

# **Proposed Natura 2000 designation**

## **Impact Assessment Document - draft for consultation**

### **Proposed site: Liverpool Bay / Bae Lerpwl potential Special Protected Area (pSPA)**

**November 2016**

**Mae'r ddogfen hon yn gofnod o'r Aseiad Effaith a gynhaliwyd ar gyfer y Ardal Gwarchodaeth Arbennig (AGA) arfaethedig Liverpool Bay / Bae Lerpwl.**

**Drafft a baratowyd gan Gyfoeth Naturiol Cymru.**

This document is a record of the Impact Assessment undertaken for the Liverpool Bay / Bae Lerpwl proposed potential Special Protection Area (pSPA).

Draft prepared by Natural Resources Wales.

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## Summary of Impact Assessment

<b>Document summary</b>	
Name of proposed designation	Liverpool Bay / Bae Lerpwl
Designation type	Special Protection Area
Details	This is a change to an existing site
Document version number	1
Date	09/11/2016
<b>Natural Resources Wales declaration</b>	
The information in Sections 3 and 4 of this document is an accurate description of Natural Resources Wales' understanding of the likely social and economic impacts of this proposal.	
Signed	
Name	
Position	
<b>Approval by Welsh Government</b>	
I have read the Impact Assessment and I am satisfied that given the available evidence it represents a reasonable view of the likely costs, benefits and impact of the proposal.	
Signed:	
Name:	
Position:	
Date:	
<b>Summary</b>	
<p>The proposal does not require any significant change in management of activities, and is unlikely to result in any significant additional regulatory burden on industry or regulatory authorities under the requirements for assessments of plans and projects. The proposal is a change to an existing SPA (Liverpool Bay / Bae Lerpwl) which is subject to protection in accordance with the Habitats and Birds Directives and transposing legislation, to include a larger area and new features. Habitats Regulations Assessments (HRAs) are already required of any plan or project with the potential to affect the features of the extant SPA, regardless of where those plans/projects are located. The additional qualifying features (Little Gull, Little Tern and Common Tern) to Liverpool Bay / Bae Lerpwl are already features of nearby SPAs and should already be considered in HRAs for development in the area. The waterbird assemblage is already a feature of the site however two new named component features (Cormorant and red breasted merganser) have been added. Cormorant is a feature of a nearby SPA but red breasted merganser is not and would require consideration (as part of the assemblage) in any new plans and projects.</p> <p>Additional significant regulation of ongoing activities which may not be subject to HRA, such as commercial shipping, recreation and some sea fisheries activities, are not considered likely as a result of the proposed changes.</p>	

## Section 1 Impact Assessment: purpose and process

### 1.1. Purpose

An Impact Assessment (IA) is a process to help policy-makers understand the consequences of possible and actual government interventions in the public, private and third sectors. While an IA cannot inform or affect the decision to designate a Natura 2000 site<sup>1</sup> it will:

- ensure Government/Ministers are aware of the costs, benefits and impacts of a decision to designate an area; and
- inform how the site may need to be managed should it be designated.

### 1.2. Process

The level of analysis required for an impact assessment should be proportionate to the likely impact of the intervention<sup>2</sup>. When assessing potential impacts of Natura 2000 proposals (Special Areas of Conservation, SAC and Special Protected Areas, SPA) there are 2 possible options: (1) do nothing; or (2) classify the SPA or propose the SAC to European Commission.

The levels of analysis which can be carried out are:

- Level 1**      **Description of who and what will be affected** by the proposal compared to the existing situation. The main groups that could be affected will include business, public sector and consumers.
- Level 2**      Full **description of the impacts** (i.e. positive or negative impacts on any group) and order of magnitude (e.g. low, medium, high).
- Level 3**      **Quantify the effect** (e.g. number of applications per year, number of management measures per year) where possible. Where quantitative analysis is not possible, qualitative analysis should be carried out
- Level 4**      **Monetise fully** all costs and benefits.

