

The Planning Inspectorate,  
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Ffôn/Phone:  
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26 October 2018

Dear Planning Inspectorate,

**Marine Licence Application CML1832 - Wylfa Newydd Power Station**

Horizon Nuclear Power Wylfa Limited has applied to Natural Resources Wales (NRW) for a Marine Licence under the Marine and Coastal Access Act 2009 for construction and dredging activities associated with the Wylfa Newydd Power Station project. In accordance with the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) and subsequently the Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017, NRW can only grant a Marine Licence for an EIA relevant project if we determine that the development has satisfied the requirements of the EIA Directive.

The Wylfa Newydd Power Station project also requires a Development Consent Order from the Secretary of State under the Planning Act 2008. In accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 the Secretary of State must not make an Order granting development consent for EIA development unless an EIA has been carried out in respect of that application.

Under Reg 10(1)(b) of the Marine Works Regulations, NRW may determine that an EIA is not required, for the purposes of determining the Marine Licence application, if we are satisfied that an assessment of any effects on the environment of the project in question has already been, is being or is to be carried out by another consenting authority and the assessment is or will be sufficient to meet the requirements of the EIA Directive in relation to that project.

Based upon the information received to date, NRW has determined, in accordance of Reg 10(1)(b) of the Marine Works Regulations that an EIA is not required in relation to the marine licence application, on the basis that an assessment of any effects on the

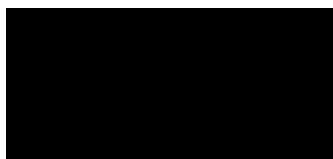
environment of the project in question is being / is to be carried out by the Secretary of State as part of the determination process for a Development Consent Order under the Planning Act and that this is or will be sufficient to meet the requirements of the EIA Directive. Accordingly, this letter comprises formal notification that NRW intends to rely upon the Exception.

Under Regulations 10 (1)(b) and 10 (4)(a) of the Marine Works Regulations (as amended) NRW cannot determine the marine licence application until we are satisfied that to do so would be sufficient to meet the requirements of the EIA Directive and be compatible with the measures identified by the Secretary of State to ensure compliance with the EIA Directive.

Therefore, in these circumstances, a marine licence for this project can only be legally granted after the completion of the consideration of the EIA and associated decision made by the Secretary of State.

NRW withhold the right to withdraw the intention to rely upon the Exception, should we determine, for whatever reason, that we are no longer satisfied that the Exception can be relied upon (for example, as a result of changes to the application itself, or due to the submission of further evidence). You will be notified of this as soon as reasonably practicable. In the event that this occurs the application will be subject to further EIA assessment under the Marine Works Regulations 2007 (as amended).

Yours sincerely



**John Wheadon**  
**Rheolwr Gwasanaethau Trwyddedu, Cyfoeth Naturiol Cymru**  
**Permitting Services Manager, Natural Resources Wales**