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Y Gweinidog Newid Hinsawdd  
Minister for Climate Change



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref JJ/02436/22

Jack Sargeant MS  
Chair - Petitions committee

11 November 2022

Dear Jack,

Thank you for your letter of 27 October with regard to Petition P-06-1311 'Exert Welsh interests and defend international law against EdF-Hinkley fish-kill in Severn Estuary' from Cian Ciaran.

The petition calls on the Welsh Government to approach the (as was) Defra Secretary of State George Eustice in relation to the Severn Estuary Marine Protected Area. It points to the dumping of Hinkley sediments into the Severn and licensing of the seawater cooling system with respect to ecological damage.

The Welsh Government convened the Hinkley Stakeholder Reference Group to provide an independent assessment of implications for Wales of the Hinkley Point nuclear power station. The Group reported on its work in March 2021. I have considered their findings and published a written statement on this matter: [Written Statement: The response to the Hinkley Point C Stakeholder Reference Group report \(2 December 2021\) | GOV.WALES](#).

In the Written Statement I highlighted our ambitions for resilient marine ecosystems and the sustainable management of natural resources. In addition, as stated, I wrote to the UK Government highlighting the importance of infrastructure developments in cross-border areas considering devolved legislation. In reply to my letter, The UK Government has acknowledged the important work of the Hinkley Stakeholder Reference Group and the need to work jointly in the management of Severn Estuary.

Specifically, with respect to nature conservation, the Severn Estuary is a site of important ecological interests. It is recognised and protected by a range of nature conservation designations including the Severn Estuary Special Area of Conservation (SAC) and Special Protection Area (SPA).

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Relevant legislation requires that any developments, where there is potential for interaction with a protected site (such as the SAC or SPA), be subject to a Habitat Regulatory Assessment (HRA). Competent Authorities (which includes the Secretary of State) must carefully assess any proposed project. Where there is the potential for significant impacts the developer can seek to mitigate this. Where this is not possible, the Competent Authority must set out compensatory measures in view of the site's conservation objectives.

The Severn Estuary SPA and SAC are transboundary sites between England and Wales. The site conservation objectives have been set jointly by Natural England and Natural Resources Wales. Where development in the designated site occurs in England, the Secretary of State would seek advice from the relevant Statutory Nature Conservation Body. Natural Resources Wales would only be consulted if there are potential impacts to features of the site within Wales.

With regard to the disposal of dredged material, any proposal is considered on its merits and only consented subject to strict regulatory controls. Currently, there are no proposals to dispose of Hinkley derived dredge material in Welsh waters.

I am aware that the Defra Secretary of State recently rejected the company's appeal against the Environment Agency decision in England on proposals to remove the permit condition requiring an acoustic fish deterrent system.

I continue to expect Welsh interests and policy to be taken into account in any decision related to cross border areas including with respect to the resilience of marine ecosystems.

Yours sincerely



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