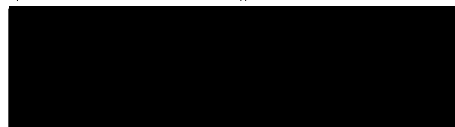




Marine Scotland  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

Enterprise, Planning and  
Protective Services



Your Ref: KW/CM/12/03085/NEA  
Our Ref:

Date: 19<sup>th</sup> September 2012

Dear Sir/Madam

**RE: METHIL OFFSHORE DEMONSTRATION WIND TURBINE: CONSULTATION UNDER SECTION 36, ELECTRICITY ACT 1989.**

I write in response to the invitation to comment on proposals for the above project. Thank you for providing Fife Council with the opportunity to submit a response to this development proposal. I would be pleased if you could formally acknowledge receipt of this submission.

Fife Council welcomes any investment and development interest that will generate positive economic opportunities and benefits for Fife. Development at Energy Park Fife in Methil which would contribute to the area's role and reputation of being a leading Centre of Excellence in the development Scotland's Renewable Energy Sector is also welcomed. Fife Council is seeking to become Scotland's "Leading Green Council" and supports the development of appropriate renewable energy technologies generally. Development which supports this ambition is also welcomed. It is considered that this development will in many ways contribute to meeting these objectives.

Whilst the Council supports the general principle of the proposal, and welcomes the inherent benefits it is likely to generate for Fife and Levenmouth in particular, there are a number of areas of concern in relation to the Environmental Statement which we would wish to highlight to the Scottish Government. These concerns particularly relate to factors which could have a significant negative effect upon residential amenity and to the visual and landscape impact in the local area. Fife Council seeks assurance from the Scottish Government that in their consideration of the proposed development, these issues will be considered and addressed in full prior to any decision being taken on the proposal.

Fife Council would wish to comment on the following issues in particular regard to the proposal:

Enterprise, Planning & Protective Services

Kingdom House, Kingdom Avenue, Glenrothes KY7 5LT



## **NOISE**

In assessing [Chapter 6] of the submission Fife Council has concerns in relation to noise levels. These are particularly related to the uncertainties associated with the operation of a demonstrator turbine. The Council would wish to seek assurances that the Scottish Government will fully consider the following points which are of particular concern:

Whilst the applicant has stated that the turbine will be designed to comply with ETSU-R-97. There are more than 60 homes that could be affected should the levels be higher than predicted or in breach of the ETSU derived limits. Fife Council would like to see a turbine that was comfortably 3/4dB within the ETSU derived limits, to provide a level of confidence for the nearby residents.

Fife Council would draw the Scottish Government's attention to [Paragraphs 55-61] in a report prepared by Stephen Troman QC titled "Legal Issues in Assessing Wind Turbine Impacts". This sets out the general context for the concerns related to derived noise limits, whilst covering a range of issues which we would expect to be considered.

Fife Council would seek specific assurances from the Scottish Government that should the development proceed, there will be no significant detrimental impact to local residents based upon the derived limits. Fife Council seeks assurance that any confirmation of a noise breach identified by Fife Council's Protective Services Officers will be appropriately dealt with by the turbine operators in less than 12 hours to ensure that local residents do not suffer undue impact for a period before a remedy can be undertaken. Should the Scottish Government be minded to approve the development Fife Council would respectfully suggest the use of a planning condition which is attached to this submission. The figures used in the condition are from [table 6.4, chapter 6 of the Environmental Statement.]

## **ECOLOGY AND ORNITHOLOGY**

In relation to the Chapters in the Environmental Statement relating to Ornithology, Ecology and Water Resources and Coastal Hydrology, Fife Council would expect full consultation to be undertaken with the relevant key agencies SNH, SEPA and the RSPB. The Environmental Statement's Chapter 7, Ecology and Chapter 8, Ornithology appear to be generally thorough assessments of the possible impacts of the proposal, are supported by surveys for the appropriate habitats and species and from the information presented draw reasonable conclusions.

The possible impact upon species associated with the Firth of Forth and Forth Islands SPAs has been taken into consideration and the report considers there to be no significant impact. This will need to be confirmed and agreed by SNH. The Ornithological Assessment identifies

monitoring to be undertaken however this has not been identified and carried forward to the Environmental Statement. This should be a requirement, in line with SNH guidance.

## **CULTURAL HERITAGE**

It is noted that the Environmental Statement does not consider impacts of the turbine to be significant or indeed only marginal on Cultural Heritage. The Council would expect Historic Scotland to be fully consulted on all relevant matters to ensure that there are no significant impacts on the cultural heritage of the local area.

## **TELECOMMUNICATIONS AND EXISTING INFRASTRUCTURE**

There appears to be no consideration given to Fife (Glenrothes) Airport in Chapter 13 of the report, apart from discounting it as not having radar facilities. It is not clear whether the operators of this airfield have been consulted in preparation of the Environmental Statement. There is no mention on any potential impacts of the turbine on the operation of this airfield. Fife Airfield is within 13km of the turbine site and therefore Fife Council would expect the Airfield to have been given the opportunity to comment on the proposal.

Fife Council's wind energy SPG advises that wind turbines that cause disruption to television signals will only be acceptable provided developers meet the costs of any mitigation measures or alternative arrangements. The Environmental Statement concludes that there are no expected impacts upon television reception in the area. However Fife Council would seek assurance that, in the instance where there is likely to be an impact on television reception, the developers will be expected to meet the necessary costs to rectify the situation.

## **SHADOW FLICKER**

Fife Council would seek assurances that the derived calculations and models used for the assessment of shadow flicker are accurate. Furthermore the Council requests that the Scottish Government ensure that for the areas that are likely to experience the highest duration and levels of shadow flicker, that proper mitigation measures, as are indicated within the Environmental Statement, will be undertaken seeking to reduce any impacts. Clearly if the Scottish Government are minded to approve the application, and unacceptable levels of shadow flicker do occur, planning conditions should specify that the turbine is shut down for specific time periods as appropriate.

## **TRANSPORT**

Fife Council's Transportation Services have highlighted a number of points it would seek some further clarification on given that Transportation issues are not widely covered in the Environmental Statement:

1. It is stated in the Environmental Statement that the major elements of the wind turbine and its supporting structure are either to be fabricated within the site itself or delivered to the site by sea. Section 15.2 of the Environmental Statement states that abnormal loads routes options are therefore not required.

If the delivery method does remain as stated, then it is accepted that abnormal load route analysis will not be required for the turbine and its supporting structure. However, should the delivery method be amended at a later date it will be a requirement to obtain the necessary Fife Council, Transport Scotland, Network Rail and Fife Constabulary routeing permissions.

2. Point 1 above applies equally to crane movement requirements for any lifting operations on site. This may require swept path analysis for the chosen access route. There is a recognised abnormal load route to and from this site, which should be identified as part of any approval.

3. Approval in principle from Fife Council Transportation Services' Structures Asset Management Team may be required for the proposed linking bridge structure.

If the application is approved Fife Council requests that a set of appropriate conditions be attached to the permission in order to address these concerns. A preferred set of conditions are attached to this submission.

## **MISCELLANEOUS AND OTHER ISSUES**

Fife Council is aware that in extremely cold wet weather, ice is known to build up on turbine blades. Ice on the blades may create vibration problems and ice falling from stationary blades or thrown from moving turbine blades is a potential hazard to people, animals and birds. This potential safety hazard should have been evaluated as part of the Environmental Statement, particularly given the urban location of the proposal and the relative proximity to residential properties and to likely future work places associated with the ongoing development Energy Park. The Council respectfully requests that this issue be considered in full and that if approval is given for the development appropriate mitigating measures will be put in place. This could include the installation of heating elements into blades and/or ensuring that the turbine is shut down in the event of ice build up occurring.

Fife Council seeks assurance that the operation and future delivery of development of the Energy Park Fife will not be hindered whilst the turbine is in operation. We would also seek assurance that the operations of established companies at the Energy Park, such as Bi-Fab, will not be negatively impacted as a result this development. Fife Council would seek to work with the developer to ensure that any risks are minimised on this basis.

It is recommended that the Scottish Government/Marine Scotland subject approval of the application with the conclusion of a legal agreement relating a financial bond sufficient to cover the removal of the wind turbine, its associated infrastructure and the reinstatement of the site and any aftercare if required.

If minded to approve the application Fife Council requests that the Scottish Government encourage the developer to engage with the local communities in Methil, Methilhill, Buckhaven and Leven in order to explore options for community gain benefit. This is becoming commonplace on the approval for onshore wind farms throughout Scotland.

I trust this response is helpful but if you require any further information or clarification then please contact me.

Yours sincerely



## Recommended Condition on Noise Levels

The rating level of noise emissions from the wind turbine generator, when measured and calculated in accordance with the Guidance Notes below shall not exceed the following levels at the stated wind speed at the named dwellings in Methil and Buckhaven (All measurements are LAF90,10min ):

	<b>Wind Speed at 10m Height (mps)</b>								
	4	5	6	7	8	9	10	11	12
<b>Rear Boundary of 20 Wellesley Road</b>									
Night-Time Noise Limit	43	43	43	44.5	47.2	49.9	51.6	51.2	51.2
Day-Time Noise Limit	44	44.1	44.8	46.3	48.8	48.8	48.8	48.8	48.8
<b>Rear boundary of 94 Wellesley Road</b>									
Night-Time Noise Limit	43	43	43	43	43.4	46.7	49.1	49.9	49.9
Day-Time Noise Limit	41.3	41.5	42.7	45.1	47.9	47.9	47.9	47.9	47.9
<b>Rear garden of 12 Erskine Street</b>									
Night-Time Noise Limit	43	43	43	43	43	44.2	46	46	46
Day-Time Noise Limit	38.9	38.9	38.9	41.2	44.1	44.1	44.1	44.1	44.1

## THE GUIDANCE NOTES

The following paragraphs are based upon steps 2-6 specified in Section 2 of the Supplementary Guidance Notes to the Planning Obligation contained within pages 102 et seq of "The Assessment and Rating of Noise from Wind Farms, ETSU-R-97" published by ETSU for the Department of Trade and Industry. It has been adapted in the light of experience of actual compliance measurements.

### NOTE 1

Values of the LA90,10min noise statistic should be measured at the affected property using a sound level meter of at least IEC 651 Type 1 quality. This should be fitted with a ½" diameter microphone and calibrated in accordance with the procedure specified in BS 4142: 1990. The microphone should be mounted on a tripod at 1.2 - 1.5 m above ground level, fitted with a two layer windshield wind shield or suitable equivalent, and placed in the vicinity of, and external to, the property. The intention is that, as far as possible, the measurements should be made in "free-field" conditions. To achieve this, the microphone should be placed at least 3.5m away from the building facade or any reflecting surface except the ground.

The LA90,10min measurements should be synchronised with measurements of the 10-minute average wind speed and with operational data from the turbine control systems of the wind farm or farms.

The wind speed and wind direction and a note of all 10 minute periods when one or more of the turbines was not operating normally should be provided to the consultant to enable an analysis to take place.

The precise definition of "normal operation" should be agreed in writing with the local authority prior to the commencement of the development on the basis of data available

but should generally be taken to mean when the turbine power output is not significantly different from the reference power curve using the nacelle anemometer.

In the interests of commercial confidentiality no information is required to be provided for individual turbines or on the nature of any abnormality or for any period during which noise monitoring is not taking place.

#### NOTE 2

The noise measurements should be made over a period of time sufficient to provide not less than 100 valid data points. Measurements should also be made over a sufficient period to provide valid data points throughout the range of wind speeds considered by the local authority to be most critical. Valid data points are those that remain after the following data have been excluded:

- All periods during rainfall
- All periods during which wind direction is more than 45 degrees from every line from each of the turbines and the measurement position.
- All periods during which turbine operation was not normal.

A least squares, "best fit" curve should be fitted to the data points.

#### NOTE 3

Where, in the opinion of the Local Authority, the noise immission contains a tonal component, the following rating procedure should be used. This is based on the repeated application of a tonal assessment methodology.

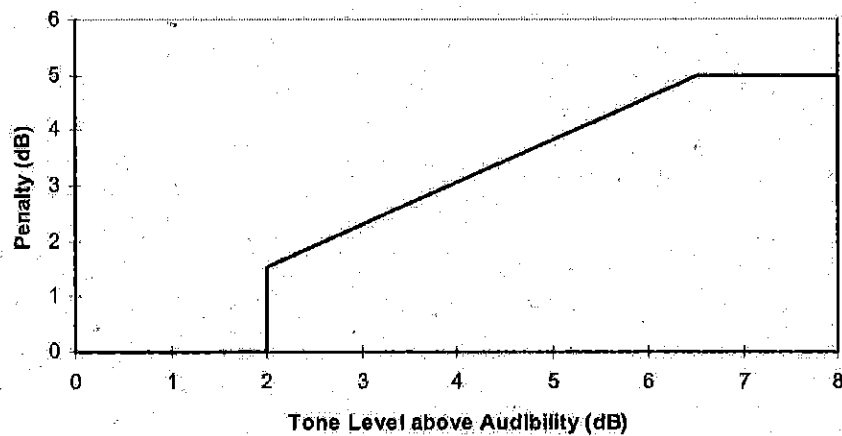
For each 10-minute interval for which  $LA_{90,10min}$  data have been obtained, a tonal assessment is performed on noise immission during 2-minutes of the 10-minute period. The 2-minute periods should be regularly spaced at 10-minute intervals provided that uninterrupted clean data are obtained.

