

Aberdeen Offshore Wind Farm (AOWF): Initial meeting of the EOWDC Scientific Research and Monitoring Panel

Meeting date: 19 September 2013 13:00
Place: Marine Laboratory, Victoria Quay, Aberdeen

Participants: Stuart Gibb (University of the Highlands and Islands)
Roger May (Marine Scotland)
Jim McKie (Marine Scotland)
Finlay Bennet (Marine Scotland Science)
Helen Jameson (Aberdeen Offshore Wind Farm Limited)
Edwina Sleightholme (Aberdeen Offshore Wind Farm Limited)
Eoghan Maguire (Aberdeen Offshore Wind Farm Limited)
Sue Lawrence (Scottish Natural Heritage)
Karen Hall (Joint Nature Conservation Committee)
via teleconference
Ian Francis (RSPB)
Fiona Read (Whale and Dolphin Conservation)

Background to meeting:

On 26 March 2013, Aberdeen Offshore Wind Farm Limited received consent from the Scottish Minister's under Section 36 of the Electricity Act 1989 to construct and operate the European Offshore Wind Deployment Centre (EOWDC) electricity generating station approximately 2 km off the coast of Aberdeenshire in Aberdeen Bay. The vision of the EOWDC is "To deploy new equipment, systems, processes and initiate R&D to improve the competitiveness of Offshore Wind Energy production, whilst generating environmentally sound marketable electricity and to increase the supply chain capabilities in Scotland, the wider UK and Europe." The project is part-funded by the European Union (EU) under the European Economic Plan for Recovery in the Field of Energy, having been awarded a grant of €40 million to fund research and development activities associated with the EOWDC. Via this EU grant, €3 million has been allocated to environmental research and monitoring in order to provide stakeholders with information on environmental impacts associated with offshore wind developments. It is hoped the results will feed into the Round 3 and Scottish Territorial Water's projects currently under development.

Condition 15 of the Section 36 decision notice outlines the requirement for establishment of an 'expert panel' to provide scientific advice to Scottish Ministers on environmental research and monitoring. This meeting constitutes the first official meeting of those individuals/organisational representatives deemed required by Scottish Ministers to form part of the EOWDC Panel. The Agenda for this meeting was put together and circulated by MS-LOT.

Introductions:

Stuart Gibb introduced as the appointed Chairperson of the EOWDC Scientific Research and Monitoring Panel followed by round the table introductions of each attendee. Apologies from absentees acknowledged.

Chair gave a brief introduction to the EOWDC project and its aims. It was confirmed that any concerns or clarifications from Panel members regarding consents and licensing should be directed to MS-LOT. In this instance, MS-LOT act under delegated powers from Scottish Ministers, they in turn keep the Ministers informed of progress on these matters.

Question raised regarding funding of the proposed Panel and whether the figure of €3 million was specifically for environmental research and monitoring or whether there were engineering/technology aspects which required to draw from this fund. Also whether the other R&D work packages e.g. engineering packages, were also covered by the same funds. AOWFL representatives confirmed that this sum was entirely dedicated to environmental research aspects of the project.

Comment from Marine Scotland that this Panel is over and above the usual monitoring carried out as a requirement under consent for an Offshore Wind Farm. The R&D aspects (both environmental and other areas) are required in order to be eligible for the grant monies. It is hoped in the long term that further investment could be gained from elsewhere to extend research programmes beyond the lifetime of the EU grant.

Chair explained vision for the group: an open forum for discussion, co-operative, establish and adopt best practice, produce robust outputs in a responsible manner. However there is a requirement during these early stages to get to grips with how the Panel will function and establish the roles of the parties involved.

Discussion of how establishment/operational phases will work. Some uncertainty remains. Clarity is required on how the panel and working groups function in practice, and the commitment required from SNCBs and other parties. There may be occasions when it is more appropriate for specialists to attend meetings rather than organisations.

Question raised on whether this type of Panel is intended to be introduced on other offshore wind projects. Marine Scotland confirmed that this is not the intention at the current time, primarily due to restricted resources in house. As a demonstrator site, the EOWDC is distinct from other Scottish Territorial Waters/Round 3 projects. There may be the opportunity for 'regional' Panels, possibly in collaboration with The Crown Estate in a similar vein to the Scottish Offshore Wind Developer's Groups (FTOWDG and MFOWDG), rather than project specific. This might in turn lend itself to the knowledge sharing objective. The results of this Panel will feed into other projects. An important prerequisite is the need to be clear on what is going on elsewhere in the scientific community to avoid duplication of research effort and to provide clarity on where we fit in.

