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[Redacted]
Seagreen Wind Energy Limited
c/o SSE plc
1 Waterloo Street
Glasgow
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Date: 22 May 2019

Dear [Redacted]

Screening Opinion under Part 2, Regulation 11 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)

I refer to the screening opinion request submitted by you on 04 April 2019 for the proposed alternative landfall cable installation method in relation to the Seagreen Alpha and Seagreen Bravo Offshore Wind Farms. This alternative landfall cable installation method would be in addition to the already consented Horizontal Directional Drilling ("HDD") installation method under Marine Licence 04678/19/0.

In considering your screening opinion request, the Scottish Ministers have consulted with the relevant local planning authorities (Angus Council, Dundee City Council, East Lothian Council, Fife Council and the Scottish Borders Council), Scottish Natural Heritage ("SNH") and Scottish Environment Protection Agency ("SEPA") for their view on whether the proposed works would be an Environmental Impact Assessment ("EIA") project. Copies of the consultation responses and the advice received are attached for your review (see Appendix 1).

The works involve the installation of three export cables via open cut trenching between the original proposed landward entrance points of the HDD (approximately 100 meters ("m") above MHWS), through the rock revetment, down to a depth of 2.5m from Lowest Astronomical Tide ("LAT") as opposed to HDD under the revetment (collectively referred to as the "Proposed Works").

The Scottish Ministers consider that the Proposed Works constitute a change to an authorised project and therefore they are considered to fall under the description of the projects provided at Paragraph 13 of Schedule 2 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) ("the 2017 MW Regulations").

When making a determination as to whether Schedule 2 works are an EIA project, the Scottish Ministers must take into account the selection criteria as set out in Schedule 3 of the 2017 MW Regulations which are relevant to the Proposed Works. In this regard, the Scottish Ministers have considered the following:

Characteristics of the works

The key differences between the Proposed Works and the already consented works are;

- a reduction in the number of export cables to be installed, from six to three
- the change from HDD under the rock revetment to trenching through rock revetment and;
- the proposal to excavate a single trench through the rock revetment up to 30m in length and 70m in width and the option of either a single trench of up to 30m in width (Option 1) or three individual trenches of up to 3m in width (Option 2) in which up to three high-density polyethylene ("HDPE") pipes will be installed.

The design of the Proposed Works is aimed at minimising environmental effects by building in contingency to the rock revetment works.

The HDPE pipes will be installed in the trenches, which will be backfilled, and left in situ until the cable pull-in at a later date. A spare HDPE pipe will be installed within the rock revetment (four in total under the rock revetment) to avoid any future disturbance to the rock revetment in the event of cable failure.

Other plans, projects and active areas within the vicinity of the Proposed Works include the Barry Buddon Military Practice and Exercise Area and Training Camp and an aggregate (sand and gravel) resource area. Both of these are considered to be part of the baseline and are therefore not considered likely to contribute to cumulative effects with the Proposed Works.

There are no other proposed or existing cable or pipeline installation projects at the cable landfall. The other Forth and Tay offshore wind farms make landfall at other locations along the east coast of Scotland, with Neart na Gaoithe making landfall at Thortonloch and Inch Cape at Cockenzie.

Installation of the cable using trenching methods would necessitate the temporary removal of material during excavation of the cable trench, which would then either be reinstated or allowed to backfill naturally. The view is then to survey the area to ensure reinstatement to a similar profile is achieved. Therefore, the installation methodology would not result in the long-term exploitation of significant volumes of natural resources and no significant adverse effects on the environment through the use of natural resources are expected.

It is anticipated that an Environmental Management Plan ("EMP") will be prepared for the Proposed Works to support the forthcoming marine licence application which will include waste management measures to minimise, reuse, recycle and dispose of waste streams in compliance with relevant waste legislation. The EMP will also contain proposed measures for the mitigation of construction noise, vibration and dust. Marine pollution

prevention and contingency planning measures will also be set out in a Marine Pollution Contingency Plan. Due to the measures in place to control and/or manage waste, pollution and nuisance, significant adverse effects on the environment are not predicted. In addition, SEPA advised that any waste management issues will be dealt with within the EMP and expressed no concerns at this stage.

