

Nuclear Policy Framework team,
Department for Business, Energy & Industrial Strategy
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28th February 2018

Dear Sir/ Madam,

Consultation on the Scoping report: Appraisal of Sustainability for the new National Policy Statement for nuclear

We welcome the opportunity to respond to the above consultation.

The statutory purpose of Natural Resources Wales (NRW) is set out under the Environment (Wales) Act 2016. In the exercise of its functions under the Environment (Wales) Act 2016, NRW must pursue sustainable management of natural resources in relation to all its work in Wales, and apply the principles of sustainable management of natural resources in so far as that is consistent with the proper exercise of its functions. NRW's duty (in common with the other public bodies covered by the Well-Being of Future Generation (Wales) Act 2015) is to carry out sustainable development. This means, in general terms, looking after air, land, water, wildlife, plants, and soil to improve Wales' well-being, and provide a better future for everyone. NRW is also an advisor to the Welsh Government on the natural heritage and resources of Wales and its coastal waters.

Our main comments to the scoping report are:

- The AoS baseline and framework should include more reference to promoting ecosystem resilience;
- The AoS consideration of relevant plans programmes and policies and baseline should consider the aspirations and information set out in the Welsh Government's National Resources Policy, and NRW's State of Natural Resources Report.
- It will be useful to be consulted on how the Guide Questions and Sustainability Objectives will be used in the assessment framework to identify significant effects.

Our detailed response to your consultation questions are included in the attached Annex 1.

We trust that our advice will be useful to you. If you have any queries in relation to our detailed response, please contact Adrian James, Planning and Energy Team Leader, in the first instance at: adrian.james@cyfoethnaturiolcymru.gov.uk.

Please send future consultations on subsequent stages of the appraisal to: adrian.james@cyfoethnaturiolcymru.gov.uk.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Keith Davies'.

Keith Davies

Manager Planning, Landscape Energy & Climate Change

Annex 1

1. Are there other plans, programmes or environmental protection objectives that should be identified and reviewed as part of the AoS process?

The following plans and programmes, and the targets/ objectives/ aspirations therein, should be considered as part of the AoS:

Page No.	Section	Comment
	Appendix A	<ul style="list-style-type: none"> • Natural Resource Policy (Welsh Government) (2017) • Environment (Wales) Act 2016 • Wellbeing and Future Generations (Wales) Act 2015 • Planning (Wales) Act 2015 • State of Natural Resources Report (Natural Resources Wales) • National Strategy for Flood and Coastal Erosion Risk Management in Wales (2011) http://gov.wales/topics/environmentcountryside/epq/flooding/nationalstrategy/strategy/?lang=en (Please note – an updated Strategy is due for publication in 2018). • Environmental Permitting (England and Wales) Regulations 2016 • Groundwater Directive (GWD) (2006/118/EC): No need to reference is as a “new” Directive. This is the only current groundwater directive. • Environmental Permitting (England and Wales) Regulations 2010 should read 2016 • Water Resources Act 1991 (which applies in England and Wales) • Environmental Protection Act 1990 (applied in England and Wales) • The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 • The Contaminated Land (Wales) Regulations 2006 as amended by the Contaminated Land (Wales) (Amendment) Regulations 2012 • UK Clean Growth Strategy • EU Floods Directive • National Flood and Coastal Erosion Risk Strategy for Wales • Draft Welsh National Marine Plan (Welsh Government (2018) • Shoreline Management Plans applicable in Wales • Invasive Non-Native Species (INNS) Directive • Eel (England and Wales) Regulations 2009

2. Is there additional information that needs to be considered as part of the baseline data?

Page No.	Section	Comment
1 - 4	Appendix B: Climate Change	<p>We advise that the baselines for the AOS should reflect on the risks and opportunities set out in the UK Climate Change Risk Assessment 2017 Evidence Report.</p> <p>Currently, the scoping report refers to the UKCP09 projections for the medium emissions scenario only. For projects of this size and potential sensitivity to climate change the assessment we advise that consideration should be given to projections associated with the high emissions scenario as well. This is particularly important for sea level rise, when the assessment should cover projections equivalent to the H++ scenario under UKCP09, using the latest available information. The time horizon considered should stretch explicitly to the full de-commissioning of any nuclear installation – and not simply its period of operation.</p> <p>Furthermore, please note that the emissions targets contained in Climate Change Strategy for Wales will be superseded by the those set under the Environment (Wales) Act 2016 for successive five-year carbon budgets, starting from 2016-20.</p>
4 - 15	Appendix B: Biodiversity and Ecosystems	<p>The State of Natural Resources Report (SoNaRR) sets out the state of Wales' natural resources. It assesses the extent to which natural resources in Wales are being sustainably managed, and recommends a proactive approach to building resilience. And - for the first time – the report links the resilience of Welsh natural resources to the well-being of the people of Wales. It considers the pressures on Wales' natural resources which are resulting in risks and threats to long-term social, cultural, environmental and economic well-being, as well as opportunities for integrated solutions that provide multiple benefits.</p> <p>We recommend that the AoS baseline should be reflective of the information set out in SoNaRR.</p>
38 - 39	Appendix B: Soils, Geology and Land Use	<p>The baseline data should also include reference to land contamination, specifically land designated as contaminated land under Part 21A of the Environmental Protection Act 1990.</p> <p>Please note Geoparks are now UNESCO designations.</p>
39 - 40	Water Quality and Resources: Water Framework	<p>The baseline data currently contains no information on ground water bodies in wales, or their WFD status. This should be considered throughout the AoS.</p> <p>Our data on WFD can be found at: Water Watch Wales</p>