An overarching aim is to be open about the work being carried out and disseminate the results promptly and effectively and encourage collaboration. Meeting minutes, proposals, documents produced (final versions) will be made public via both the Marine Scotland planning portal and AOWFL/Vattenfall websites. All members of the Panel confirmed they are in favour of this open approach.

AOWFL representative will draft meeting minutes which will then be reviewed and commented on by Chair/Panel members before the final versions are passed to Marine Scotland for publication.

There is some uncertainty over correct terminology, therefore AOWFL will draft and circulate a Statement of Terminology for clarification, which will include the final Title for the Panel. Chair also proposed lead members submit a short 'BioPic' to introduce themselves which will be compiled and circulated.

Question raised as to whether the representatives from organisations taking part in the Panel's activities will be consistent over time. There is likely to be a requirement for some degree of flexibility as individuals may not be available for every meeting, therefore each BioPic should include information for both the individual and respective organisation.

Draft Terms of Reference (ToR):

Request for confirmation that this Panel and its associated funding covers only environmental research and monitoring and there is no requirement to manage engineering aspects of consent compliance or R&D. AOWFL confirmed that this is the case.

Points raised regarding the role of the Chair, of the Panel, allocation of funds and who would be responsible for this. There is a need to establish boundaries for the Panel's activities, what they are and aren't responsible for and what are their constraints.

A number of Panel members envisaged that AOWFL would be the party responsible for managing financial aspects and tendering. Writing proposals and tendering are time consuming processes that voluntary representatives from SNCB's may not have time for.

AOWFL responded that the process of deciding where grant monies should be invested should be the responsibility of the Panel (with final Ministerial approval) as this is where the expertise lies and AOWFL is of the opinion that the developer should keep a certain distance from such decisions.

Other Panel members are of the opinion that the Panel is advisory, not budgetary.

After some discussion the Panel reached agreement that, in this case, the role of the Panel is to provide expertise, review proposals and advise on where funds should be invested but that the financial management lies with AOWFL. Therefore, research proposals will need to have costs associated with them to aid in decision making. There needs to be a clear process for tendering and AOWFL are to be ultimately responsible for this process. If disputes arise, the Scottish Ministers (or MS-LOT as there delegated representatives) are responsible for final decision on what is to be taken forward.

AOWFL highlighted the proposed mechanism for decision making and budgetary control in the Preliminary R&D Proposal's document submitted as part of the Addendum to the Environmental Statement. This figure does suggest AOWFL represents the 'contracting entity' and is at the centre of the decision making. The Panel can advise on the outline scope for each research area and this is then developed and extended by the parties bidding to undertake the project.

Questions remain. Responsibilities and the exact mechanisms for execution of the various processes needs to be revisited. It is important that all parties are clear of their role before Vattenfall Final Investment Decision (FID) and the Panel's activities commence.

Priority research areas:

Condition 15 of the Section 36 consent lists existing research priorities which require to be considered for research effort by the Panel.

What will be conducted and when?

- Pre-construction/Construction/Operation will all be considered
- ToR makes reference to phases of the development which are under consideration. Decision to exclude decommissioning phase from the remit of this Panel for practical reasons and the need to release EU funds in a given timeframe. A major aim of this research is to aid in streamlining the consenting process and focusing research effort on decommissioning would therefore be counterproductive.

Marine Scotland requested an update on information on Rochdale criteria so Marine Scotland can be prepared

By Q1 2014, parameters will be determined to allow FID, therefore all will be known before Panel enters its operational/output phase.

There is a requirement for a feasibility study of some kind as a starting point for determining research priorities. The task of deciding research priorities a significant and important one but how will we know what is a priority?

Proposal from the Chair that as a group we identify measured criteria in order to assess options and use a multi-criterion decision analysis as a quantitative and unbiased mechanism for assessing research areas and assigning priorities. The system considers a number of options and maps them together according to inputted criteria (as outlined by members) in order to provide a quantitative comparison of possible research areas. This is then followed by a sensitivity analysis which provides a ranked output which can then be used as the basis for setting up the specialist working groups and we can look at appropriate membership for these and getting Ministerial sign off.

This is an accountable, auditable and accredited system which can help address the question of bias introduced by each individuals research preferences and personal interests. Would allow us to reach a common conclusion where conflicting priorities exist and gives equal voice to all. Incorporates everyone's opinion but produces a final output attributable to the group as a whole = objective/quantitative

Questions raised on how are the criteria are defined and the need for a broad range of interests within the Panel in order to prevent a skewed result. The plan is for each representative to discuss with their organisation what their own priorities/importance criteria are and provide a list which can be inputted into the model.