For each of the 2-minute samples the margin above or below the audibility criterion of the tone level difference,  $\Delta L_{tm}$ , is calculated by comparison with the audibility criterion given in Section 2.1 on page 104 et seq of ETSU-R-97.

The margin above audibility is plotted against wind speed for each of the 2-minute samples. For samples for which the tones were inaudible or no tone was identified, substitute a value of zero audibility.

A linear regression is then performed to establish the margin above audibility at the assessed wind speed. If there is no apparent trend with wind speed then a simple arithmetic average will suffice.

The tonal penalty is derived from the margin above audibility of the tone according to the figure below.



The rating level at each wind speed is the arithmetic sum of the wind farm noise level, as determined from the best fit curve described in Note 2, and the penalty for tonal noise.

The rating level shall be determined for each wind speed. If the values lie below the maximum values of turbine noise indicated by the tables in the conditions then no further action is required.

#### NOTE 4

If the rating level is above the limit, a correction for the influence of background noise should be made. This may be achieved by repeating the steps in Note 2, with the wind farm switched off, and determining the background noise at the assessed wind speed,  $L_b$ . The wind farm noise at this speed,  $L_w$ , is then calculated as follows where  $L_a$  is the measured level with turbines running but without the addition of any tonal penalty:

$$L_w = 10 \log \left( 10^{\frac{L_a}{10}} - 10^{\frac{L_b}{10}} \right)$$

The Rating level is re-calculated by adding the tonal penalty (if any) to the wind farm noise. If the rating level lies below the values indicated from the tables in the conditions then no further action is required.

If the rating level exceeds any of the turbine noise levels in the tables then the development fails to comply with the conditions



## ***Recommended Transportation Conditions***

1. All works to or adjacent to existing public roadways, footways, and other adopted infrastructure shall be constructed in accordance with the current Fife Council Transportation Development Guidelines policy. **Reason : In the interests of road safety. To ensure the provision of adequate design layout and construction.**
2. All private and non-adopted vehicular accesses shall be constructed in accordance with the current Fife Council Transportation Development Guidelines policy. **Reason : In the interests of road safety. To ensure the provision of adequate design layout and construction.**
3. Prior to the commencement of the development, a Transport Statement shall be submitted for approval in writing by the Fife Council Planning Authority. The scope of this TS shall be agreed with Fife Council Enterprise, Planning and Protective Services and shall include, inter alia, detailed proposals for temporary or permanent road network mitigation works as determined in discussions with Fife Council Transportation Services. **Reason : To ensure that the effects of this development on the road network are taken into account.**
4. A legal agreement, in accordance with Section 96 of the Roads (Scotland) Act 1984, will be required to cover all aspects of road maintenance associated with this proposed development, including :
  - i. all construction traffic on the haul routes on the adopted road network.
  - ii. transportation of turbines and other related infrastructure to the site during construction and commissioning on the adopted road network.
  - iii. transportation of turbines and other related infrastructure from the site after decommissioning on the adopted road network.
  - iv. all decommissioning-related construction traffic on the haul routes on the adopted road network.
5. Off-street car parking shall be provided in accordance with the current Fife Council Parking Standards contained in the current Fife Council Transportation Development Guidelines Policy. **Reason : In the interests of road safety. To ensure the provision of an adequate off-street parking facilities.**
6. Adequate vehicle manoeuvring and servicing areas shall be provided to the satisfaction of the Development Manager, these areas being delineated and clear of the parking areas. **Reason : In the interests of road safety. To ensure the provision of adequate car parking manoeuvring and servicing facilities and efficient usage of the areas.**
7. Adequate wheel cleaning facilities approved by the Fife Council Enterprise, Planning and Protective Services shall be provided and maintained throughout the operation of the site so that no mud, debris or other deleterious material is carried by vehicles on to the public roads. **Reason : In the interests of road safety. To eliminate the deposit of deleterious material on public roads.**

**Application for consent under Section 36 of the Electricity Act 1989, and two Marine Licences under part 4 of the Marine (Scotland) Act 2010.**

at

**Northern Shore Of Firth Of Forth**  
**Fife**

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## **REPORT OF HANDLING - Fast Track Decision Report**

### **Purpose of report**

Response to a consultation from The Scottish Government.

## **1 RELEVANT POLICIES**

Marine Scotland administers the licensing of marine renewable energy projects within UK waters adjacent to Scotland on behalf of the Scottish Government. Marine Scotland has consulted the Council because the proposal is subject to the EIA Regulations. The Environmental Statement includes an assessment of the visual effects of the proposal, based upon a 30 km study area, which encompasses the southern coast of the Firth of Forth.

## **2 OFFICER'S OBSERVATIONS**

Scottish Enterprise have submitted applications to Scottish Ministers under Section 36 of the Electricity Act 1989 and under part 4 of the Marine (Scotland) Act 2010.

The applications relate to the installation and operation of the Fife Energy Park Offshore Demonstration Wind Turbine (FEPODWT) on the northern shore of the Firth of Forth at Methil, Fife.

The FEPODWT would be located approximately 35 m below Mean High Water Springs mark and 48.3 m from the Fife Energy Park boundary and would be operational for 5 years.

The project will test new designs of offshore wind turbine, which will represent the parameters of turbines proposed for forthcoming offshore projects around Scotland

and the UK. A single marine turbine is to be installed and tested at the site at any one time.

The turbine will be three bladed, set upon a tubular tower, with an installed capacity of up to 7 MW. The tower will rise to 110 m from mean sea level (MSL) and will be mounted with blades of up to 172 m rotational diameter, giving a maximum height from MSL to blade tip of 196 m. The turbine will be painted matt grey and will require lighting. It will be connected to the shore by a personnel bridge.

The turbine will also require onshore and offshore wind monitoring masts, which will be subject to separate applications under the relevant consenting regimes.

The Environmental Statement concludes that significant adverse landscape and visual effects would be contained to within 15 km of the proposal. Effects would be reversible upon decommissioning of the project after a period of 5 years.

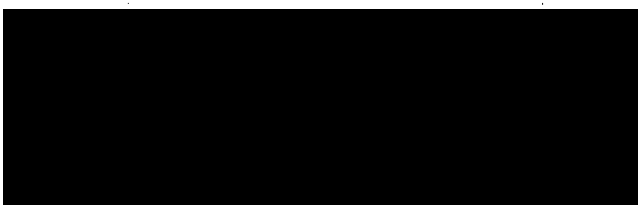

This Council's administrative boundary lies beyond the affected area at an approximate distance of 25 km from the proposal. No significant effects have been identified by the assessment, which duly considered the effect of the proposal on the City's backdrop of the Firth of Forth, from Calton Hill within the World Heritage Site.


### 3 CONSULTATIONS

No consultations undertaken.

### 4 RECOMMENDATION

It is recommended that the City of Edinburgh Council raise no objection.

		
Contact/Tel		
Ward Affected	Other Local Authorities	
Local Plan		
File		
Date Registered	21 August 2012	
Drawing Nos & Scheme		



## Ford A (Alexander)

**From:** [REDACTED]  
**Sent:** 12 September 2012 15:04  
**To:** MS Marine Licensing  
**Subject:** Your ref 022/OW/SEM; Demonstration wind turbine at Fife Energy Park

Dear Mr Ford,

Thank you for consulting East Lothian Council on the above proposal.

East Lothian Council does not wish to object to this proposal, recognising the need for the facility, the existing consent, and the short time period for which consent is sought.

I do consider however that there are some potential impacts which have not been fully addressed in the ES. These mainly comprise visual impacts especially including potential impacts on users of beaches and golf courses to the north of East Lothian, including Muirfield golf course which is due to host the Open Championship next year, and also sequential effects on the John Muir Way. Given the size of the proposed turbine I do not agree with the conclusion in the Environment Statement that the impact on Viewpoint 21; Gullane (and by extension other similar views) will be negligible. The turbine will break the skyline for a considerable part of its height, and this effect will be more noticeable from the beach, which is lower. The effect is likely to be replicated on many of the north facing beaches of East Lothian. As views from East Lothian are from the south, on a good day, when more people are likely to be visiting, the sun will shine on the turbine which will help pick it out; as will its movement. It could therefore potentially become a new focal point in views over the Forth towards the Lomonds, which could change the experience of this view. However I agree the existing consent limits the significance of this as compared to a baseline including that consent. I can find no record of consultation of this Council on the original project.

In order to minimise and mitigate the visual impact, I would recommend that consideration should be given to the colour and lighting of the turbine. Expert opinion should be sought to select the colour scheme(s), taking into consideration the dramatic changes of light which are a feature of the Firth of Forth, as well as how the turbine will be seen in relation to the land, sea and sky from key viewpoints including those in East Lothian,

Regards,

[REDACTED]  
**Planner, Policy and Projects (Mon-Wed)**  
East Lothian Council, John Muir House, Haddington, EH41 3HA

[REDACTED]  
Website: <http://www.eastlothian.gov.uk/ldp>

\*\*\*\*\*  
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16/04/2013

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Our ref: PCS/121692

Your ref:

If telephoning ask for:

[REDACTED]  
Arcus Renewable energy Consulting Ltd  
2F Swinegate Court East  
3 Swinegate  
York  
YO1 8AJ

By email only to: [info@arcusrenewables.co.uk](mailto:info@arcusrenewables.co.uk)

31 August 2012

Dear [REDACTED]

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000**  
**Offshore Demonstration Wind Turbine at Fife Energy Park**

Thank you for your consultation letter of which SEPA received on 02 August 2012. We would have **no objection** to this planning application. Please note the advice provided below.

**1. Protection of the marine environment**

- 1.1 We are satisfied that the proposed development will not compromise the objectives of the Water Framework Directive along this section of the coast.
- 1.2 We are satisfied that appropriate measures have been put in place to prevent pollution of the marine environment. The only exception to this is the method proposed to reduce the risk of introducing marine non-native species detailed in table 7.1 on page 132. We recommend that these measures are included in the Surface and Coastal Water Management Plan (SCWMP) in Appendix 9.
- 1.3 In relation to marine non-native species you should have regard to the following guidance notes:
- The alien invasive species and the oil and gas industry guidance produced by the Oil & Gas industry at [www.ogp.org.uk/pubs/436.pdf](http://www.ogp.org.uk/pubs/436.pdf)
  - SNH web-based advice on Marine non-native species at [www.snh.gov.uk/land-and-sea/managing-coasts-and-sea/marine-nonnatives/](http://www.snh.gov.uk/land-and-sea/managing-coasts-and-sea/marine-nonnatives/)
  - Marine non-native guidance from the GreenBlue (recreation advice) at [www.thegreenblue.org.uk/clubs\\_and\\_training\\_centres/antifoul\\_and\\_invasive\\_species/best\\_practice\\_invasive\\_species.aspx](http://www.thegreenblue.org.uk/clubs_and_training_centres/antifoul_and_invasive_species/best_practice_invasive_species.aspx).
- 1.4 We recommend that Section 9.2.1. also refers to the best practice guidance provided in the CIRIA C584 – Coastal and Marine Environmental Site Guide.



Chairman  
David Sigsworth

Chief Executive  
James Curran

Edinburgh Office

Clearwater House, Heriot Watt Research Park  
Avenue North, Riccarton, Edinburgh EH14 4AJ  
tel 0131 449 7296 fax 0131 449 7277  
[www.sepa.org.uk](http://www.sepa.org.uk)

## **2. Surface water management**

- 2.1 We welcome the inclusion of the Surface and Coastal Water Management Plan (SCWMP) as a technical appendix to the ES. This plan covers both the construction and operational phases of the development. In accordance with best practice we note that surface water run-off will be treated by sustainable urban drainage systems (SUDS) prior to being discharged to the coastal environment. Although there is a commitment to using SUDS in the SCWMP there is no detail on the type of measures that will be utilised or levels of treatment. We are therefore able to comment on the acceptability of the proposed SUDS scheme.
- 2.2 We are concerned that the SCWMP does not contain sufficient information to establish the potential impacts of the development on groundwater. The SCWMP should be updated to include the depths of onshore foundations and methods of construction and dewatering that may be used.

## **3. Flood risk**

- 3.1 The Indicative River and Coastal Flood Map (Scotland) shows that the proposed development site lies within the 1 in 200 year (0.5% annual probability) coastal flood envelope and as such may be at medium to high flood risk. Notwithstanding this, we are satisfied that the onshore components of the development are not located in the areas at risk of inundation.

## **4. Pollution prevention**

- 4.1 To safeguard SEPA's pollution prevention and marine ecology interests, it is vital that good working practice is adopted and the appropriate steps are taken to prevent water pollution and minimise disturbance to sensitive receptors.
- 4.2 Specific reference to the relevant sections in the following guidance should be made:
- SEPA's Pollution Prevention Guidelines (PPG), which are available at [http://www.sepa.org.uk/about\\_us/publications/guidance/ppgs.aspx](http://www.sepa.org.uk/about_us/publications/guidance/ppgs.aspx). In particular, PPG 6 'Working with Concrete' should be considered.
  - CIRIA Guidance, in particular C584 - Coastal and Marine Environmental Site Guide, available at [www.ciria.org](http://www.ciria.org)
- 4.3 Following the proposed works, the shoreline should be restored as far as possible to original condition. All waste materials should be removed and disposed of at an appropriate onshore location.

## **5. Regulatory requirements**

- 5.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA in Glenrothes on 01592 776 910.