Analysis at levels 1 and 2 is a minimum requirement for Natura 2000 proposals and must be undertaken in all cases. Where impacts are identified, consideration should be given to whether further analysis is required (including further information gathering) under Levels 3 and 4, and a recommendation made to the Welsh Government.

This process has guided the IA for the changes to the Liverpool Bay / Bae Lerpwl proposed Special Protection Area (SPA) and this IA forms part of the package of information to be consulted on alongside the scientific basis for the proposed changes. The IA and the level of analysis will be reviewed and where necessary adjusted to reflect information received through the consultation process.

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<sup>1</sup> Social and economic factors cannot be invoked as reasons for classifying/proposing (or not) a site or extending designations; only nature conservation science criteria are allowed. As such an impact assessment can have no bearing on whether a site is designated or not.

<sup>2</sup> Developed in line with UK Government Better Regulation Framework (March 2015).

## Section 2 Description of the proposed designation

### 2.1. Background

The proposal is described fully in Natural Resources Wales' (NRW) advice<sup>3</sup> to the Welsh Government to change and reclassify Liverpool Bay / Bae Lerpwl SPA under the EU Birds Directive (2009/147/EC)<sup>4</sup>.

This is a cross border site with England however this impact assessment looks at the impact of the proposal as it relates to Wales, to the best of our current knowledge.

The proposal is to extend the existing Liverpool Bay / Bae Lerpwl SPA and to add new qualifying features (Table 1).

**Table 1.** Summary of qualifying ornithological interest in Liverpool Bay / Bae Lerpwl pSPA.

Species	Existing/ New
<b>Breeding</b>	
Little tern <i>Sternula albifrons</i>	New feature
Common tern <i>Sterna hirundo</i>	New feature
<b>Non-breeding</b>	
Red-throated diver <i>Gavia stellata</i>	Existing feature
Little gull <i>Hydrocoloeus minutus</i>	New feature
Common scoter <i>Melanitta nigra</i>	Existing feature
Internationally important waterbird assemblage of over 20,000 individuals	Existing feature with two new named components: red-breasted merganser ( <i>Mergus serrator</i> ) and great cormorant ( <i>Phalacrocorax carbo</i> ).

A map showing the proposed extension to the SPA is included in Advice to Government (NE, NRW & JNCC, 2016).

These recommendations are intended to support the delivery of the UK's obligations under Article 4 of the Birds Directive.

### 2.2. Extant Liverpool Bay / Bae Lerpwl SPA

The existing Liverpool Bay/Bae Lerpwl SPA was designated in 2010 for its regular use by more than 1% of the biogeographical population of wintering common scoter and more than 1% of the GB population of wintering Red-throated diver as listed in Annex 1 of the EU Birds Directive (2009/147/EC) and its assemblage of over 20,000 waterbirds.

The purpose of the SPA is to enable the application of special conservation measures concerning the habitats of Annex 1 species and/or regularly occurring migratory species (other

<sup>3</sup> NE, NRW & JNCC (2016). Liverpool Bay / Bae Lerpwl potential Special Protection Area (pSPA). Proposal for extension to existing site and adding new features. Advice to the Welsh Government and UK Government. April 2016.

<sup>4</sup> Formerly 79/409/EEC

than those listed in Annex 1) in order to ensure their survival and reproduction in their area of distribution.

### **2.3. Proposed Changes to Liverpool Bay / Bae Lerpwl SPA**

The total area of the extant Liverpool Bay / Bae Lerpwl pSPA is approximately 1703km<sup>2</sup>. The proposed extension is approximately 825km<sup>2</sup>, an increase of 48.4% from the existing SPA area. The extension in Welsh territorial waters is approximately 34km<sup>2</sup> (4% of the total extension). The proposed feature changes are those outlined in Table 1.

The proposed extension in Welsh waters includes an area to the north and west of the existing Dee Estuary SPA, identified to support non-breeding little gulls. It also includes a small area of the shore at Gronant, which is a marine foraging area for little terns breeding within The Dee Estuary SPA. The extension also covers a foraging area for common terns breeding within Mersey Narrows & North Wirral Foreshore SPA.