	directive (WFD)	<p>Reference should be made to the to the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, rather than “2003” regulations.</p> <p>Reference should also be made to the Environmental Permitting Regulations (England and Wales) 2016, and it implications.</p> <p>No information is included in the AoS on the quantitative status of bodies. This needs to be considered throughout the AoS given the water demand likely from nuclear power generating stations.</p> <p>Consideration should also be given to:</p> <ul style="list-style-type: none"> • Catchment abstraction licensing strategies (CAMS) to understand water availability within catchments. https://naturalresources.wales/guidance-and-advice/environmental-topics/water-management-and-quality/water-available-in-our-catchments/?lang=en • River Basin Management Plans: https://naturalresources.wales/evidence-and-data/research-and-reports/water-reports/river-basin-management-plans-published/?lang=en • Long term planning framework for UK: https://www.water.org.uk/water-resources-long-term-planning-framework • Specific water company water resource management plans https://naturalresources.wales/guidance-and-advice/environmental-topics/water-management-and-quality/water-resource-management-planning/?lang=en • Specific water company drought plans
42 - 43	Appendix B, and Appendix C: Flood risk and coastal change	<p>We advise that the baseline information should be reflective of the spatial extent of flood DAM Zone C as applied in Wales. and how it should be considered within the planning system.</p> <p>Flood zone 2 forms the basis of DAM Zone C in Wales. Flood zone 2 also contains areas recorded to have flooded in the past, which should be explained in the AoS.</p> <p>Flood risk map for Wales can be found at: https://naturalresources.wales/evidence-and-data/maps/long-term-flood-risk/?lang=en</p>

3. Do you consider that the range of sustainability problems and issues covered is appropriate?

We advise that Table 4 of the AoS should be amended to reflect the following:

Biodiversity and Ecosystems	<p>Section 6 of the Environment (Wales) act 2016 states that a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.</p> <p>Table 4 does not seem to make detailed reference to ecosystem resilience in Wales, or the aspiration for its promotion. We advise that this section should be revised to this effect, and to this end consider the information set out in the State of Natural Resources Report (SoNaRR).</p>
Flood Risk and coastal change	<p>208,500 properties in Wales are at risk of flooding from the rivers and the sea. This is around 11% of properties in Wales. 163,000 are at risk from surface water flooding (note - some of those at risk of surface water flooding may also be at risk from other sources).</p> <p>Whilst the existing text on sustainability issues and baseline data considers flood risk matters, little reference is made to coastal erosion. Shoreline Management Plans should assist in understanding historic and likely future coastal change. In addition, certain forms of development have the potential to modify the hydrodynamic regime and coastal processes and therefore have impacts on the marine and coastal environment which need to be highlighted in the AoS.</p>
Soils, Geology and Land Use	<p>It would be useful to refer to historic land contamination, and sites designated as 'contaminated land' in Wales under Part 2A Environmental Protection Act 1990.</p>
Water Quality and Resources	<p>Reference should be made to groundwater bodies in Wales and their WFD status.</p> <p>Information in relation to pressures on water resources should be presented in context of the Water Framework Directive, and the status of water bodies in Wales.</p>
Climate Change	<p>We advise it will also be useful to refer to the risks from climate change to this form of development e.g. flood risk.</p>

4. Are there any changes you consider should be made to the proposed sustainability objectives and guide questions?

Biodiversity and Ecosystems

We advise that Sustainability Objective 2 should be amended to read:

To protect and enhance protected habitats, species, valuable ecological networks and promote ecosystem resilience and functionality

And the 4th Guide Question associated with is objective should be amended to read:

Will the NPS affect the resilience structure and function/ecosystem processes?

See also above comments on how relevant PPPs and baseline data should consider the National Resource Policy and SoNNaR.

Flood risk and Coastal Change

In addition to flood risk, the Sustainability Objective(s) and associated Guide Questions should also set out its intention to manage the consequences of any flooding.

Furthermore, consideration should be given to managing the risk and consequence of surface water flooding.

Relevant PPPs column should also refer to Planning Policy Wales. Please see also our comments above to Questions 1,2, and 3 on the need to reflect on Shoreline Management Plans, National Flood and Coastal Erosion Risk Strategy for Wales.

Soils and Geology

Relevant PPPs column should also refer to:

- Contaminated Land Regulations applicable in Wales
- Environmental Protection Act 1990

The baseline date should also include registers of land designated as contaminated land held by Local Authorities.

Please note that many geological sites (GCR sites and RIGS) are actually on brownfield sites.

Water Quality and Resources

We advise that Sustainability Objective 10 should be amended to read:

To protect and enhance surface (including coastal) and groundwater resources and quality (including distribution and flow).

Relevant PPPs column should also refer to:

- Environmental Permitting Regulations 2016
- Water Resources Act 1991

Please see also our comment to Question 1 on the Groundwater Directive.

Climate Change

The Guide questions and objective seem reasonable. However, the identified Sustainability Issues should also refer to the need to minimise likelihood of catastrophic failure of such installations arising from inappropriate plant operation or climate effects.

5. Do you have further suggestions regarding the scope of the AoS and its proposed assessment of the new NPS?

We welcome the commitment in paragraph 6.8 to undertake an appraisal of secondary and cumulative effects alongside other plans/ programmes. However, it would be useful to learn which plans/ programmes will be considered as part of this assessment, and what consultation will be held to ensure that relevant plans/programmes are identified before the assessment is undertaken.

Whilst we welcome the identification of Guide Questions and Sustainability Objectives, it would have been useful to include more detail, or an illustration by way of example, on how they will be used in an assessment framework to identify significant effects. By way of example only, such an approach was adopted in the [AoS Scoping Report for the NPS for Water Resources](#) (e.g. commencing with Table 1.12). It will be useful to learn whether such an assessment framework will be subject to further consultation.