If you have any queries relating to this letter, please contact me by telephone on [REDACTED] or by e-mail [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk).

Yours sincerely

[REDACTED]

*Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. If you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found in How and when to consult SEPA, and on flood risk specifically in the SEPA-Planning Authority Protocol.*





## Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

Marine Scotland  
Marine Laboratory  
PO Box 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

Our Ref: CNS REN OSWF DS Methil  
CLC116758

Sent by email to:  
MS.MarineLicensing@scotland.gsi.gov.uk

Date: 1<sup>st</sup> October 2012

For the attention of: Alexander Ford

Dear Sirs

### **METHIL OFFSHORE WIND DEMONSTRATOR SITE, FIFE ENERGY PARK – NEW APPLICATION**

### **MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING. ELECTRICITY ACT 1989, SECTION 36.**

Thank you for consulting SNH on the Section 36 and Marine Licence applications for development of an offshore wind turbine demonstrator site at Methil.

#### **1. Introduction**

The proposal is for the development of a site that can be used to test new offshore wind turbine designs prior to their use at sites further offshore. The proposed development would comprise offshore and onshore elements. Onshore works would consist of a crane pad, control compound, four lay-down areas and the end of the bridge connecting the turbine. Offshore works would consist of seabed preparations, installation of a jacket foundation structure, the bridge connection and cabling, and the installation and operation of turbines that fit the specified maximum parameters. Only one turbine would be deployed at any one time and any turbine installed will be removed within five years of the deployment of the first device.

A previous proposal, upon which SNH provided a consultation response on the 10<sup>th</sup> July 2010, was consented but is not now being developed. The current application replaces this and is very similar with a few key exceptions: (a) the turbine tower is now of a tubular rather than lattice design, (b) the maximum blade diameter and tower height is greater, (c) the minimum clearance between the blade-tip and mean-water is now 24.5m, rather than ~55m in the previous proposal, and (d) the construction period is up to four months, rather than one month as per the previous application.

#### **2. Advice**

We consider that the deployment and operation of the demonstrator turbine and associated infrastructure, including periodic replacement of the actual turbine, can be implemented



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without serious adverse effects on the natural heritage. However, the proposal raises natural heritage issues of international and national importance and we advise the following.

- **Isle of May Special Area of Conservation (SAC) – grey seals.**
- **Firth of Tay & Eden Estuary SAC – common (harbour) seals.**

The proposed site is within the potential foraging range of seals from both of these SACs, with telemetry data confirming some connectivity of harbour seals from the Firth of Tay and Eden Estuary SAC with the vicinity of the proposal. Our advice in respect of grey seals as qualifying features of the Isle of May SAC is that there is no likely significant effect (LSE). Recent studies indicate that harbour seals may have a vulnerability to fatal interaction with ducted propellers and, as such vessels are likely to be used, we advise that there is a LSE on harbour seals as qualifying features of the Firth of Tay and Eden Estuary SAC. Marine Scotland are therefore required to undertake an appropriate assessment. However, we advise that use of a Marine Mammal Observer (MMO) and suitable exclusion zone for seals will ensure that there is not an adverse impact on site integrity. Detailed advice is provided in Appendix A.

- **Firth of Forth Special Protection Area (SPA) (and Ramsar site)**
- **Forth Islands SPA**

The proposed site is immediately adjacent to part of the Firth of Forth SPA and within the foraging range of species associated with the Forth Islands SPA. Consequently, regarding collision risk, for both SPAs we advise there is LSE on the qualifying species. In consideration of impacts from loss of or damage to foraging habitat, and from disturbance and displacement impacts, we advise that there is only LSE for qualifying species of the Firth of Forth SPA. Marine Scotland is therefore required to undertake an appropriate assessment for both of these SPAs. However, for all of these potential impacts, we advise that there is no adverse effect on site integrity. Detailed advice is provided in Appendix B.

- **European Protected Species (EPS)**

Our advice is that an EPS licence is not required if (a) device and bridge foundations are installed by drilling and grouting rather than pile-driving, and (b) if an MMO is employed to visually observe a suitable exclusion zone during noisy operations to ensure no cetaceans are within a distance at which they could be disturbed.

- **In relation to national interests**

We have considered the proposal and potential impacts against the qualifying features of the Firth of Forth Site of Special Scientific Interest (SSSI). Consideration of impacts upon the non-breeding notified bird species and their supporting habitats may be considered to be addressed through the appraisal of impacts upon the SPA with which it overlaps (see Appendix A). The proposed development is unlikely to affect the breeding bird interests of this SSSI. The proposal will not impact on any of the habitats (sand dunes, salt marsh and saline lagoons) for which the SSSI is notified, as these are not present in the Methil area. We therefore advise there will not be any adverse impacts on the Firth of Forth SSSI.

### **3. Mitigation and conditions**

Mitigation measures and conditions should be agreed through sign-off of the **Construction Methods Statement**, **Decommissioning Methods Statement** and

**Monitoring Plan** with Marine Scotland. Conditions and mitigations put in place through the CMS should also cover works to be undertaken during the exchange of turbines to be tested at the site. SNH will advise Marine Scotland as required.

Appendices A and B contain detailed advice on our appraisal of the proposal in relation to HRA for SACs (Appendix A) and SPAs (Appendix B).

Appendix C contains advice and comments on other natural heritage interests and a list of suggested mitigation measures.

**Further advice**

SNH are happy to discuss any of the points raised. Please respond to myself, by email

[REDACTED]

Yours faithfully

[REDACTED]

Marine Renewable Energy Casework Adviser  
Scottish Natural Heritage

## APPENDIX A

### HABITATS REGULATIONS APPRAISAL – SPECIAL AREAS OF CONSERVATION (SAC)

- I. Where a plan or project could affect a Natura site, the Habitats Regulations require the competent authority (Marine Scotland and Fife Council) – the authority with the power to undertake or grant consent, permission or other authorisation for the plan or project in question – to consider the provisions of regulation 48. This means that the competent authority has a duty to:
  - determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
  - determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then,
  - make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.
- II. This process is now commonly referred to as **Habitats Regulations Appraisal (HRA)**. HRA applies to any plan or project which has the potential to affect the qualifying interests of a Natura site, even when those interests may be at some distance from that site.
- III. The competent authority, with advice from SNH, decides whether an appropriate assessment is necessary and carries it out if so. It is the applicant who is usually required to provide the information to inform the assessment. Appropriate assessment focuses exclusively on the qualifying interests of the Natura site affected and their conservation objectives. A plan or project can only be consented if it can be ascertained that it will not adversely affect the integrity of a Natura site (subject to regulation 49 considerations).

#### SNH advice on the HRA for impacts of Methil Offshore Wind Demonstrator Site in relation to relevant SACs

**Isle of May SAC (grey seals); Firth of Tay and Eden Estuary SAC (harbour seals)**

**Step 1:** Is the proposal directly connected with or necessary for the conservation management of the SAC?

The Methil Offshore Wind Demonstrator Site proposal is not directly connected with or necessary for the conservation management of the Isle of May SAC or Firth of Tay and Eden Estuary SAC.

**Step 2:** Is the proposal likely to have a significant effect on the qualifying features of the SAC either alone or in combination with other plans or projects?

**Step 3:** Can it be ascertained that the proposal will not adversely affect the integrity of the site in accordance with its conservation objectives?

The conservation objectives of the sites are:

(i) to avoid deterioration of their habitat or (ii) significant disturbance to them, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

To ensure for the qualifying species that the following are maintained in the long term:

(iii) Population of the species as a viable component of the site.

(iv) Distribution of the species within site.

(v) Distribution and extent of habitats supporting the species.

(vi) Structure, function and supporting processes of habitats supporting the species.

repeat of (ii) No significant disturbance of the species.

Seals may be impacted by the proposed development through:

- Disturbance and displacement – this may occur due to physical presence or noisy activities at the development site, including vessel traffic and drilling operations. It is noted that the turbine and bridge foundations will be installed through drilling and grouting rather than pile-driving, so are considerably quieter. The frequency of vessel traffic and other industrial activities in the area provides some context in considering the potential for further disturbance.
- Risk of corkscrew injuries – seals may be at risk of death from corkscrew injuries considered to be caused by interaction with ducted propellers on vessels. It is preferable that a crane is used from an onshore location wherever possible, but it is likely that vessels and jack-up barges with ducted propellers will be necessary for some parts of this development. Harbour seals appear to be more susceptible to interaction with vessel propellers.

#### **Isle of May SAC – grey seals**

Our advice in respect of grey seals as qualifying features of the Isle of May SAC is that there is no likely significant effect (LSE). Although the proposed site is within the potential foraging range of seals from the Isle of May SAC, grey seals are not known, however, to haul-out regularly at any sites in the immediate area. This conclusion has been reached through consideration of the short term, temporary duration of the construction operations, the use of drilling and grouting for pile installation rather than pile-driving and the lesser vulnerability of grey seals to injury from ducted propellers.

#### **Firth of Tay and Eden Estuary SAC – harbour seals**

The proposed site is approximately 47km from the Firth of Tay and Eden Estuary SAC (harbour seals). Site specific details including the qualifying interests and conservation objectives, can be seen on the SNH SiteLink database<sup>1</sup>. Recent telemetry data, while showing a preference for foraging in open sea areas to the

<sup>1</sup> <http://www.snh.org.uk/snh/>

east of the SAC, indicates some connectivity between harbour seals from the Firth of Tay and parts of the northern Forth coast.

Any impacts upon harbour seals are of particular concern due to population declines on the east coast, including an 'unfavourable declining' status of the Firth of Tay and Eden Estuary population. There have also been a number of dead seals found around the Firth of Tay and Eden Estuary, with injuries considered to have been caused by interaction with ducted propellers on vessels. Being less than 30 nautical miles from the SAC boundary, we advise that the use of ducted propellers in the proposed development may be regarded as an increased risk to the seals. Consequently, where possible, alternatives to ducted propellers should be considered and development activity during harbour seal breeding season (~1<sup>st</sup> June to 31<sup>st</sup> August) should be avoided.

The harbour seal Potential Biological Removal (PBR) for the Scottish East Coast Seal Management Area, was last updated on the 31<sup>st</sup> May 2012 to just 2 individuals<sup>2</sup>. PBR refers to the number of individuals that may safely be taken from a population without adversely effecting overall numbers in addition to normal mortality, and applies to all non-natural forms of mortality in the region over the year, not just those that might arise from this or any one specific development.

Due to the heightened sensitivity of harbour seals and the telemetry data, we consider that there is a **LSE on this qualifying feature of the Firth of Tay and Eden Estuary SAC**. Consequently, Marine Scotland are required to conduct an Appropriate Assessment with a view to the site's conservation objectives. The Appropriate Assessment should also have regard to the most recent revision of the Potential Biological Removal figures for the East Coast Seal Management Area.

Our advice is that there will be **no adverse effect on the integrity of the Firth of Tay and Eden Estuary SAC** according to its conservation objectives. This conclusion has been reached through consideration of the localised and time-limited nature of potential impacts and through the applicants' **commitment to use of a Marine Mammal Observer (MMO)** during all construction operations. We advise that mitigation of impacts through use of an MMO is essential and a protocol should be approved through agreement of the **Construction Method Statement (CMS)** with Marine Scotland.

Conditions and mitigations put in place through the CMS should also cover works to be undertaken during the exchange of turbines to be tested at the site.

The commitment to agreement of a **Decommissioning Method Statement (DMS)** is welcomed.

Appendix C includes a list of recommended mitigation measures.

#### **Cumulative / In Combination Assessment**

We advise that, in our view, based on our appraisal of this proposal and our knowledge of other developments/activities in the Forth and Tay region, any potential cumulative and in combination effects will not adversely effect the integrity of any SAC. This proposal considered the following factors:

- consideration of proposals and activities we are aware of occurring over the likely construction duration of the proposed project;

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<sup>2</sup> <http://www.scotland.gov.uk/Topics/marine/Licensing/SealLicensing>

- the localised, modest and time-limited nature of potential impacts associated with this proposal.

## APPENDIX B

### HABITATS REGULATIONS APPRAISAL – SPECIAL PROTECTION AREAS (SPA)

- I. Where a plan or project could affect a Natura site, the Habitats Regulations require the competent authority (Marine Scotland and Fife Council) – the authority with the power to undertake or grant consent, permission or other authorisation for the plan or project in question – to consider the provisions of regulation 48. This means that the competent authority has a duty to:
  - determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
  - determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then,
  - make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.
- II. This process is now commonly referred to as **Habitats Regulations Appraisal (HRA)**. HRA applies to any plan or project which has the potential to affect the qualifying interests of a Natura site, even when those interests may be at some distance from that site.
- III. The competent authority, with advice from SNH, decides whether an appropriate assessment is necessary and carries it out if so. It is the applicant who is usually required to provide the information to inform the assessment. Appropriate assessment focuses exclusively on the qualifying interests of the Natura site affected and their conservation objectives. A plan or project can only be consented if it can be ascertained that it will not adversely affect the integrity of a Natura site (subject to regulation 49 considerations).

#### **SNH advice on the HRA for impacts of Methil Offshore Wind Demonstrator Site in relation to relevant SPAs**

##### **Firth of Forth SPA; Forth Islands SPA; Loch Leven SPA<sup>3</sup>**

**Step 1:** Is the proposal directly connected with or necessary for the conservation management of the SPA?

The Methil Offshore Wind Demonstrator Site proposal is not directly connected with or necessary for the conservation management of the Firth of Forth SPA, Forth Islands SPA or Loch Leven SPA.

