included in Sections 5.10-5.13
	During discussion, the area to the southeast of the substation site, that is adjacent to the Glascoed nature reserve and to the north of the crematorium, was agreed to be a sensible location for pond creation.	Ponds are proposed in this location, refer to the outline LEMP (application ref: 8.4).

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	Feedback from DCC suggests ponds would be enhancement, NRW would like RWE to provide a more nuanced description of enhancement at the project level but contributing to 'restoration' at a more strategic level.	NRW is referencing "restoration" as defined in Article 2.2 of the Habitats Directive, where it relates to the restoration of a species population to "favourable conservation status". Creation of ponds is not considered habitat or landscape restoration since there is no evidence of additional ponds having previously occurred within the OnSS area, compared to those present today. On that basis the proposed pond creation is considered enhancement. For the purpose of this EIA pond creation is therefore considered to be a habitat enhancement that assists toward the restoration of the local GCN population to favourable conservation status (noting it is considered by NRW to be unfavourable at present).
	It was confirmed that NRW feedback on incidental capture/killing of amphibians during the operational phase of the	Detailed engineering design will be concluded post consent: fine details to be conditioned/supplied later on in the planning

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	scheme has been fed to RWE design team to consider in ongoing design process	decision-making process (i.e. post-consent). All such detail would also be included in the EPSL application.
	NRW has suggested further detail on biosecurity relating to planting be included within the application.	All construction work will be undertaken in accordance with an INNS Management Plan, an outline version of which is included as Appendix 11 to the Outline CoCP (application ref: 8.13.11).
	NRW has asked that data be passed to Cofnod on the mitigation proposals once detailed design has been undertaken.	Noted. Refer to Section 5.9 for details of embedded mitigation, which makes reference to GCN monitoring. Further details are included in the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent.
	In terms of tenure of the ecology area, NRW advocated freehold ownership by a 'responsible' body.	Noted.

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	NRW raised issues regarding the matter of SUDS ponds. These areas do not form part of the ecology area. However, as with Burbo Bank and Gwynt y Mor substations, these water bodies are to be monitored for GCN.	Refer to Section 5.9 for details of embedded mitigation, which makes reference to GCN monitoring. Further details are included in the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent.
NRW email 20th January 2022	Confirmation that NRW “could be satisfied in principle that an EPSL could be granted in relation to bats and GCN (in the absence of draft EPSL MS’s being submitted pre-consent), based upon the compensation and enhancement proposals agreed at the last ETG which we understand have been carried over into the ES and outline LEMP. We would be content for the finer details to be conditioned/supplied later on in the planning decision-making process (i.e. post-consent), as you have proposed.	Noted. Refer to the outline LEMP (application ref 8.4), final detail would be provided in the EPSL application post consent.



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