The new features proposed are non-breeding little gull and breeding common tern and little tern. Non-breeding red-breasted merganser and great cormorant are new named components of the waterbird assemblage. For more information please see NRW's advice to Government (NE, NRW and JNCC, 2016).

## **Section 3 Analysis**

This analysis is based on Natural Resources Wales' view of the current knowledge on the potential social and economic costs and benefits of the proposed changes. Potential impacts have been assessed over a 20 year period (2016 – 2036) based on current knowledge.

### **3.1 Description of activities that could be affected by the proposed designation or change in designation and the level of impact compared to the baseline of no change**

#### **Level 1 and 2**

Natural Resources Wales (NRW) has reviewed, in comparison with the existing situation, current knowledge of the effect of the proposed changes to the SPA for the following activities: aggregates; commercial fisheries; offshore renewables; oil and gas; ports and harbours; shipping and navigation; coastal development and recreational activities. Other sectors could possibly incur minor costs associated with individual projects but NRW considers that any costs to other sectors are unlikely to be significant.

Table 2 summarises the Level 1 and 2 analysis for these activities, and the potential for management requirements and impacts as compared against the baseline. Public sector and social costs and benefits are described in Section 3.2.

NRW does not foresee any significant change to the current management regime for activities which fall under the definition of plans or projects under the Habitats Regulations as a result of the proposed changes to the existing Liverpool Bay/Bae Lerpwl SPA. The proposed additional qualifying features of Liverpool Bay/Bae Lerpwl pSPA are already qualifying features of nearby SPAs. Of the two proposed new named component species of the waterbird assemblage (cormorant and red breasted merganser), cormorant is a feature of a nearby SPA

(Puffin Island SPA and a SSSI feature at Little Orme) but red breasted merganser is not and would require consideration in any new plans and projects.

Any new plans or projects within the vicinity of the existing SPA will already require Habitats Regulations Assessment (HRA), taking into consideration all of the new qualifying bird features for which the extension is being proposed, although one new named component of the waterbird assemblage would have to be considered by developers and competent authorities when assessing the potential impact of plans or projects on the waterbird assemblage feature of the SPA. Nevertheless, it is considered unlikely that the proposed changes would require any significant management or pose additional significant regulatory burden on the activities considered in Table 2.

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**Table 2 Level 1 and 2 analysis of the potential impacts of the extension of the proposed SPA on activities considered and the potential for additional management requirements compared with existing SPA.**

Analysis	Level 1		Level 2	
Activity	Baseline (extant SPA)	Impact of proposed SPA (extension)	Description of impact	Magnitude of impact
Aggregates	<p>There is currently one site for aggregate dredging and screening – Hilbre Swash area 392/393. The site straddles the current and new proposed boundary.</p> <p>There is also one beach extraction point offshore of West Rhyl.</p> <p>There are marine licence conditions already associated with these activities.</p> <p>New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features.</p>	<p>Any new proposals within the vicinity of the existing SPA would already require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by developers on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p> <p>It is unlikely that the proposed changes would require any additional management that would pose any significant additional regulatory burden for this activity over and above existing requirements.</p>	No impact	Not applicable
Commercial fisheries- mobile and static gears	<p>There is a low level fishing within the site.</p> <p>The main fishing types are potting, fixed netting, scallop dredging, some benthic trawling and shore based hand-gathering and commercial rod and line fishing.</p>	<p>It is unlikely that the proposed changes would result in additional management measures for commercial fishing activities over and above current measures.</p>	No impact	Not applicable



<b>Analysis</b>	<b>Level 1</b>		<b>Level 2</b>	
<b>Activity</b>	<b>Baseline (extant SPA)</b>	<b>Impact of proposed SPA (extension)</b>	<b>Description of impact</b>	<b>Magnitude of impact</b>
	A review of the management of fisheries in Welsh waters (Assessing Welsh fisheries Activities Project) is underway and the current features of this site are subject to that project. Management measures may arise in response to this project irrespective of the proposed changes.	A review of the management of fisheries in Welsh waters (Assessing Welsh fisheries Activities Project) is underway and the proposed new features of this site are subject to that project. Management measures may arise in response to this project.		
Aquaculture	<p>There are some small scale aquaculture operations within the site and adjacent to the current site.</p> <p>New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features.</p>	<p>The addition of new species is unlikely to add a significant extra regulatory burden on aquaculture operations in the area.</p> <p>Any new aquaculture operations would already require a Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by operators on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p>	No impact	Not applicable