It is also anticipated that Seagreen will require all contractors and subcontractors to complete adequate risk assessments for all aspects of the installation activities and these requirements will be captured within a Construction Method Statement to support the forthcoming marine licence application for the Proposed Works. Health and Safety regulations will be adhered to at all times and relevant HSE Management tools implemented, to ensure the safety of the workforce and the general public.

Based on the information provided, the Scottish Ministers are of the opinion that the characteristics of the works are unlikely to have significant effects on the environment.

Location of the works

The Proposed Works are located approximately 0.5km to the south of Carnoustie in Angus (see Appendix 2). The Proposed Works area overlaps with the Outer Firth of Forth and St Andrews Bay Complex proposed Special Protected Area (pSPA) and is located adjacent to the Firth of Tay and Eden Estuary Special Area of Conservation (SAC), Special Protected Area (SPA) and Ramsar site and the Barry Links SAC, Site of Special Scientific Interest (SSSI) and Geological Conservation Review (GCR) site.

The Proposed Works do not require excavation through the Firth of Tay and Eden Estuary SAC, SPA and Ramsar site or the Barry Links SAC, SSSI and GCR site although these sites do fall within the alternative cable landfall application boundary.

SNH confirmed that the Proposed Works overlap with a number of European and nationally designated sites and note that the Proposed Works on the coastal rock revetment lie out with these designated sites, other than the Barry Links GCR site. SNH advised that due to the proximity and nature of the Proposed Works, consideration of potential impacts to these sites is still necessary to support the forthcoming marine licence application however, SNH has advised that an EIA is not required.

SEPA advised that although the location of the Proposed Works does not directly overlap with the designated bathing water adjacent to the town of Carnoustie, the Proposed Works should not be carried out between 15 May and 15 September. This is to ensure there will be no impact during the bathing water season. Provided that this advice is followed, SEPA are of the opinion that there are unlikely to be significant environmental effects.

Angus Council are of the opinion that a full EIA is not required in this instance as it is considered that any potential impacts can be identified and mitigated without requiring the support of a full EIA.

Dundee City Council confirmed that they do not consider that the Proposed Works will offer additional significant and negative environmental impacts and therefore are content that no EIA is required.

East Lothian Council advised that as the Proposed Works will not affect interests within East Lothian, they have no comment to make.

Fife Council had no comment to make on the basis that the proposed works would not directly affect Fife's geographical area.

Based on the information above and advice received, the Scottish Ministers are of the opinion that any likely significant effects on the environment as a result of the location of the Proposed Works will be considered within the scope of an Environmental Report to be prepared which will support the forthcoming marine licence application.

Characteristics of the potential impact

It is expected that a concise environmental assessment to be presented in the Environmental Report, will be prepared to accompany the proposed marine licence application. Scottish Ministers are therefore of the view that any significant potential impacts on the environment associated with the Proposed Works will be identified within the Environmental Report.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works are not an EIA project under the 2017 MW Regulations and, therefore, an EIA is not required to be carried out in respect of the Proposed Works.

If Seagreen Wind Energy Limited increase, alter or extend the Proposed Works, you are advised to contact Marine Scotland - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to Angus Council Planning Department. The screening opinion has also been made publicly available through the Marine Scotland Information website.

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

[Redacted]

Marine Scotland - Licensing Operations Team

Appendix 1

Consultee Responses to the Request for a Screening Opinion

Scottish Natural Heritage

Thank you for your consultation regarding the screening opinion request sought by Seagreen Wind Energy Ltd (Seagreen) for an alternative landfall cable installation method for the Seagreen Alpha and Bravo offshore wind farms in the Firth of Forth. Seagreen propose to use 'open cut' ploughing or mechanical trenching through the coastal defence rock revetment located at the cable landfall immediately south of Carnoustie.

This application represents an additional option for construction/installation to the previously consented Horizontal Directional Drilling (HDD) method, although we note only one installation method will be used. This proposal is to trench the export cable through the foreshore and existing rock revetment and this therefore will also require separate planning consent.

We have reviewed the information provided within the Consenting Approach document and agree that an Environmental Impact Assessment (EIA) under the 2017 Marine Works Regulations is not, in our view, required.

