

Response to Examining Authority's - Requests for further information (issued 3rd April 2019)
Wylfa Newydd DCO – EN010007
North Wales Wildlife Trust – interested party 20011639

This response is provided solely by North Wales Wildlife Trust (NWWT), as an Interested Party to the DCO Examination. NWWT were not specifically identified as a respondent in the ExA's request for further information. However, NWWT did provide verbal comments at the DCO Hearing (Wednesday 6 March 2019) and submitted a response at Deadline 7 [REP7-015], which deals with the matters requested in R17.2.20.

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R17.2.20	<p>Schedule 3 – Requirements In response to discussions, a number of changes have been made to the requirements in the dDCO at Deadline 8. [REP8-010 - Summary table of amendments to the DCO]</p> <p>(d) Are parties' content with the drafting as set out at Deadline 8?</p> <p>(e) If not, provide an explanation of why not.</p> <p>(f) If appropriate, provide an alternative form of words for consideration, or signpost where previous drafting has been provided.</p>
	<p>WN8 Construction Landscape scheme</p> <p>(d) NWWT are not content with the drafting of the Requirement WN8 and the new sub-clause WN8[A], although we welcome the separation between construction and operational landscape phases of the proposal.</p> <p>(e) As a result of the proposed open ended and unspecified Requirement it is NWWT's view that there is not sufficient control for IACC to achieve the timely delivery of a construction landscape scheme, nor that would be of a suitably high standard and in keeping with the local landscape and other requirements of the Wylfa Newydd scheme, such as visual screening or ecological mitigation. The following standard landscape condition elements do not appear to be included in the requirement: -</p> <p>(e)i. <u>Timing & Phasing</u> WN8 does not include any timescales for when the construction landscape design and specification should be submitted for approval. It does not appear to require the submission or agreement of an implementation timetable.</p> <p>(e)ii. <u>Design & Specification</u> WN8 does not require any submission of details of construction landscaping for approval by IACC, such as design layout, species specification, numbers, provenance (local) and location etc.</p> <p>(e)iii. <u>Establishment & Failures</u> WN8 does not include a clause to require replacement/remediation of failed planting/seeding. Given how long the construction is this is a necessary element of the Requirement, as is exemplified by its inclusion in the Site Campus' landscape establishment clause (see WN23).</p> <p>(f)i. A new first sub-clause to WN8(1) should be framed to control the submission of details through the construction phase. It is suggested that '12 months prior to commencement of construction IACC should be supplied with and agree a</p>

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	<p>'construction landscape plan' which identifies the parcels and areas of landscape that will be created during the Construction phase. The construction landscape plan should be accompanied by a phasing timetable which identifies how long prior to each parcel's creation the design and specification details would be submitted to IACC for approval'.</p> <p>(f)i. Implementation of each identified parcel of the construction landscape should be specified to be in the first growing season following the creation of that particular landscape parcel.</p> <p>(f)ii. The wording from WN9(2) a – i should be used and replicated within a clause to WN8, with minor adjustment to indicate that it is construction landscape.</p> <p>(f)iii. The wording of WN23(4) and WN23(5) should be transposed into new clauses for WN8 to ensure appropriate construction landscape establishment for the entirety of the construction period. Alternatively, WN9(5) and WN9(6) utilise the standard 5 year landscape establishment condition period.</p> <p>WN8[A] Construction landscape and habitat management schemes.</p> <p>(d) NWWT do not agree with the framing of the new sub-clause WN8[A], although we welcome the separation between construction and operational landscape phases of the proposal.</p> <p>(e) In NWWT's view WN8[A](1) Does not provide the necessary control for IACC or ensure timely delivery and implementation of management schemes.</p> <p>As identified in NWWT's [REP7-015], for ISH Wednesday 6 March, a number of existing habitats of biodiversity value will be retained (and protected) during construction. There is a need to ensure that these habitats have effective and consistent management prior to and during construction. Some of the retained habitats need to be in optimum ecological condition in order to contribute to mitigation (eg Arfordir Mynydd y Wylfa Wildlife Site for chough and reptile, Dame Sylvia Crowe's Mound for red squirrel and adder etc), as habitats currently available and used will be lost/damaged during construction. Therefore, there will be a smaller area of habitat available for use. For other areas there is a statutory obligation on the owner to manage the site (eg Tre'r Goff SSSI). It is NWWT's opinion, that these sites should be managed on a continuous basis from Site Preparation and Clearance (work no 12). If the ExA does not consider this to be feasible, then management schemes must be agreed and implemented from the commencement of construction to ensure effective delivery of committed elements of mitigation and/or to maintain carrying capacity.</p> <p>(f) WN8[A](1) should be adjusted to provide a clear time trigger for submission. This should state '12 months prior to commencement of construction, landscape and habitat management schemes will be submitted to IACC (in consultation with NRW) for the management of (d) Tre'r Gof SSSI, (f) that part of Arfordir Mynydd y Wylfa within Order Limits, (g) woodland designed by Dame Sylvia Crowe, and (h) retained ancient woodland'. This trigger timing would be consistent with that used for management of the Notable Wildlife Enhancement Area (WN12) and Reptile Receptor Site (WN13).</p> <p>For the remainder of the newly created construction landscape parcels (eg (a – c), (e) and (i)) IACC would be able to suggest a suitable trigger for example,</p>

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	<p>'within 12 months of the approval of a construction landscape parcel's detailed scheme as identified under WN8(1) [the suggested new subclause] the management scheme for that parcel will be submitted for approval to IACC'. This should allow sufficient time to agree the scheme during the landscape establishment period.</p>
	<p>WN19 Site Campus detailed design approval - WN19(1)</p> <p>WN19(1) the list of features for which approval will be sought should also include detailed drainage and lighting schemes. See NWWT [REP7-015] for reasoned justification.</p>
	<p>WN23 Site Decommissioning Scheme clause - WN23(2)(b)</p> <p>(d) NWWT do not agree with the framing of the restoration clause (WN23(2)(b)).</p> <p>(e) The clause is badly worded and consequently does not make sense.</p> <p>The inclusion of "<i>aim to enhance biodiversity</i>" does not identify the current value of the site or the role that the site has in mitigation for loss of chough foraging habitat, drainage patterns to Tre'r Gof SSSI or loss/damage of existing species rich semi-improved grassland habitats and/or unimproved coastal grassland habitats (NWWT [REP2-349] and [REP5-075] along with Horizon DCO submissions [APP-181], [REP3-046], [APP-174] and [APP-175] for species/habitats and [APP-127 and [APP-158] for hydrology). This is not taking into account the fungi resource in the existing soil structure which is irreplaceable.</p> <p>(f) As suggested in NWWT [REP7-015] the most appropriate wording for the restoration objectives for this part of the WNDA is 'restoration for the purposes of amenity (biodiversity), in line with the principles of Chapter 4 of the LHMS'. The clause could be clarified further to include '....and the management scheme to be submitted under WN8[A] and WN11 will be in accordance with the principles of Chapter 7 of the LHMS and will not exclude the use of appropriate agricultural management techniques'.</p>