The Chair discussed examples of how this has been used in a number of scenarios and is to further circulate information and examples. The modelling exercise itself would be carried out by an independent party (specialist consultancy). The exercise itself would require approximately ½ day for initial workshop to agree process and X (TBC) days of consultant time for analysis.

Comment that it would be useful to see what is required from a consents and compliance perspective in order to aid in making the distinction between this and Condition 15 'over and above' aspects. AOWFL responded that the Marine Licence has not been issued yet, however once it is received we will circulate information on requirements and timings to Panel members for clarification. AOWFL can also supply a list of what has been committed to in the Environmental Statement and Addendum to the Environmental Statement to further inform Panel decisions on prioritisation of research effort and to avoid duplication

What can we do pre-FID in terms of preparing for flurry of activity that will follow? View is that as much as possible needs to be prepared and confirmed pre-decision so that we can hit the ground running. Ideally, the feasibility study needs to be carried out pre-FID, therefore there is

an action on the Chair to scope out information and costs associated with multi-criterion analysis approach which will then be reviewed by AOWFL management with a view to releasing funds to complete the exercise pre-FID.

Questions raised on how the current judicial proceedings could impact decision making. AOWFL confirmed that this will have a bearing on FID, as will many other factors, but at this stage we cannot predict to what extent. The JR hearing is currently planned for mid-November but even following this we will not be in a position to predict the FID decision.

Continued discussion regarding ToR and Terminology:

The Panel's objectives:

- assessment of best practice and current research
- budgetary recommendations to Scottish Ministers
- dissemination of information and outputs in place of stakeholder engagement

The need to distribute results/updates on research outputs prior to peer review was highlighted, as this process can be lengthy. The importance of interim updates prior to peer review emphasised.

Request for clarification regarding EOWDC/AOWF explicitly in ToR, what is the full name, what is the approved abbreviated term? This will be addressed in the Statement of Terminology to be circulated by AOWFL.

Need some clarification of timescales involved in activities of proposed Working Groups – if construction is planned for summer 2015 and FID is planned for Q1 2014 this gives us just over a year for decision making and implementation of research programmes which will impact the practicalities of any that involve any substantial pre-construction monitoring period.

Need to consider the minimum time required for pre-construction monitoring. If this is more than 1 year for a particular proposal this will be unfeasible within the remit of EOWDC projects. Identifying these requirements early on in the process is critical. Ultimately it depends what you are monitoring. In an ideal world there would be several full years' worth of monitoring in order to establish a robust baseline but this is not going to be possible with the programme as it stands and the requirements of the Panel and the project as a whole must be balanced. Acoustic monitoring prior to construction using C-Pods will be proceeding.

Project constraints are unavoidable, the R&D projects we take forward must produce meaningful results given these constraints and this should be considered as part of the feasibility study.

We still require confirmation from all parties (in particular those not present at this initial meeting) that they still want to be actively involved in the Panel. MS-LOT to request this confirmation when meeting minutes finalised and circulated.

An issue remains that parties may be invited and confirm they still wish to be Panel members but consistently fail to attend meetings. This is an enforcement matter for Marine Scotland as we need to avoid the situation where activities could be challenged when a Panel member states that they were not consulted on a matter which was discussed at a meeting at which they were not present.

Panel functions and objectives in Condition 15 are the constraint, rather than the existing ToR which are currently in draft form and open to further discussion.

There is an action on AOWFL to make changes to ToR as discussed and, following initial sign off from Chair, circulate to Panel members for further comment. Final ToR are required to be signed off by Scottish Ministers prior to FID.

Actions	
AOWFL	Compile meeting notes and pass to Chair for input. Draft then circulated to Panel members (via Marine Scotland) along with Preliminary R&D Proposals document (as included in the Addendum). Once comments received, notes will be finalised and passed to Marine Scotland for publication.
AOWFL	Draft a list of terminology which will be circulated (via Marine Scotland) to all Panel members
AOWFL	Update Terms of Reference in line with discussions and circulate (via Marine Scotland) to all Panel members
All members	Draft BioPic's and pass to AOWFL
AOWFL	Compile list of BioPic's for publication
Marine Scotland	Follow up with all invited members and confirm final list with level of membership (active participant or correspondence only)
Marine Scotland	Maintain a record of Panel activities
Chair	Provide further information on multi-criterion analysis and examples of previous applications
AOWFL	On receipt of the above information on multi-criterion analysis, discuss the possibility of conducting activities pre-FID internally
Marine Scotland	Confirm date for pre-FID workshop
AOWFL	Supply a list of what has been committed to in the Environmental Statement and Addendum to the Environmental Statement to further inform Panel decisions on prioritisation of research effort and to avoid duplication