

Appendix A Habitats Regulation Assessment (HRA)

The HRA for the proposed development, must consider the impact of the whole project on the agreed European designated sites, covering both the construction and operational phases.

A residual impact from construction due to permanent loss of habitat is carried forward into the operational phase. In which case, this residual impact must be considered with all other operational impacts, including aerial emissions in a whole project HRA. Any residual impact from the alone assessment must then be assessed in-combination with all other known plans or projects within an agreed area.

Based on the information submitted to date, we maintain that it is still insufficient for the Competent Authority to undertake a Habitat Regulations Assessment under the Conservation of Habitat and Species Regulations 2010 (as amended).

Marine Habitats

We remain concerned as to the level and quality of the assessments and do not agree with a number of their conclusions. Please see Appendix B for full marine comments.

We do not consider the dropdown survey to be of sufficient standard or quality to identify the habitats in and around the area being affected by the development.

- There is no assessment of the quality or sensitivity of the habitats likely to be affected and no indication of their recoverability, therefore the scale of impact cannot be assessed.
- To claim a permanent habitat loss of exactly 7.87m squared, being the exact footprint of the 2 dolphin structures, is misleading.
- No worst-case scenario for the jetty refurbishment has been assessed or the impact of 2 jack-up barges for up to 12 months moving around the jetty to carry out works.

In addition, point 25 states that replacement of bracings is above seabed level, while the diagrams at the back of the shadow HRA (sHRA) clearly shows the bottom bracings to be below seabed level. This was pointed out to the applicant at the hearing.

Temporary moorings for boats carrying construction equipment and materials are new and have not been assessed. With the scale of construction, and the type and volume of equipment and materials likely to be required, we do not consider that these boats can be moored and unloaded without the potential of impacting the surrounding seabed habitats. Impacts that are not considered in the sHRA.

Marine Mammals

As with the marine habitats, we do not agree with the conclusions of the impact assessments on marine mammals.

We maintain previous comments that the assessment and noise modelling presented is incomplete, inaccurate and important SAC features have not been assessed, such as the harbour porpoise, a feature of the West Wales Marine Candidate Special Area of Conservation (cSAC). In this respect, we do not consider it can be concluded that the development will have no significant effect on the marine mammal features.

Air Quality

We have continuously advised Egnedol to twin track their DNS application alongside an EPR Permit application (required for operation) as this would assist the determination of both permissions. Specifically, the information contained within a permit application would be used to inform the HRA. Unfortunately, as the applicant has chosen not to twin track, the assessment of detailed air modelling and its likely impact has not been assessed as this would prejudice the outcome of any permit decision and it is still not fully known what feedstock is to be utilised.

Bats and Otters

We are satisfied that a number of outstanding issues have been addressed and some of our concerns can be overcome by the use of appropriately worded conditions attached to any permission granted.

Conclusion

Some progress has been made with bats and otters, however, due to the lack of information, discrepancies and underassessment of the potential impacts within the marine environment and no robust aerial emission data, the sHRA (including additional information and addendums) is incomplete and does not prove beyond reasonable scientific doubt, that the proposed development will not have a likely significant effect on some of the features of the Pembrokeshire European SACs.