**Step 2:** Is the proposal likely to have a significant effect on the qualifying features of the SPA either alone or in combination with other plans or projects?

**Step 3:** Can it be ascertained that the proposal will not adversely affect the integrity of the site in accordance with its conservation objectives?

<sup>3</sup> See SNH SiteLink for a full list of qualifying features: [www.snh.org.uk/snhi](http://www.snh.org.uk/snhi)



The conservation objectives of the sites are:

(i) to avoid deterioration of their habitat or (ii) significant disturbance to them, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and

To ensure for the qualifying species that the following are maintained in the long term:

(iii) Population of the species as a viable component of the site.

(iv) Distribution of the species within site.

(v) Distribution and extent of habitats supporting the species.

(vi) Structure, function and supporting processes of habitats supporting the species.

repeat of (ii) No significant disturbance of the species.

Bird interests may be impacted by the proposed development through:

- Disturbance and displacement – this may occur due to physical presence or noisy activities at the development site. It is noted that the turbine and bridge foundations will be installed through drilling and grouting rather than pile-driving, so are considerably quieter. The frequency of vessel traffic and other industrial activities in the area provides some context in considering the potential for further disturbance. Construction is expected to take up to four months, but disturbance may also occur possible through the operational period.
- Loss of or damage to foraging habitat – the footprint of the device foundations and bridge are primarily in the subtidal and onshore area, which are considered to be degraded, semi-natural and are not within the SPA (or SSSI). Some loss and degradation will also occur in the inter-tidal area, but it is noted that this is also highly altered and relatively poor quality due to coastal defences and spoil run-off. Furthermore, available survey information suggests it is not heavily used by shorebirds.
- Risk of collision with turbine blades – appraisal of this is informed by the use of site-specific survey data and the turbine parameters in collision risk models. Compared to the previous application, parameters such as the reduced minimum clearance of turbine blades from sea-level and the greater swept area of the blades are noted as resulting in greater levels of risk for some species.

#### **Firth of Forth SPA; Forth Islands SPA**

##### **Disturbance and displacement**

There are no likely significant effects to qualifying interests of the Forth Islands SPA in relation to disturbance impacts. This conclusion has been reached through consideration of the construction methods, the scale of the site, the distance from the SPA and the limited importance of the immediate area for species from the SPA.

The proposed development site has proximity to part of the Firth of the Forth SPA. The SPA bird species which may be disturbed are those which use the intertidal area:

- Bar-tailed godwit (*Limosa lapponica*)
- Curlew (*Numenius arquata*)
- Dunlin (*Calidris alpina alpina*)
- Golden plover (*Pluvialis apricaria*)
- Grey plover (*Pluvialis squatarola*)
- Knot (*Calidris canutus*)
- Oystercatcher (*Haematopus ostralegus*)
- Redshank (*Tringa totanus*)
- Ringed plover (*Charadrius hiaticula*)
- Turnstone (*Arenaria interpres*)

The area immediately adjacent to the development site does not appear to be a particularly high-value foraging habitat. The use of drilling and grouting (rather than pile-driving) for installation of the turbine and bridge foundation also limits the extent of potential disturbance impacts. Nevertheless, given the scale of the proposed development and the construction activity that will be required both onshore and offshore, we advise that there is a likely significant effect (LSE) on the above species and that the competent authority therefore needs to conduct an appropriate assessment. However, we consider that there is **no adverse effect on site integrity**.

The commitment to agreement of a **Decommissioning Method Statement (DMS)** is welcomed.

Appendix C includes a list of recommended mitigation measures.

#### **Loss of or damage to available foraging habitat**

There are no likely significant effects to qualifying interests of the Forth Islands SPA in relation to impacts upon foraging habitat. This conclusion has been reached due to the limited value of the development site for foraging by species from this SPA.

The seabed preparations and development footprint will extend in to the intertidal area and therefore potential foraging areas for qualifying species of the Firth of Forth SPA (and SSSI). Consequently we advise that there is a likely significant effect (LSE) on the Firth of Forth SPA from this impact and that the competent authority therefore needs to conduct an appropriate assessment. However, we consider that there will be **no adverse effect on site integrity** due to the relatively poor quality of the habitat at this location and the small scale of the area impacted relative to availability of similar and higher quality habitat in other parts of the SPA.

#### **Risk of collision with turbine blades**

We have been unable to verify all of the collision risk calculations from the figures presented. However, predicted mortality rates do accord with a single turbine of this size and with the recorded levels of flight activity. Predicted annual mortality is not expected to give rise to any detectable population-level effects upon any of the SPA qualifying species. The relatively short operating period of 5 years gives additional comfort that collision mortality is unlikely to be of concern for this proposal.

We welcome the commitment to adopt a Post-Construction **Monitoring Plan**, which should have a particular focus on birds. This should be agreed with Marine Scotland and SNH prior to works commencing, ensuring that either (a) survey data collected so far provides a suitable baseline for the monitoring, or (b) new pre-construction monitoring methods are appropriately designed and delivered.

#### **Loch Leven SPA**

It is known that there is an interchange between cormorant breeding in the Forth Islands SPA and those wintering on Loch Leven SPA. Due to this connectivity, we advise that there may also be an LSE upon this qualifying interest of Loch Leven SPA. However, given the conclusions above we also advise that there is **no adverse effect on site integrity** for Loch Leven SPA.

#### **Cumulative / In Combination Assessment**

We advise that, in our view, based on our appraisal of this proposal and our knowledge of other developments/activities in the Forth and Tay region, any potential cumulative and in combination effects will not adversely effect the integrity of any SAC. This proposal considered the following factors:

- consideration of proposals and activities we are aware of occurring over the likely construction duration of the proposed project;
- the localised, modest and time-limited nature of potential impacts associated with this proposal.

## APPENDIX C

### ADVICE ON NATURAL HERITAGE INTERESTS CONSIDERED IN THE ENVIRONMENTAL STATEMENT (ES)

Our advice includes recommended conditions to follow good and or emerging good practice, where applicable:

- ai. Marine Mammals
  - aii. Birds
  - aiii. Benthic ecology
  - aiv. Marine Non-Natives
  - av. Landscape and visual impact
  - avi. Coastal processes
  - avii. Mitigation and conditions
- 

#### **ai. Marine mammals**

SACs – our advice in respect of SACs with seals as qualifying features is provided in Appendix A.

Other seals – the nearest seal haul-out of note is located at Kinghorn, approximately 14km from the proposed development site, and is known as a harbour seal haul-out. The site is sufficiently distant for disturbance impacts at the haul-out to not be of concern. There is some potential risk of corkscrew injuries from interactions with ducted propellers, but MMO mitigation to be put in place for the SAC-seals will also protect these individuals.

Cetaceans – the applicants do not fully consider the potential for disturbance to cetaceans. The surveys conducted were specifically targeting birds, therefore limiting the capacity to appraise the importance of the area for cetaceans. There is also no assessment of noise that will be generated by the construction and the potential for disturbance impacts. However, it is noted that the proposal is for drilling and grouting of foundations for the device and bridge, rather than pile driving. Considering this, in combination with the small-scale and limited duration of works, we advise that further assessment can be avoided if the following conditions are put in place:

- No pile-driving for installation of device and bridge foundations (drilling and grouting only).
- Employment of a Marine Mammal Observer (MMO) who conducts watches for marine mammals (cetaceans and seals) prior to, and during, noisy activities so as to ensure that no individuals come so close to the source point of the noise as to be at risk of injury. We note that any person employed as an MMO needs to have the relevant training from JNCC as well as relevant work experience.

Adoption of these mitigation measures will ensure that there is no significant disturbance to marine mammals, including those which are European Protected Species (EPS) i.e. cetaceans. Therefore if the applicant adopts the above mitigation then they do not also need to make an application for an EPS licence under The Conservation (Natural Habitats, &c.) Regulations 1994 (the Habitats Regulations).

Otters – the proposed development is not known to be of importance for, or contain any holts or resting places, for otters. However, we welcome the commitment to conducting a further pre-construction otter survey, to ensure this pattern has continued and thereby verifying that an EPS license or mitigation are not required.

#### **aii. Birds**

SPAs - our advice in respect of potential impacts upon SPA qualifying features is provided in Appendix A.

Firth of Forth SSSI – The proposed development is unlikely to affect the breeding bird interests of this SSSI, which occur in other parts of this geographically dispersed SSSI.

#### **aiii. Benthic ecology**

Benthic surveys are scheduled for early September, but the purpose of these surveys are not clear when the application and ES have already been submitted. The applicants should notify Marine Scotland of any sensitive species or habitats recorded in these surveys as soon as possible, that appropriate micro-siting, mitigation or monitoring may be put in place in consultation with SNH. However, we consider it unlikely that the site hosts any benthic features that are of particular value or aren't widely available in surrounding areas. We advise that none of the habitats notified as part of the Firth of Forth SSSI are present at the development site.

The ES states that subtidal sediments may be highly contaminated from run-off from onshore spoil. SEPA should advise on seabed preparation methods that minimise the mobilisation of contaminants that may have negative implications for the local environment.

#### **aiv. Marine non-native species**

Renewable devices in the marine environment provide clean surfaces for settlement of native and non-native species, and potentially could provide 'stepping-stones' for non-natives around our coast. In addition, the movement of vessels, barges, equipment and the devices themselves, both around the UK coast and internationally, could allow the accidental transfer of fouling organisms.

The applicant should adopt best-practice steps to which they can commit in order to manage these risks. To minimise the transfer of invasive non-native species, biofouling management practices should be implemented, including the use of anti-fouling and/or foul-release systems and other operational management practices to reduce the development of biofouling.

Although guidance specific to the renewables industry is yet to be produced, guidance for other related industries will be useful in identifying ways to minimise risks. For example,

- A Code of Practice on non-native species has been published by the Scottish Government to provide guidance on the recently amended legislation in Scotland. This Code of Practice came into effect on 2 July 2012 and applies in Scotland only. [www.scotland.gov.uk/Resource/0039/00393567.pdf](http://www.scotland.gov.uk/Resource/0039/00393567.pdf)
- The International Maritime Organisation (IMO) has produced guidelines which provide useful recommendations on general measures to minimise the risks associated with biofouling for all types of ships. 2011 guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species. Resolution MEPC.207(62). MEPC 62/24/Add.1 Annex 26. Adopted 15 July 2011. [www.mardep.gov.hk/en/msnote/pdf/msin1136anx1.pdf](http://www.mardep.gov.hk/en/msnote/pdf/msin1136anx1.pdf)

- Guidance for the prevention and management of invasive species in the oil and gas industry has been produced: [www.ipieca.org/publication/alien-invasive-species-and-oil-and-gas-industry](http://www.ipieca.org/publication/alien-invasive-species-and-oil-and-gas-industry)

#### av. Landscape and visual impacts

Issues raised in our advice for the previous application (letter dated 10<sup>th</sup> June 2010) have largely been addressed, particularly the key concern that the range of the ZTV be sufficient to assess impacts upon the Lothian coast. Although the turbine parameters are different under the new application, they are sufficiently similar that the conclusion of our advice does not alter. As the proposal is for a demonstration turbine and is operational for five years, its landscape and visual impacts will be more temporary than those of a commercial windfarm. Consequently, we do not object to the proposal on the grounds of visual impacts.

However, we offer the following advice on particular elements of the visual impacts and their assessment:

- **Cumulative impacts** of the proposal in relation to effects with the proposed 2-B Energy 2-turbine scheme may be of some concern and we advise that the competent authorities give due regard to this issue. The ES and application do not make it abundantly clear that the current application is separate from the existing turbine at Methil docks and the planned 2-B Energy turbines to the south-east.
- **Scale and location of turbine in relation to Largo Law and analysis of comparative scales of man-made structures and the relative heights of landmark hills.** An objective assessment of this specific issue would be useful and informative. The ES although adequate is 'formulaic' in its structure and does not specifically look at this issue
- **Coastal character** is defined and covered in the ES, although beaches and their importance in terms of their accessibility are not meshed in with the LCA. The LCA categorises the coastal flats (CF) and intertidal shores (IS), but a great deal of the 'soft' coast, such as accessible beaches and golf links are unmentioned.
- **Impacts on beaches.** VP9 taken from Lundin Links, gives some impression of beach lengths to the east of Largo. Views from beach at Largo Bay will include Largo Law and the turbine. These features are not contrasted or considered together in terms of their relative scales, other than that the scale of the Bay is 'large and expansive'. Also, the fact that a beach is oriented south-east does not mean that our views and experiences are confined/restricted/channelled to the SE alone.
- The **visualisations** acceptable but note that turbines should be shown in a colour that shows up clearly against both the sky and the background landscape as appropriate.

#### avi. Coastal processes

Potential impacts upon coastal processes have been the subject of only brief discussion in the ES. However, given the scale and details of the proposal, combined with the already highly altered coast (including sea defences), we consider that any impacts upon coastal processes will be highly localised, time-limited and unimportant.

## avii. Mitigation and conditions

We welcome the commitment within the ES to put in place a **Construction Methods Statement (CMS)**, **Decommissioning Methods Statement (DMS)** and a **Post-Construction Monitoring Plan**. We recommend that agreement of these prior with Marine Scotland, prior to the commencement of works, is adopted as a license condition. In the table below we summarise mitigation and monitoring measures that we recommend should be addressed in these documents.