<b>Analysis</b>	<b>Level 1</b>		<b>Level 2</b>	
<b>Activity</b>	<b>Baseline (extant SPA)</b>	<b>Impact of proposed SPA (extension)</b>	<b>Description of impact</b>	<b>Magnitude of impact</b>
Renewable Energy: wind (operation)	<p>There are a number of windfarms in operation in the existing site.</p> <p>New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features.</p>	<p>Fully operational windfarms will not be subject to a Review of Consents (RoC) (DECC, 2016<sup>5</sup>).</p> <p>Therefore no additional management will be required.</p> <p>Any new proposals within the vicinity of the existing SPA would already require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by developers on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p>	No impact	Not applicable
Renewable Energy: wind (construction)	Burbo Bank Extension (BBE) is an offshore wind farm on the edge of the SPA which has been consented but not yet constructed. The windfarm extension is wholly within English waters however the main cable comes onshore in Welsh waters and has received a marine licence.	A Review of Consent (RoC) <sup>5</sup> may need to be considered for the cable in Welsh waters if BBE has not completed construction and is not fully operational by the time the proposed changes are in place. This assessment would be carried out by NRW and will use existing evidence already submitted for the existing	Low impact	Low

<sup>5</sup> DECC (2016). Guidance on when new marine Natura 2000 sites should be taken into account in offshore renewable energy consents and licences. Department of Energy and Climate Change May 2016.

<b>Analysis</b>	<b>Level 1</b>		<b>Level 2</b>	
<b>Activity</b>	<b>Baseline (extant SPA)</b>	<b>Impact of proposed SPA (extension)</b>	<b>Description of impact</b>	<b>Magnitude of impact</b>
	New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features.	marine licence. If there is not enough information to assess the new features of the site the developer may be asked to supply more information.		
Renewable Energy: tidal lagoon	<p>There is a proposal for a large tidal lagoon to be constructed off the coast of North East Wales, which is inside the boundary of Liverpool Bay/Bae Lerpwl SPA. The proposal is at a very early stage</p> <p>New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features</p>	<p>Pre-consent surveys to inform project HRA (and EIA) will need to take full account of the new species features and extended area.</p> <p>Any new proposals within the vicinity of the existing SPA would already require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by developers on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p>	No impact	Not applicable
Oil and gas	There are no existing oil and gas licences within the existing site boundary however potential exploration blocks occur offshore of the Welsh coast.	Any new proposals within the vicinity of the existing SPA would already require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird	No impact	Not applicable

<b>Analysis</b>	<b>Level 1</b>		<b>Level 2</b>	
<b>Activity</b>	<b>Baseline (extant SPA)</b>	<b>Impact of proposed SPA (extension)</b>	<b>Description of impact</b>	<b>Magnitude of impact</b>
	<p>New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features</p>	<p>features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by developers on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p> <p>It is unlikely that the extension would require any additional management that would pose any significant additional regulatory burden for this activity over and above existing requirements.</p>		
Coastal development	<p>Coastal development includes a range of activities including flood and erosion risk management – both maintenance and operation. These occur all along the north Wales coast.</p> <p>New proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features</p>	<p>Any new proposals within the vicinity of the existing SPA would already require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by developers on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p>	No impact	Not applicable