Potential impacts

We welcome the work undertaken through the Consenting Approach document to consider the scope of the Environmental Report (ER) which will support the forthcoming Marine Licence application.

The indicative application area overlaps with a number of European and nationally designated sites, although we note that the proposed indicative works on the coastal defence rock revetment lie out with these designated sites, apart from the Geological Conservation Review (GCR) site - Barry Links. Nevertheless the proximity and nature of the proposed works are such that consideration of potential impacts to these sites is still necessary. The designated sites include:

- Barry Links SSSI
- Barry Links GCR
- Barry Links SAC
- Firth of Tay and Eden Estuary SAC
- Firth of Tay and Eden Estuary SPA
- Firth of Tay and Eden Estuary Ramsar site
- Outer Firth of Forth and St Andrews Bay Complex pSPA

Potential impacts to be considered within the Environmental Report

- Coastal processes and geomorphology

We note with interest the description in section 2.2, that the intertidal width (distance between MHWS and MLWS) appears to have narrowed from ca.250m based on OS mapping to a few tens of metres. The most recent photograph - Figure 2.2 was taken only a day before the lowest low tide of February 2019. This indicates an intertidal width of less than 50m. In our view, this provides reasonably informal evidence of beach lowering in recent decades, which in turn indicates a risk of continued lowering in future, especially with predicted acceleration in sea-level rise.

We recommend therefore that the potential risk of trenched cable(s) being re-exposed by storm erosion should be considered in the ER. If re-exposure occurred in the future, we anticipate that the most sustainable action would be to re-bury the cable(s), however the need for any hard protection (e.g. rock armour) along the cable route should also be assessed as a potential option particularly as this could locally disrupt sediment transport.

Additionally, any future risk of cable re-exposure could potentially affect the viability of the landfall installation and general management of the shore (including recreation and visual aspects). As such, this potential re-exposure needs to be assessed to understand whether the proposed 2m burial depth is likely to be sufficient. Consideration should include any further likely potential beach lowering over the design life of the cable landfall.

The existing rock armour at the coastal defence rock revetment means there is very little geomorphic connection between beach sediment processes and the adjacent dune landforms and habitats. For that reason, any future hard protection along the cable(s) is unlikely to affect the natural heritage interests of Barry Links SSSI or Barry Links GCR. In our view, it is unlikely that the marine works will have significant effect on Barry Links or Firth of Tay and Eden Estuary SAC qualifying habitats, given the highly mobile nature of the sand habitat and the localised nature of any effect. Similarly, it is unlikely that the proposal will have a significant effect on any of the features of Firth of Tay and Eden Estuary SPA/Ramsar and Outer Firth of Forth and St Andrews Bay Complex pSPA due to the short term temporary nature of the marine works.

- Marine mammals

We advise that the vibro-piling needed to install the temporary sheet piling does not require any specific marine mammal mitigation such as an MMO. We have reached this conclusion due to the shallow coastal location and short duration works, located within an open part of the coastline. Our advice is that the marine works will not have a significant effect on the Harbour seal qualifying feature of Firth of Tay and Eden Estuary SAC. We also advise, that due to the low risk of disturbance, an EPS licence is not, in our view, required.

Angus Council

I refer to your email consultation with accompanying attachments in connection with the above development proposal which was received by this Service on 12 April 2019.

The Screening Opinion request relates to a request for the use of an alternative cable installation method at the landfall destination. The consented scheme specifies that HDD would be used to install up to six cable under the rock revetment and by ploughing or trenching across the intertidal and nearshore subtidal zones to meet the offshore works. The alternative cable installation method proposes open cut trenching through the rock revetment and will continue through the intertidal and nearshore subtidal zones (either as a single trench accommodating all three cables or a total of three trenches accommodating one cable per trench) to meet the offshore works.

Based on the information provided the scale, location and potential impacts arising from the alternative cable installation method the works would be unlikely to have significant effects on the environment. This is based on the proposed works taking place within the existing consented Offshore Transmission Works corridor and although the Firth of Tay and Eden Estuary SAC, SPA and Ramsar site or the Barry Links SAC, SSSI and GCR sites fall within the alternative cable landfall application boundary there would be no excavation required through these sites

Angus Council is therefore of the opinion that a full Environmental Impact Assessment is not required in this instance as it is considered that any potential impacts can be identified and mitigated without requiring the support of a full EIA. This view is based on the information contained in the Consenting Approach document by Seagreen. However, it is the decision of your organisation to determine if a full EIA is required.