Mitigation & monitoring measures – recommend as conditions
No pile-driving for installation of the foundations for the turbine or the bridge (drilling and grouting only).
Use of a Marine Mammal Observer (MMO), with an appropriate exclusion zone, during noisy operations would (a) ensure no adverse effect on site integrity for harbour seals, (b) avoid wider impacts on seals, (c) remove risk of disturbance to any cetaceans and thereby avoid the need for an EPS license. An MMO protocol should be agreed as part of the CMS. The definition of noisy operations should, as a minimum, include drilling operations and the use of vessels with ducted propellers at the development site.
Conditions and mitigations put in place through the CMS should also cover works to be undertaken during the exchange of turbines to be tested at the site. The CMS may require updating prior to these works.
Pre-construction otter survey
Mitigation & monitoring measures – recommend as good practice
Reduce use of vessels with ducted propellers where possible (i.e. use onshore crane instead if possible) and avoid conducting works with ducted propellers during the harbour seal breeding (~1 <sup>st</sup> July to 31 <sup>st</sup> August).
Consideration and inclusion of appropriate guidelines associated with the Scottish Marine Wildlife Watching Code <sup>4</sup> (SMWWC), while on site and during transit.
Good practice measures should be used to minimise the risk of introducing or supporting the settlement of non-native species, as per section (aiv) above.

<sup>4</sup> <http://www.marinecode.org>

**Ford A (Alexander)**

**From:** [REDACTED]

**Sent:** 17 September 2012 15:04

**To:** MS Marine Licensing

**Cc:** [REDACTED]

**Subject:** RE: 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012

Dear Ms Green,

Thank you for your correspondence concerning the proposed Offshore wind test site in Methil, Fife.

The ASFB represents the network of 41 Scottish District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), who have a statutory responsibility to protect and improve salmon and sea trout fisheries. We work very closely with the fishery trust network and their representative body, RAFTS, who provide a research, educational and monitoring role for all freshwater fish.

ASFB & RAFTS act as a convenient central point for Scottish Government and developers to seek views on local developments. However, as we do not have the appropriate local knowledge, or the technical expertise to respond to specific projects, we are only able to provide a general response with regard to the potential risk of such developments to fish, their habitats and any dependent fisheries. Accordingly, our remit is confined mainly to alerting the relevant local DSFB/Trust to any proposal.

The proposed development falls within the district of the Forth District Salmon Fishery Board, and the Forth Fishery Trust. It is important that the proposals are conducted in full consultation with these organisations (see link to ASFB and RAFTS member DSFBs and Trusts below). We have also copied this response to these organisations.

Due to the potential for such developments to impact on migratory fish species and the fisheries they support, ASFB and RAFTS have developed, in conjunction with Marine Scotland Science, advice for DSFBs and Trusts in dealing with planning applications. We would strongly recommend that these guidelines are fully considered throughout the planning, construction and monitoring phases of the proposed development.

- [LINK TO ASFB/RAFTS ADVICE ON OFFSHORE RENEWABLES](#)
- [LINK TO DSFB CONTACT DETAILS](#)
- [LINK TO FISHERY TRUST CONTACT DETAILS](#)

Best regards,

[REDACTED]

[REDACTED]

**From:** Hazel.Green@scotland.gsi.gov.uk [mailto:Hazel.Green@scotland.gsi.gov.uk] **On Behalf Of** MS.MarineLicensing@scotland.gsi.gov.uk

**Sent:** 17 September 2012 14:35

**To:** [REDACTED]

**Subject:** 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012



Dear [REDACTED]

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 24th September 2012. If you are unable to meet this deadline, please contact us to arrange an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

You should already have received a copy of the Environmental Statement and application.

<<ASFB.doc>>

Yours sincerely,

Hazel

Hazel Green

Marine Renewables Licensing Officer

Marine Scotland – Marine Policy and Planning

Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB

Tel: +44 (0)1224 295331

S/B: +44 (0)1224 876544

Fax: +44 (0)1224 295524

e: [Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk)

w: <http://www.scotland.gov.uk/marinescotland>

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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**Ford A (Alexander)**

**From:** [REDACTED]  
**Sent:** 14 August 2012 08:55  
**To:** MS Marine Licensing  
**Subject:** Your Ref 022/OW/SEM-10

Dear Sir/Madam

Your Ref 022/OW/SEM-10..... Construct and operate new designs of offshore wind turbines on the Northern Shore of the Firth of Forth

BT submit a NIL RETURN

Regards

[REDACTED]

This email contains BT information, which may be privileged or confidential. It's meant only for the individual(s) or entity named above. If you're not the intended recipient, note that disclosing, copying, distributing or using this information is prohibited. If you've received this email in error, please let me know immediately on the email address above. Thank you.

We monitor our email system, and may record your emails.  
British Telecommunications plc  
Registered office: 81 Newgate Street London EC1A 7AJ  
Registered in England no: 1800000

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16/04/2013

**Ford A (Alexander)**

**From:** [REDACTED]  
**Sent:** 01 October 2012 12:04  
**To:** Ford A (Alexander)  
**Subject:** RE: 022/OW/SEM - 10: MS LOT to CofS: Fife Energy Park Offshore Demonstration Wind Turbine ES Consultation - 1 Week After Reminder

Ali,

Apologies for missing the deadline. We have no outstanding concerns regarding this project and therefore wish to submit a 'nil return' in response.

Kind regards

[REDACTED]  
Policy Advisor, Safety & Environment  
The Chamber of Shipping  
30 Park Street  
London SE1 9EQ

**From:** Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]  
**Sent:** 01 October 2012 12:02  
**To:** [REDACTED]  
**Subject:** 022/OW/SEM - 10: MS LOT to CofS: Fife Energy Park Offshore Demonstration Wind Turbine ES Consultation - 1 Week After Reminder

Dear [REDACTED]

**ELECTRICITY ACT 1989**

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

The Electricity (Applications for Consent) Regulations 1990 (as amended)

**MARINE (SCOTLAND) ACT 2010**

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

**APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989, AND TWO MARINE LICENSES UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 TO CONSTRUCT, OPERATE AND TEST NEW DESIGNS OF OFFSHORE WIND TURBINES ON THE NORTHERN SHORE OF THE FIRTH OF FORTH**

The deadline for providing comments on the proposed works detailed above was **24<sup>th</sup> September 2012**. As the deadline has now passed please contact me immediately to arrange an extension to the consultation period if you wish to provide comments. If you have no comments to make please submit a "nil return" response.

You should have already received a copy of the Environmental Statement.

If you require any further information please let me know.

Regards

16/04/2013

Ali

**Alexander Ford**

Marine Renewables Licensing Advisor

Marine Scotland – Marine Planning &amp; Policy Division

Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria Road | Aberdeen AB11 9DB

Tel: +44 (0)1224 876544

S/B: +44 (0)1224 876544

Fax: +44 (0)1224 295524

e: [alexander.ford@scotland.gsi.gov.uk](mailto:alexander.ford@scotland.gsi.gov.uk)w: <http://www.scotland.gov.uk/marinescotland>

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Please note that the UK Chamber of Shipping is moving premises on Friday 28th September 2012

**Our new address will be: 30 Park Street, London, SE1 9EQ. All other contact details remain unchanged**

16/04/2013

Email, phones and fax will be unavailable from 17:00 on Thursday 27th September 2012. Emails sent to us will be queued for action once our systems are restored. Further information is available at <http://status.british-shipping.org>, which will be updated during the progress of the move.

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**Ford A (Alexander)**

**From:** Windfarms [Windfarms@caa.co.uk]  
**Sent:** 16 August 2012 14:04  
**To:** MS Marine Licensing  
**Cc:** [REDACTED]  
**Subject:** RE: Fife Energy Park Offshore Demonstration Wind Turbine

Dear Sir/Madam,

Having reviewed the Environmental Statement provided, the appropriate aviation consultees (NATS/NERL, BAA and MOD) have been consulted. I would also like to draw your attention to the following Documents:

<http://www.caa.co.uk/docs/33/CAP437RFS.pdf> - Standards for Offshore Helicopter Landing Areas.

[http://www.caa.co.uk/docs/33/DAP\\_LightingOffshoreWindTurbines.pdf](http://www.caa.co.uk/docs/33/DAP_LightingOffshoreWindTurbines.pdf) - Policy Statement: The Lighting of Wind Turbine Generators in United Kingdom Territorial Waters.

<http://www.caa.co.uk/docs/33/20120427PolicyStatementFailureofOffshoreAviationLighting.pdf> - Policy Statement: Guidance on Actions in the Event of the Failure of Aviation Warning Lights on Offshore Wind Turbines Listed in the UK Aeronautical Information Publication.

Please be aware that the Policy Statement - The Lighting of Wind Turbine Generators in United Kingdom Territorial Waters contains some information that has been superseded by edition 7 of CAP437. The Policy Statement will be re-issued in due course to reflect this correction as well as to reflect guidance regarding the potential use of flashing red Morse Code Letter 'W' aviation warning lighting to resolve potential issues for the maritime community.

In addition to the above lighting requirements there is also a requirement, as already identified within the ES, to ensure that positions and maximum heights of wind turbines, meteorological masts and construction equipment are provided to the UK Hydrographic Office for maritime charting and subsequent forwarding to the Defence Geographic Centre for aviation charting purposes.

Should you have any further questions please feel free to contact me, details below.

Yours Faithfully

[REDACTED]  
Squadron Leader (RAF)  
Surveillance and Spectrum Management  
Directorate of Airspace Policy  
Civil Aviation Authority  
45-59 Kingsway London WC2B 6TE

[REDACTED]  
[windfarms@caa.co.uk](mailto:windfarms@caa.co.uk)

---

**From:** [REDACTED]  
**Sent:** 07 August 2012 14:49  
**To:** Windfarms  
**Subject:** Fife Energy Park Offshore Demonstration Wind Turbine - Errata

Dear Sir/Madam,

**Fife Energy Park Offshore Demonstration Wind Turbine - Errata**

16/04/2013

Marine Scotland have brought it to our attention that there is an error on Page 4 of the Non Technical Summary (NTS) of the Environmental Statement produced in support of the application for the Fife Energy Park Offshore Demonstration Wind Turbine (FEPODWT).

Please find enclosed a copy of the Errata, correcting this mistake. I would be grateful if you could attach this to the NTS.

Many thanks for your assistance in this matter.

Kind regards,

[Redacted signature]

Arcus Renewable Energy Consulting Ltd  
Suite 2F, Swinegate Court East, 3 Swinegate, York, YO1 8AJ

[Redacted contact information]

\*\*\*\*\*

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**Ford A (Alexander)**

**From:** [REDACTED]  
**Sent:** 25 September 2012 16:19  
**To:** MS Marine Licensing  
**Cc:** [REDACTED]  
**Subject:** RE: 022/OW/SEM - 10: Methil ES Consultation Extension Granted: 18 September 2012

Hi Hazel,

Thank you for consulting us on the application for section 36 consent and marine licences for the construction and operation of test design turbines at Methil. I would like to confirm that we have no comments to submit.

Thanks once again for your flexibility in regards to the deadline and for agreeing to an extension of one week.

Kind regards,

[REDACTED]

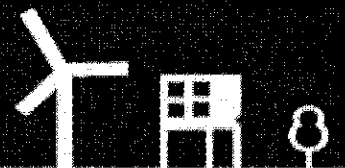
**THE CROWN  
ESTATE**

The Crown Estate  
6 Bell's Brae  
Edinburgh EH4 3BJ

[www.thecrownestate.co.uk](http://www.thecrownestate.co.uk)

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**Estates Gazette Sustainability Initiative of the Year**

*Quadrant 3*

**Best Annual Report**

*Investor Relations Society Best Practice Awards*

**From:** Hazel.Green@scotland.gsi.gov.uk [mailto:Hazel.Green@scotland.gsi.gov.uk] **On Behalf Of**  
MS.MarineLicensing@scotland.gsi.gov.uk

**Sent:** Tuesday, September 18, 2012 9:36 AM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** 022/OW/SEM - 10: Methil ES Consultation Extension Granted: 18 September 2012

Hi [REDACTED]

I can confirm an extension of one week to allow the Crown Estate to respond to Methil's ES and application consultation. We would be grateful for any comments by the 1st October.

Kind regards,

16/04/2013

Hazel

Hazel Green  
Marine Renewables Licensing Officer  
Marine Scotland – Marine Policy and Planning  
Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria Road | Aberdeen AB11 9DB  
Tel: +44 (0)1224 295331  
S/B: +44 (0)1224 876544  
Fax: +44 (0)1224 295524  
e: [Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk)  
w: <http://www.scotland.gov.uk/marinescotland>

---

**From:** [REDACTED]  
**Sent:** 18 September 2012 09:14  
**To:** MS Marine Licensing  
**Subject:** RE: 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012

Hi Hazel,  
Thanks you for passing this though. Would it be possible to have a short extension, of one week, to the deadline please?  
I'd be grateful if you could confirm this.  
Kind regards,

 THE CROWN ESTATE

The Crown Estate  
6 Bell's Brae  
Edinburgh EH4 3BJ

[www.thecrownestate.co.uk](http://www.thecrownestate.co.uk)  
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*Investor Relations Society Best Practice Awards*

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**From:** [Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk) [mailto:[Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk)] **On Behalf Of**  
[MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)

**Sent:** Monday, September 17, 2012 3:28 PM

**To:** [REDACTED]

**Subject:** FW: 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012

Dear [REDACTED]

I am forwarding this to you as instructed in [REDACTED] out of office.