<b>Analysis</b>	<b>Level 1</b>		<b>Level 2</b>	
<b>Activity</b>	<b>Baseline (extant SPA)</b>	<b>Impact of proposed SPA (extension)</b>	<b>Description of impact</b>	<b>Magnitude of impact</b>
Ports and harbours	<p>This includes activities associated with port/harbour/marina development and maintenance activities including maintenance dredging and disposal. A number of industries are strongly related to the ports and harbour sector e.g. ship building, oil and gas, commercial fishing, maritime transportation (including ferry services and renewable energy) and leisure moorings.</p> <p>Any new proposals within the vicinity of the existing SPA would require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and in adjacent SPAs that support those features.</p>	<p>It is unlikely that the extension would require any additional management that would pose any significant additional costs for this activity over and above existing requirements.</p> <p>It is assumed that no additional management will be required once the amended and extended site is classified.</p> <p>Any new proposals within the vicinity of the existing SPA would already require Habitats Regulations Assessment (HRA), taking consideration of (potential) impacts of the bird features inside the extant SPA and new qualifying features already part of adjacent sites. Additional information may have to be supplied by developers on the red-breasted merganser one of the two new named components of the waterbird assemblage. This is unlikely to be a significant cost when completing a full HRA for an activity.</p>	No impact	Not applicable
Shipping & navigation	<p>There are recognised navigation routes in the existing site with the activity occurring regularly. The current level of activity is not thought to be an issue for the current site.</p>	<p>It is unlikely that any additional management measures would be required on shipping or navigational activities within the proposed SPA extension over and above existing requirements.</p>	No impact	Not applicable

<b>Analysis</b>	<b>Level 1</b>		<b>Level 2</b>	
<b>Activity</b>	<b>Baseline (extant SPA)</b>	<b>Impact of proposed SPA (extension)</b>	<b>Description of impact</b>	<b>Magnitude of impact</b>
	This includes the installation, maintenance, modification and decommissioning of lighthouses, buoys and other navigation markers.			
Recreational activities	Recreational activities includes boating (medium and large sailing vessels, yachts, powerboats and motorboats), horse riding, dog walking, wildfowling, angling and diving. These activities already occur on the site.	It is unlikely that any additional management measures would be required on recreational activities within the proposed SPA extension over and above existing requirements.	No impact	Not applicable

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## **Level 3 and 4**

### ***Renewable Energy: wind construction***

It is possible that the proposed changes to the SPA would entail a cost to DONG Energy of providing additional information to enable the competent authorities to undertake a one-off assessment to inform whether the existing consented development would have an impact on the site features (a shadow Habitats Regulations Assessment (HRA)). Potential impacts of this have been identified in Table 2 (above) and further analysis of the evidence was undertaken to, where possible, quantify and monetise these impacts (Table 3).

Potential impacts have been calculated as a one off cost.

**Table 3 Level 3 and 4 analysis of potential costs to renewable energy (Burbo Bank Extension offshore wind farm).**

<b>Analysis</b>	<b>Level 3</b>	<b>Level 4</b>
<b>Activity</b>	<b>Quantified/Qualified effect</b>	<b>Monetised costs/benefits</b>
Renewable Energy: Burbo Bank Extension offshore wind farm	<p>A review of consents may be required, which means the one-off cost of this, to both NRW and Dong Energy, will be incurred.</p> <p>Direct financial cost to DONG Energy if any additional information is required for NRW to undertake a one-off assessment to inform whether the cable element of the development would have an impact on the site features (a shadow Habitats Regulations Assessment (HRA)). The intention would be for the assessment to use existing evidence from the marine licence application as much as possible.</p>	<p>£5,000 (cost includes consultants fees).</p> <p>It should be noted that there is some uncertainty over when this will occur, if the windfarm is fully operational by the time the site is designated a RoC will not be required (DECC 2016).</p>

## **3.2 Public sector and social costs and benefits of the proposed designation or change in designation (compared to the baseline of no change)**

### **3.2.1 Public sector costs and benefits**

Costs to the public sector of the extension have been considered in terms of:

- Preparation of marine management schemes
- Preparation of Statutory Instruments
- Development of voluntary measures

- Site monitoring<sup>6</sup>
- Compliance and enforcement
- Promotion of public understanding
- Regulatory and advisory costs associated with licensing decisions and Review of Consents.

Estimated one off cost of £1,880 for NRW (included in costs in Table 3) to carry out a review of consents (based on the cost for the Marine Management Organisation to undertake the same review in the English part of the site (NE, *pers. comm.*)).