Many thanks,

Hazel

Hazel Green  
Marine Renewables Licensing Officer

Marine Scotland – Marine Policy and Planning  
Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria Road | Aberdeen AB11 9DB  
Tel: +44 (0)1224 295331  
S/B: +44 (0)1224 876544  
Fax: +44 (0)1224 295524  
e: [Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk)

16/04/2013

w: <http://www.scotland.gov.uk/marinescotland>

**From:** Green H (Hazel)(MARLAB) **On Behalf Of** MS Marine Licensing  
**Sent:** 17 September 2012 14:37  
**To:** [REDACTED]  
**Subject:** 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012

Dear [REDACTED]

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 24th September 2012. If you are unable to meet this deadline, please contact us to arrange an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

You should already have received a copy of the Environmental Statement and application.

<<CROWN ESTATE.doc>>

Yours sincerely,

Hazel

*Hazel Green*

*Marine Renewables Licensing Officer*

*Marine Scotland – Marine Policy and Planning*

*Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295331*

*S/B: +44 (0)1224 876544*

*Fax: +44 (0)1224 295524*

*e: [Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk)*

*w: <http://www.scotland.gov.uk/marinescotland>*

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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MINISTRY OF DEFENCE

Alexander Ford  
Scottish Government (Marine Scotland)  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

## Defence Infrastructure Organisation

Safeguarding - Wind Energy  
Defence Infrastructure Organisation  
Kingston Road  
Sutton Coldfield  
West Midlands  
B75 7RL

Tel:  
Facsimile:  
Email:  
Web:

[www.defence-estates.mod.uk/DefenceInternet/MicroSite/DIOWhatWeDo/Operations/ModSafeguarding.htm](http://www.defence-estates.mod.uk/DefenceInternet/MicroSite/DIOWhatWeDo/Operations/ModSafeguarding.htm)

28 August 2012

Dear Mr Ford,

**MOD Reference: DIO 15875**

**Site Name: Fife Energy Park Offshore Demonstration Wind Turbine**

**Site Location: Methil, Firth of Forth**

With reference to correspondence from Arcus Renewable Energy Consulting Ltd of 30 July consulting the Ministry of Defence (MOD) about the above planning application, I am happy to inform you that the MOD has no objection to the proposal. Our assessment has been carried out on the basis that there will be 1 turbine, 196 metres in height from ground level to blade tip, located at the grid reference below:

Turbine	100km Square Letter	Easting	Northing
1	NT	36813	98362

In the interests of air safety, the turbine should be fitted with a 2000 candela omni-directional red light at the highest practicable point.

The principal safeguarding concerns of the MOD with respect to the development of wind turbines relate to their potential to create a physical obstruction to air traffic movements, and cause interference to air traffic control and air defence radar installations.

If planning permission is granted you must tell us:

- the date construction starts and ends
- the maximum height of construction equipment
- the latitude and longitude of every turbine

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

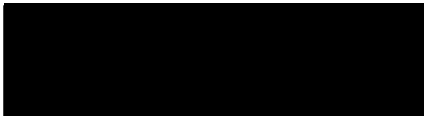
If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. Further information about the effects of wind turbines on MOD interests can be obtained from the following website:

<http://www.mod.uk/DefenceInternet/MicroSite/DIO/WhatWeDo/Operations/ModSafeguarding.htm>

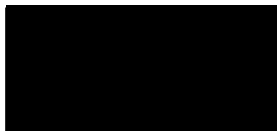
Yours sincerely,

*[original signed]*



<http://www.mod.uk/DefenceInternet/MicroSite/DIO/WhatWeDo/Operations/ModSafeguarding.htm>

**SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS**



Arcus Renewable Consulting Ltd  
2F Swinegate Court East  
3 Swinegate  
York  
YO1 8AJ

The Scottish Government  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

RECEIVED

17 AUG 2012

Hazardous Installations  
Directorate

Chemical Industries  
Belford House  
59 Belford Road  
Edinburgh  
EH4 3UE

Our ref: EIA/Methil/4.2.1.1701

Your ref: 022/OW/SEM-10

<http://www.hse.gov.uk/>

HM Principal Inspector of Health &  
Safety  
Dr G. A. Cook

Date: 15 August 2012

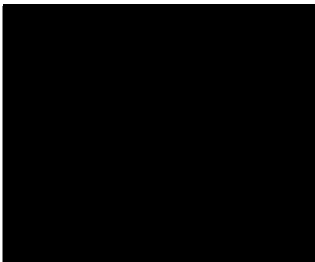
Dear Sirs

**ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED DEVELOPMENT OF AN OFFSHORE  
WIND FARM AT FIFE ENERGY PARK, METHIL, FIRTH OF FOURTH.**

Thank you for your letter of 13 August 2012 enclosing a copy of the environmental statement for the proposed development by Arcus Ltd at Fife Energy Park.

Environmental Impact Assessments are concerned with projects which are likely to have significant effects on the environment. HSE's principal concerns are the health and safety of people affected by work activities. HSE has no comments on this environmental statement.

Yours faithfully



## Ford A (Alexander)

---

From: [REDACTED]  
Sent: 14 December 2012 14:10  
To: Ford A (Alexander)  
Subject: Re: 022/OW/SEM - 10: Methil ES Consultation - NIL RETURN

Alexander

I received no feedback from the SE IFG  
therefore 'nil return' correct.

Regards

[REDACTED]  
On 10/12/2012, Alexander.Ford@scotland.gsi.gov.uk  
<Alexander.Ford@scotland.gsi.gov.uk> wrote:

> Dear [REDACTED]  
>  
>  
>  
> ELECTRICITY ACT 1989  
>  
> The Electricity Works (Environmental Impact Assessment) (Scotland)  
> Regulations 2000 (as amended)  
>  
> The Electricity (Applications for Consent) Regulations 1990 (as  
> amended)  
>  
> MARINE (SCOTLAND) ACT 2010  
>  
> The Marine Works (Environmental Impact Assessment) Regulations 2007  
> (as  
> amended)  
>  
>  
>  
> APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989,  
> AND TWO MARINE LICENSES UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010  
> TO CONSTRUCT, OPERATE AND TEST NEW DESIGNS OF OFFSHORE WIND TURBINES  
> ON THE NORTHERN SHORE OF THE FIRTH OF FORTH  
>  
>  
>  
>  
> The deadline for providing comments on the proposed works detailed  
> above was 24 September 2012. As the deadline has now passed and we  
> have not received any comments from yourself, we assume a "nil return" response.  
>  
>  
>  
>  
>



> Yours sincerely

>

>

>

>

>

>

> Alexander Ford

>

> Marine Renewables Licensing Advisor

>

> Marine Scotland - Marine Planning & Policy Division

>

> Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria

> Road

> | Aberdeen AB11 9DB

>

> Tel: +44 (0)1224 876544

>

> S/B: +44 (0)1224 876544

>

> Fax: +44 (0)1224 295524

>

> e. alexander.ford@scotland.gsi.gov.uk

>

> w: <http://www.scotland.gov.uk/marinescotland>

> <<http://www.scotland.gov.uk/marinescotland>>

>

>

>

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> \*\*\*\*\*

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>

>

> Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach

> neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann

> an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo

> sgaoileadh, gun chead. Ma 's e is gun d'fhuaire sibh seo le gun

> fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an

> t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

>

> Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba

> air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam

> ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh

> nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

## **Ford A (Alexander)**

---

**From:** Windfarms Team [windfarms@jrc.co.uk]  
**Sent:** 22 August 2012 13:23  
**To:** MS Marine Licensing  
**Cc:** [REDACTED]  
**Subject:** Fife Energy Park Offshore - Wind Turbine Test Facility

Dear Sir/Madam,

Marine Scotland Ref: 022/OW/SEM-10

Name/Location: Fife Energy Park Offshore

Turbine at NGR: 336813 698362

Hub Height: 110m Rotor Radius: 86m

Met Mast at NGR: 336800 698343

Mast Height: 110m Rotor Radius: n/a

Cleared with respect to radio link infrastructure operated by:-

Scottish Power and Scotia Gas Networks

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry and the Water Industry in north-west England. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

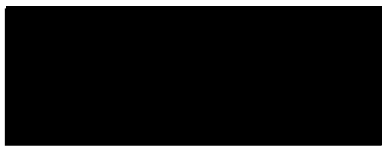
In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

[REDACTED]  
Wind Farm Team

The Joint Radio Company Limited  
Dean Bradley House,  
52 Horseferry Road,  
LONDON SW1P 2AF  
United Kingdom



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JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.  
Registered in England & Wales: 2990041  
<<http://www.jrc.co.uk/about>>

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**Ford A (Alexander)**

---

**From:** [REDACTED]  
**Sent:** 02 October 2012 14:16  
**To:** Ford A (Alexander)  
**Subject:** RE: Fife Energy Park ES CD - Consultation Extension Request

**Attachments:** Fife Energy Park - Consent.doc



Fife Energy Park -  
Consent.doc...

Alex

Reply to METHIL consent application attached.

As you might expect no significant concerns, with standard consent conditions embedded.

Regards

[REDACTED]

[REDACTED]

MCA Navigation Safety  
Bay 2/04 Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

[REDACTED]

---

Subject to the need to keep up to date file records, please consider your environmental responsibility before printing this email

>>> <Alexander.Ford@scotland.gsi.gov.uk> 26/09/2012 09:11 >>>

Yeah that's fine [REDACTED]

Ali

Alexander Ford

Marine Renewables Licensing Advisor

Marine Scotland - Marine Planning & Policy Division

Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria Road  
| Aberdeen AB11 9DB

Tel: +44 (0)1224 876544

S/B: +44 (0)1224 876544

Fax: +44 (0)1224 295524

e. alexander.ford@scotland.gsi.gov.uk

w: <http://www.scotland.gov.uk/marinescotland>

-----Original Message-----

From: [REDACTED]

Sent: 26 September 2012 09:06

To: Ford A (Alexander)

Subject: Re: Fife Energy Park ES CD - Consultation Extension Request

Ali

Hopefully the disc will arrive today and I can complete the review, I am out of office with meetings on 28th and 1st, so can we push it back a couple of days just in case of any problems, say 3rd October.

Thanks

[REDACTED]  
[REDACTED]  
MCA Navigation Safety  
Bay 2/04 Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG  
[REDACTED]

---

Subject to the need to keep up to date file records, please consider your environmental responsibility before printing this email

>>> <Alexander.Ford@scotland.gsi.gov.uk> 25/09/2012 16:34 >>>

Hi [REDACTED]

How does the 1st of October suit for an extension to the Methil ES Consultation?

Regards

Ali



Maritime and Coastguard Agency

Navigation Safety Branch  
Bay 2/04  
Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

Alexander Ford  
Licensing Operations Team  
Marine Scotland

Tel:  
Fax:  
E-mail:

Your ref: 022/OW/SEM -10  
Our ref:

2<sup>nd</sup> October 2012

Dear Alex,

**APPLICATION FOR CONSENT TO CONSTRUCT, OPERATE AND TEST NEW  
DESIGNS OF OFFSHORE WIND TURBINES ON THE NORTHERN SHORE OF  
THE FIRTH OF FORTH.**

Thank you for your email inviting MCA to comment on the potential impact of the above proposed works on the interests of navigation.

The proposal has been examined by staff of the Navigation Safety Branch and it can be noted that the works are unlikely to have an adverse impact, with regards to safety of navigation, provided:

1. A copy of this consent must be given to each contractor appointed to carry out part or all of 'the works' in order that they are clear about the extent of 'the works' for which consent has been given and the conditions that are attached to the consent.
2. The Consent Holder should ensure suitable bunding, storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.
3. The Consent Holder should ensure the local mariners' and fishermen's organisations are notified.
4. The Consent Holder should notify the UK Hydrographic Office to permit the promulgation of maritime safety information and updating of nautical charts and publications.
5. The works shall be maintained at all times in good repair.
6. The works should be removed from below the level of mean high water springs, or such alterations made, within one month of notice being given by the Secretary of State at any time he considers this necessary or advisable for the safety of



INVESTOR IN PEOPLE



navigation, and not replaced without further consent by the Secretary of State. The owner of the works shall be liable for any expense incurred.

7.. If in the opinion of the Secretary of State the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the failure to mark and light the works as required by the consent or to maintain the works in good order or from the drifting or wreck of the works, the owner of the works shall be liable for any expense incurred in securing such assistance.

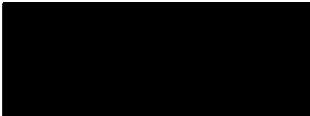
8.. Officers of the MCA, or any other person authorised by the Secretary of State, should be permitted to inspect the works at any reasonable time.

9.. The site is within port limits and the developer should consult with the responsible local navigation authority and the Harbour Authority/Commissioners where appropriate, who may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works during the construction. Additionally, they may need to review their Port Marine Safety Code risk assessments.

10. The works, and any associated temporary works, should be marked and lighted in accordance with the requirements of the General Lighthouse Authority in this case Northern Lighthouse Board.

Please note, however, that a charge will be levied on the developers where appropriate, by MCA, for the transmission of maritime safety information, via Navtex or Coastguard VHF radio network, in respect of the proposed works. Agreement by the developers to pay any such charges should, ideally, be a condition of the consent if they are likely to be used.

Yours sincerely,

A black rectangular box redacting the signature of the official.

Navigation Safety Branch

**Ford A (Alexander)**

**From:** [REDACTED] on behalf of NATS Safeguarding  
[NATSSafeguarding@nats.co.uk]  
**Sent:** 01 October 2012 12:10  
**To:** Ford A (Alexander).  
**Subject:** RE: 022/OW/SEM - 10: MS LOT to NATS: Fife Energy Park Offshore Demonstration Wind Turbine ES Consultation - 1 Week After Reminder

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NERL (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NERL in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully,

[REDACTED]  
Technical Administrator  
On behalf of NERL Safeguarding Office

---

**From:** Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]  
**Sent:** 01 October 2012 11:58  
**To:** NATS Safeguarding  
**Subject:** 022/OW/SEM - 10: MS LOT to NATS: Fife Energy Park Offshore Demonstration Wind Turbine ES Consultation - 1 Week After Reminder

Dear [REDACTED]

**ELECTRICITY ACT 1989**

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

The Electricity (Applications for Consent) Regulations 1990 (as amended)

**MARINE (SCOTLAND) ACT 2010**

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

**APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989, AND TWO MARINE LICENSES UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 TO CONSTRUCT, OPERATE AND TEST NEW DESIGNS OF OFFSHORE WIND TURBINES ON THE NORTHERN SHORE OF THE FIRTH OF FORTH**

The deadline for providing comments on the proposed works detailed above was **24<sup>th</sup> September 2012**. As the deadline has now passed please contact me immediately to arrange an extension to the consultation period if you wish to provide comments. If you have no comments to make please submit a "nil return" response.

You should have already received a copy of the Environmental Statement.

If you require any further information please let me know.

16/04/2013



Regards

Ali

**Alexander Ford**

Marine Renewables Licensing Advisor

Marine Scotland – Marine Planning & Policy Division

Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB

Tel: +44 (0)1224 876544

S/B: +44 (0)1224 876544

Fax: +44 (0)1224 295524

e: [alexander.ford@scotland.gsi.gov.uk](mailto:alexander.ford@scotland.gsi.gov.uk)

w: <http://www.scotland.gov.uk/marinescotland>

\*\*\*\*\*

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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# Northern Lighthouse Board

Your Ref: 022/OW/SEM - 10  
Our Ref: AJ/OPS/CPA/O6\_08\_145

84 George Street  
Edinburgh EH2 3DA  
Switchboard: 0131 473 3100  
Fax: 0131 220 2093  
Website: [www.nlb.org.uk](http://www.nlb.org.uk)  
Email: [enquiries@nlb.org.uk](mailto:enquiries@nlb.org.uk)



Mr Alexander Ford  
Marine Scotland – Licensing Ops Team  
Scottish Government  
Marine Laboratory  
PO Box 100  
375 Victoria Road  
Aberdeen  
AB11 9BD

04 September 2012

Dear Sir

**ELECTRICITY ACT 1989. THE ELECTRICITY WORKS (EIA)(SCOTLAND) REGULATIONS 2000 and PART 4 OF THE MARINE (SCOTLAND) ACT 2010.**

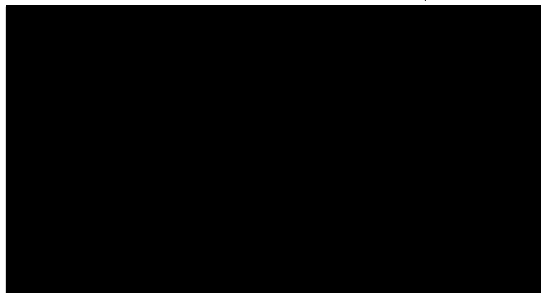
Thank you for your correspondence dated 13 August 2012 requesting a response to the S20 and S36 application for the installation and operation of a demonstration Wind Turbine device and near shore support base including a meteorological data gathering mast at **Fife Energy Park, Methil.**

We would advise that the Northern Lighthouse Board had given an initial response to the project. We advise that no marking of the turbine or meteorological mast is required and that we are content with the findings of the supplied scoping opinion.

We would require any vessels engaged in the sea bed preparations and profiling operations to have marking and lighting as per the International Regulations for the Prevention of Collisions at Sea.

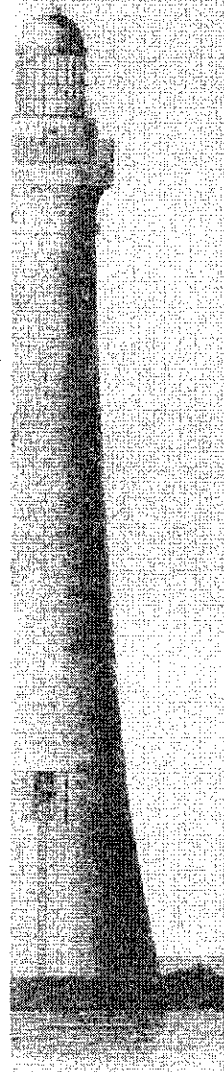
We would however, require a Notice to Mariners and publication in appropriate bulletins stating the nature and timescale of any works carried out in the marine environment relating to this project. The warnings should be promulgated before commencement of any installation, operation, maintenance and decommissioning period.

On completion of the works, we would further require that details of the seabed profile should be sent to the UKHO in order that the Admiralty chart BA-741 can be correctly updated.



*For the safety of all*

*Certified to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS 18001*



10 August 2012

[REDACTED]  
Arcus Renewable Energy Consulting Ltd  
2F Swinegate Court East  
3 Swinegate  
York, YO1 8AJ

Dear [REDACTED]

**Fife Energy Park Offshore Demonstration Wind Turbine (FEPODWT)**

Thank you for our letter of 30<sup>th</sup> July 2012, having read the project Environmental Statement, RYA Scotland confirms that there are not expected to be any adverse impacts on navigation. Nevertheless, we welcome the commitment to consult us and the local clubs during the implementation of the project.

Yours sincerely,

[REDACTED]  
PP [REDACTED]  
RYA Scotland Planning and Environment Officer

**Copy To:**  
Marine Scotland

Caledonia House  
1 Redheughs Rigg  
South Gyle  
Edinburgh  
EH12 9DQ

Tel: [REDACTED]  
Fax: [REDACTED]  
Email: [REDACTED]  
Web: [www.ryascotland.org.uk](http://www.ryascotland.org.uk)



**nature's voice**

**RSPB SCOTLAND**

Tayside & Fife Office

1 Atholl Crescent

Perth PH1 5NG

Tel: 01738 630783

[www.rspb.org.uk/scotland](http://www.rspb.org.uk/scotland)

By Email: [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk)

24 September 2012

Dear Mr Ford

**Application for consent under Section 36 of the Electricity Act 1989, and two marine licences under part 4 of the Marine (Scotland) Act 2010 to construct, operate and test new designs of offshore wind turbines on the northern shore of the Firth of Forth.**  
**Application ref: 022/OW/SEM-10**

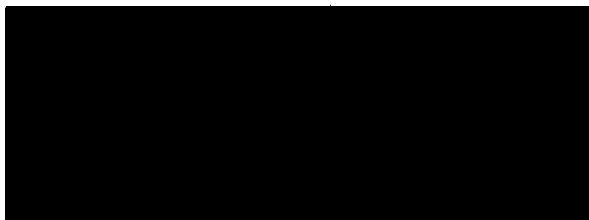
Thank you for your letter dated 13 August 2012 inviting RSPB Scotland's comments on the above proposal.

Chapter 8 and Appendix 8.4 of the ES present calculations of collision risk for nine target species and relate the impact of increases in baseline mortality to populations of SPA qualifying species at the time of site designation. Breeding populations of fulmar, shag, cormorant, kittiwake, sandwich and common tern have declined within the Forth Islands SPA since designation (Seabird Monitoring Programme online database 2012: [www.jncc.defra.gov.uk](http://www.jncc.defra.gov.uk)). RSPB Scotland recommends that when assessing the impact on this SPA the most up to date population estimates are used in addition to the citation figures.

However, a recalculation using the most recent population figures still results in an increase in baseline mortality that is below 1%, due to the low collision risks for the six seabird species. When applied to the SPA populations this equates to a 'negligible' change and approximates to the "no change" situation.

Given the low collision risk figures and the short time the turbine will be operational (a maximum of five years) we have no further comments to make.

Yours Sincerely



**Ford A (Alexander)**

**From:** [REDACTED]  
**Sent:** 17 September 2012 19:55  
**To:** MS Marine Licensing  
**Subject:** RE: 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012

nil return

Thanks,

**STOP ICELAND WHALING: Is the fish you buy supplied by whalers? Find out and join our campaign to shut down Icelandic whaling**

**From:** Hazel.Green@scotland.gsi.gov.uk [mailto:Hazel.Green@scotland.gsi.gov.uk] **On Behalf Of** MS.MarineLicensing@scotland.gsi.gov.uk  
**Sent:** 17 September 2012 14:43  
**To:** [REDACTED]  
**Subject:** 022/OW/SEM - 10: Methil ES Consultation 1 Week Before Reminder: 17 September 2012

Dear [REDACTED]

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 24th September 2012. If you are unable to meet this deadline, please contact us to arrange an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

You should already have received a copy of the Environmental Statement and application.

<<WDCS.doc>>

Yours sincerely,

Hazel

Hazel Green

Marine Renewables Licensing Officer

Marine Scotland – Marine Policy and Planning

Scottish Government | Marine Laboratory, PO Box 101| 375, Victoria Road | Aberdeen AB11 9DB

Tel: +44 (0)1224 295331

S/B: +44 (0)1224 876544

Fax: +44 (0)1224 295524

e: [Hazel.Green@scotland.gsi.gov.uk](mailto:Hazel.Green@scotland.gsi.gov.uk)

w: <http://www.scotland.gov.uk/marinescotland>

\*\*\*\*\*

16/04/2013

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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HISTORIC SCOTLAND  
ALBA AOSMHOR

Alex Ford  
Policy Officer  
Renewables Licensing Operations Team  
Marine Scotland  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Our ref: AMN/16/F  
Our Case ID: 201202849

24 August 2012

Dear Mr Ford

**Electricity Act 1989**  
**The Electricity Works (Environmental Impact Assessment) Regulations 200 (as amended)**  
**The Electricity (Applications for Consent) Regulations 1990 (as amended)**  
**Marine (Scotland) Act 2010**  
**The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)**

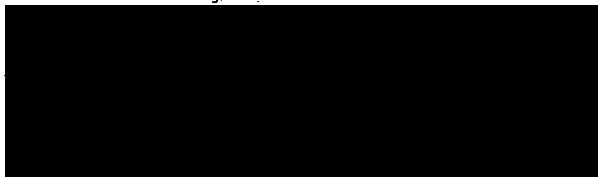
**Application for Consent under Section 36 of the Electricity Act 1989, and two Marine Licenses under Part 4 of the Marine (Scotland) Act 2012 to construct, operate and test new designs of offshore wind turbines on the northern shore of the Firth of Forth**

Thank you for your letter of 13 August 2012 seeking our comments on the application and assessment for the Fife Energy Park Offshore Demonstration Wind Turbine Facility at Methil, Fife. Our comments here concentrate on our statutory remit for scheduled monuments and their setting, category A listed buildings and their setting and gardens and designed landscapes and battlefields appearing in their respective Inventories. Fife Council's Conservation and Archaeology Services will also be able to advise on the adequacy of the assessment for the historic environment and of the likely impacts and mitigation proposed for any sites of regional and local importance.

We note the changes to the previously consented scheme and welcome the assessment carried out on the potential impact of the revised proposals on the historic environment. No significant impacts on the historic environment have been predicted and we are content to agree with these findings. We therefore have no objection to offer to the proposal.

Should you wish to discuss any of the issues raised in this response please do not hesitate to contact me at the above details.

Yours sincerely



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**Ford A (Alexander)**

---

**From:** [REDACTED]

**Sent:** 31 August 2012 14:24

**To:** MS Marine Licensing

**Subject:** 022/OW/SEM -10 - Fife Energy Park off shore wind turbines

Alexander,

Thanks for sight of this application I have no comment to make on this case.

Please could you, and colleagues, send me consultation requests electronically as they are easier to keep track of than hard copy letters.

Many thanks

[REDACTED]

*Ports and Harbours Branch*

*Area 2G North*

*Victoria Quay*

*Edinburgh*

*EH6 6QQ*

[REDACTED]

**Trunk Road and Bus Operations**

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF



COMHDHAIL  
ALBA

Marine Scotland  
By e-mail  
[ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk)

Your ref:  
022/OW/SEM - 10

Our ref:

Date:  
18 September 2012

FAO – Alexander Ford

Dear Alexander

**ELECTRICITY ACT 1989**

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)**

**The Electricity (Applications for Consent) Regulations 1990 (as amended)**

**MARINE (SCOTLAND) ACT 2010**

**The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)**

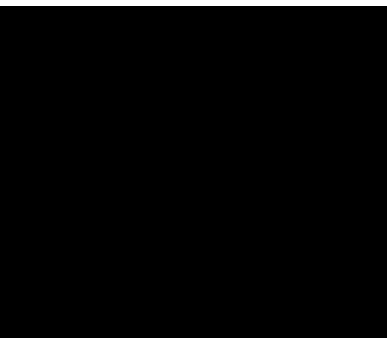
**APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989, AND TWO MARINE LICENSES UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 TO CONSTRUCT, OPERATE AND TEST NEW DESIGNS OF OFFSHORE WIND TURBINES ON THE NORTHERN SHORE OF THE FIRTH OF FORTH**

I refer to your letter dated 13 August 2012 and the accompanying report. The comments of the Trunk Road and Bus Operations Directorate (TRBOD) are as follows.