The only public sector benefit that has been identified is the potential for the formal recognition, through statutory designation, of the extended marine area and new features. It provides a clearer spatial basis and framework for dialogue between stakeholders, including competent and relevant authorities, about the management needs of the SPA.

### **3.2.2 Social costs and benefits**

The potential social costs of the proposal are considered to be covered by the analysis of activities in section 3.1 above, being directly related to the economic implications in different sectors. No other social costs have been identified.

Effective conservation of wild bird populations, including through the identification and effective protection and management of SPAs, can provide a wide range of social benefits by creating opportunities to enjoy and appreciate wildlife and the associated habitats, landscapes and seascapes, such as through tourism, formal and informal recreational activity, artistic and spiritual appreciation and recognition of 'non-use' or intrinsic values in the natural world. However no attempt has been made to characterise these social benefits in detail or to quantify them in relation to this proposal (a) because of the lack of empirical evidence that can be reliably referenced to this particular proposal (as distinct from other wildlife, habitat or landscape conservation measures in the immediate vicinity or further afield), and (b) due to the difficulty of distinguishing the social benefits that might arise from the proposed extension to the SPA, from the benefits arising from the existing SPA. It is considered that attempting to quantify these benefits, which are likely to be marginal in relation to the proposed extension as distinct from the extant SPA, would entail disproportionate effort in the current context.

### **3.3 Other sensitivities or areas of possible concern**

Based on the available evidence, NRW considers that there are no other sensitivities or significant areas of possible concern regarding the proposed extension of the SPA.

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<sup>6</sup> The main new qualifying species which will require additional site monitoring is little gull, this feature is mainly found (at this time) in English waters and it is unlikely that NRW will carry out the monitoring.



## Section 4 Conclusion

NRW has reviewed the available information on current and future activities in the proposed SPA extension area, and has considered the potential for additional management requirements and the impact they would have on marine users and regulators (Table 2). This document is an accurate description of Natural Resources Wales' understanding of the possible economic impacts of this N2K designation at this time.

The SPA proposal under consideration is an extension to the existing Liverpool Bay / Bae Lerpwl SPA, plus the addition of new independently qualifying and waterbird assemblage species. With the exception of red-breasted merganser, all proposed new species are features of adjacent SPAs.

The extant SPA already requires activities which fall under the definition of 'plans or projects' under the Habitats Regulations and have the potential to have an impact on its bird features, to be managed through the Habitat Regulations Assessment (HRA) process. This requirement stands regardless of whether the activity is taking place within or outwith the extant SPA, where there is the potential to impact on the features for which the extant SPA is designated. This requirement sets the baseline for considering the potential for additional management requirements and costs.

Additional regulation of ongoing activities which may not be subject to HRA, such as commercial shipping, recreation and some sea fisheries activities, are not considered likely as a result of this proposed designation.

NRW considers that Level 1 and 2 analysis of the potential impacts of the proposed SPA is sufficient for most activities. A potential one off cost arising from RoC of the Burbo Bank extension was estimated at £5,000 and a level 3 and 4 assessment was carried out for this activity (Table 3).

No public sector costs were identified for the proposed SPA beyond a minimum associated with review of consents.

## Section 5 References

**NE, NRW & JNCC (2016).** Liverpool Bay / Bae Lerpwl potential Special Protection Area (pSPA). Proposal for extension to existing site and adding new features. Advice to the Welsh Government and UK Government. April 2016.

**Stroud et al. (2001).** *The UK SPA network: its scope and content.* Volumes 1-3. JNCC, Peterborough. Available at: <http://jncc.defra.gov.uk/page-1418>

**DECC (2016).** Guidance on when new marine Natura 2000 sites should be taken into account in offshore renewable energy consents and licences. Department of Energy and Climate Change May 2016. Available online:

<https://www.gov.uk/government/publications/guidance-on-when-new-marine-natura-2000-sites-should-be-taken-into-account-in-offshore-renewable-energy-consents-and-licences>

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