The proposed development represents an intensification of the use of this site however the percentage increase in traffic on the trunk road is such that the proposed development is likely to cause minimal environmental impact on the trunk road network. On this basis TRBOD has no comment to make.

I trust this meets your requirements.

Yours sincerely,

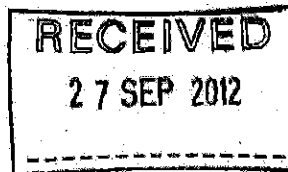


Development Management

Our Ref SCT6532B  
Your Ref 022/OW/SEM - 10

26 September 2012

Alexander Ford  
Marine Scotland  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB



JMP Consultants Limited  
Mercantile Chambers  
63 Bothwell Street  
Glasgow  
G2 6TS

[www.jmp.co.uk](http://www.jmp.co.uk)

Dear Alexander

**THE ELECTRICITY ACT 1989  
THE ELECTRICITY WORKS (EIA) (SCOTLAND) REGULATION 2000  
MARINE (SCOTLAND) ACT 2010  
THE MARINE WORKS (EIA) REGULATION 2007  
PROPOSED FIFE ENERGY PARK OFFSHORE DEMONSTRATION WIND TURBINE SITE,  
NORTHERN SHORE OF THE FIRTH OF FORTH (ENVIRONMENTAL STATEMENT)**

With reference to your recent correspondence dated 12 August 2012 on the above development, we write to inform you of our involvement as Term Consultants to Transport Scotland – Trunk Road and Bus Operation (TS-TRBO) in relation to the provision of advice on issues affecting the trunk road network.

We have been passed a copy of the Environmental Statement (ES) prepared by Arcus Renewables Energy Consulting Limited in support of the above development. Having reviewed the information provided, we would make the following comments.

We understand from the information provided that the development proposal is to construct, operate and decommission a site for the testing of new designs of offshore wind turbines with a capacity of up to 7 MW. We note that the development would be operational for 5 years and during this timescale there is potential for more than one turbine model to be tested at the site. We understand that only one turbine would ever be installed at any one time.

The proposed development would be located within the Fife Energy Park (FEP) site which comprises 133 acres of industrial land some of which is utilised by the FEP's existing operators and some of which is currently semi-derelict. The turbine would be located approximately 35m from the mean high water mark and 48.3m from the FEP boundary. The closest trunk road is the A92 trunk road which provides strategic access to the area.

#### **Access Strategy and Traffic Impact**

We note that access to the site would be served via the existing access to the FEP site. We would comment that the access roads are part of the local road network and in these circumstances, we have no specific comments to make on the actual access point itself.

We note that the majority of the turbine components will either be manufactured on site or delivered by sea to the nearest suitable water port i.e. Forth Ports and to site by sea. In these circumstances, we accept that the construction traffic associated with the proposed development will not have any significant Environmental impact on the trunk road network and it is not anticipated that Abnormal Loads will be transported by road.

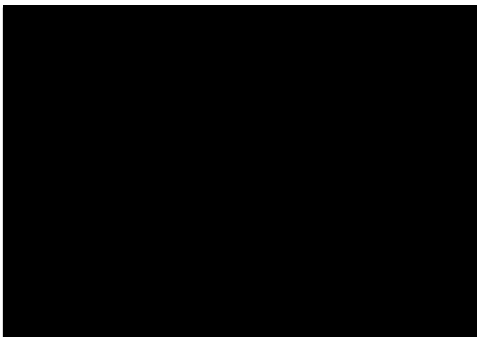
With regard to operational traffic, we note that a site based staff of 4-6 people will be required to undertake the commissioning and testing of the turbine. Staff will require daily access to the turbine for instrumentation, maintenance and monitoring purposes however we are satisfied that there will not be any significant issues associated with the operational stage of the development with regard to traffic.

#### Noise, Vibration and Air Quality

Based on the information provided within the ES, it is accepted that the traffic associated with the proposed development will have no significant impact on the trunk road network and its adjacent receptors in terms of Noise and Air Quality. Therefore no further information is required in this regard.

I trust that the above is satisfactory and provides suitable guidance for the preparation of the assessment. In the meantime, please do not hesitate to contact me at our Glasgow Office if you have any queries.

Yours faithfully



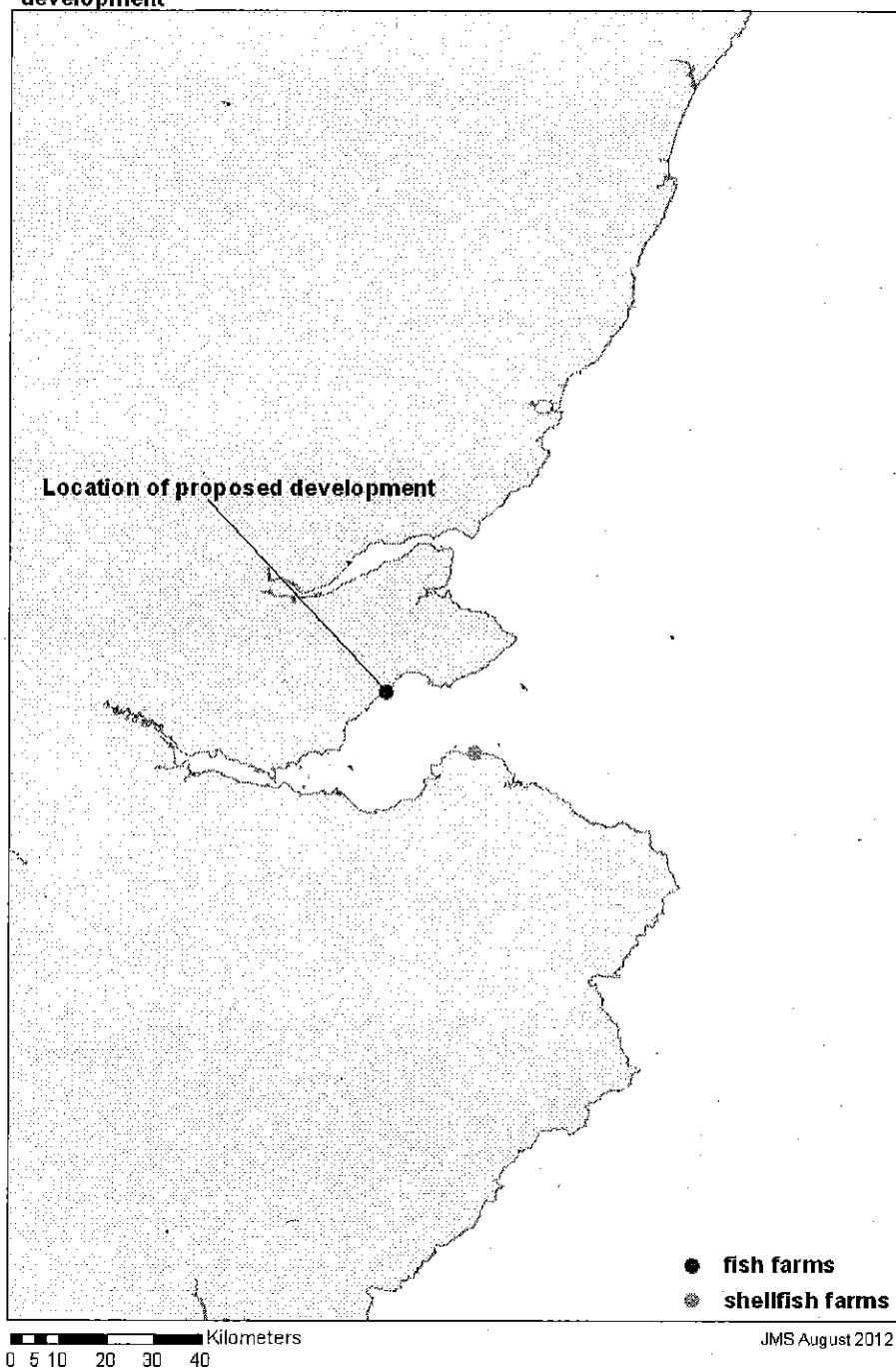
Our ref: FFP-12-076  
Your ref: 022/OW/SEM - 10

Dear Mr Jones,

APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989, AND TWO MARINE LICENSES UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 TO CONSTRUCT, OPERATE AND TEST NEW DESIGNS OF OFFSHORE WIND TURBINES ON THE NORTHERN SHORE OF THE FIRTH OF FORTH

There are no aquaculture sites located within the area of work for the Fife Energy Park Offshore Demonstration Wind Turbine (FEPODWT) (see attached map).

**Location of active fish and shellfish farms within the vicinity of the proposed development**



The closest aquaculture site is located ~22km to the south east of the development at Fife Offshore Energy Park and is a land based shellfish farm.

Yours sincerely

Anna Donald  
Marine Scotland Science  
24/08/2012

## **Ford A (Alexander)**

---

**From:** Jones G (Gareth) (MARLAB)  
**Sent:** 01 October 2012 13:18  
**To:** Ford A (Alexander)  
**Subject:** Fife demonstrator

Hi Ali

Sorry about this. There is a nil return from myself and Anna, we have no further comments to make. I haven't received any additional comments from Ian D or Pete. Pete is at sea though until the 4<sup>th</sup> Oct.

Cheers  
Gareth

### **Gareth Jones**

Marine Ecologist  
Offshore Energy Environmental Advice Group  
Marine Scotland – Science

Scottish Government | Room C302 | Marine Scotland Science | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

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w: <http://www.scotland.gov.uk/marinescotland>

**Ford A (Alexander)**

---

**From:** Malcolm I (Iain) (MARLAB)  
**Sent:** 25 September 2012 15:30  
**To:** MS Marine Licensing; Jones G (Gareth) (MARLAB)  
**Cc:** Gardiner R (Ross) (MARLAB)  
**Subject:** Fife Energy Park Offshore Demonstration Wind Turbine

Dear Ali,

Given that this proposal is of an exceedingly small spatial extent (single turbine) with power export cables are underground, I have no comments to make on the above proposal.

Best wishes, Iain



**Ford A (Alexander)**

---

**From:** Davies I (Ian) (MARLAB)  
**Sent:** 04 October 2012 10:50  
**To:** Ford A (Alexander)  
**Subject:** RE: Methil ES Consultation - SNH Response  
**Attachments:** SNH response.pdf

Ali

SNH are being less hard on them than I was. We should accept the SNH views in this case, the important element of which is that they are accepting rather qualitative arguments on the significance of collision risk.

Ian

Dr Ian M Davies  
Marine Renewable Energy Programme manager  
Marine Scotland Science  
Scottish Government  
Marine Laboratory  
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AB11 9DB  
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Fax: +44 (0)1224 295511  
e: email : [ian.davies@scotland.gsi.gov.uk](mailto:ian.davies@scotland.gsi.gov.uk)  
w: <http://www.scotland.gov.uk/marinescotland>

---

**From:** Ford A (Alexander)  
**Sent:** 04 October 2012 10:37  
**To:** Davies I (Ian) (MARLAB)  
**Subject:** Methil ES Consultation - SNH Response

Ian,

I thought you might be interested in having a look at what SNH had to say about birds for the Methil Demonstrator Turbine when considering your response. If in fact you choose to respond.

Cheers

Ali

**Alexander Ford**  
Marine Renewables Licensing Advisor  
Marine Scotland – Marine Planning & Policy Division  
Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB  
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e. [alexander.ford@scotland.gsi.gov.uk](mailto:alexander.ford@scotland.gsi.gov.uk)

16/04/2013

## Ford A (Alexander)

---

**From:** Robertson M (Mike) (MARLAB)  
**Sent:** 06 September 2012 14:58  
**To:** Ford A (Alexander)  
**Subject:** 022/OW/SEM-10 (FEPODWT)

Ali,

I have read through all the documentation regarding this development and have no comments to make at this time.

Mike

M. R. Robertson  
Senior Marine Ecologist  
Offshore Energy Environmental Advice  
Marine Scotland Science

Scottish Government | Marine Laboratory, PO Box 101 | 375 Victoria Road | Aberdeen AB11 9DB

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Web: <http://www.scotland.gov.uk/marinescotland>

**Ford A (Alexander)**

**From:** Rory O'Hara Murray [R.Murray@MARLAB.AC.UK]  
**Sent:** 19 September 2012 15:28  
**To:** Jones G (Gareth) (MARLAB)  
**Cc:** MS Marine Licensing  
**Subject:** Fife Energy Park Offshore Demonstration Wind Turbine ES

Hi Gareth,

I have no comments on the Fife Energy Park Offshore Demonstration Wind Turbine ES. From my point of view all the relevant coastal processes have been considered. I wanted to check that they had presented evidence showing that the jacket foundations would have little effect on the long-shore sediment transport. They seem to use expert judgment explain that it will have little effect. I tend to agree with this judgment, especially as it is only one jacket being installed. They also present evidence that they have taken on board the comments made by MSS and the other consultees during the consultations process.

Cheers,

Rory

Rory O'Hara Murray, PhD  
Marine Renewables Oceanographer  
Oceanography Group  
Marine Scotland Science  
Scottish Government | Marine Laboratory PO BOX 101 | 375 Victoria Road | Aberdeen AB11 9DB  
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