Dundee City Council

Thank you for your invitation to comment on whether the marine licence for an alternative landfall cable installation option proposal requires Environmental Impact Assessment. I do not consider that that the new proposals offer additional significant and negative environmental impacts therefore I agree that no EIA is required.

East Lothian Council

As these works are not within East Lothian and the proposed alterations will not affect interests within East Lothian, the Council has no comment.

Fife Council

Noting that we are now beyond the timeframe for responding to the above request in any event, Fife Council has decided not to offer a Screening Opinion or comment on the proposed change to the alternative landfall cable installation, on the basis that the cable installation would not directly affect Fife's geographical area.

Scottish Environmental Protection Agency

Advice for the planning authority

In general we are not clear on the reasons for the identification of this alternative. The supporting documentation suggests that this will not lead to significant adverse environmental effect but there is no information provided to suggest why the alternative is being sought in the first place.

Provided that the advice below is followed we are of the opinion that there are unlikely to be significant environmental effects in addition to the ones already identifies with the original EIA.

Please also note the advice provided with our responses to the previous consultations for Seagreen Alpha and Seagreen Bravo offshore wind farms.

In addition we recommend that Angus Council is consulted about this proposal as the flood protection scheme falls within their responsibility.

1. Flood risk

1.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Angus Council to undertake their responsibilities as the Flood Prevention Authority.

Technical Report

1.2 SEPA were consulted previously on this application and had no objections to the proposed laying of cables from the shore at Carnoustie to Tealing substation although we did recommend a condition to ensure ground levels were reinstated to pre-development levels in areas of floodplain. The proposed method of laying cables was for HDD (horizontal directional drilling) which would have minimal impact on flood risk.

1.3 The current application is for a change of method for laying cables at the coastline in Carnoustie and will involve trenching through the rock revetment, constructed for the purpose of reducing coastal flood risk in the area. The proposal will involve cutting a large hole in the revetment to lay the cables and then reinstating the revetment. The process will take approximately 8 weeks to complete during which time there will be an increased coastal flood risk in the area of the trenching.

1.4 No explanation has been provided for the proposed change of method for laying the cables in this area and we would highlight that using HDD will avoid any increased flood risk in the area for the duration of the works. However, we would not object to the proposed trenching on flood risk grounds. OS maps indicate that the land behind the rock revetment, which is golf course and therefore low vulnerability, lies at an elevation of over 5mAOD. For information, a predicted 1 in 200-year still water level

at this location is 3.79mAOD (+/- 0.3m) based on Coastal Flood Boundary Method. However, we would note this level does not take account of wave action, funnelling or local bathymetry and as such actual flood levels may be significantly higher.

1.5 Given the temporary nature of the works through the revetment, that the land behind the revetment is golf course and therefore considered low vulnerability, and the land levels are higher than the predicted still water levels, we have no objection to the proposals. However, we do support the recommendations to reduce potential flood risk through monitoring the forecast and ensuring works do not take place during any coastal flood and storm events.

2. Waste

2.1 The documents refer to the Environment Management Plan with regards to waste management, however this is not available to comment on at this time. All controlled wastes resulting from these proposed works must be dealt with in accordance with present Legislation and should be kept to a minimum where possible. We note that condition 2 a(ii) requires a Construction Environmental Management and Monitoring Plan (CEMP) in line with the request in our response of the 8 September 2016 (our ref: PCS/148316).

3. Water

3.1 The proposal appears to be covering only issues from the sea to the land (coastal) thus no engineering authorisations required (as only covers inland waters).

3.2 We note that page 65 of the report states: '*The works area does not directly overlap with the designated bathing water adjacent to the town of Carnoustie (see Figure 4.2). Any effects to water quality will be minor due to the relatively small volumes of sediment released into the water column and due to the relatively coarse nature of the sediments which are likely to settle in close proximity to the area of disturbance. The magnitude of the impact is also considered to be small on the basis of the mitigation measures that will be implemented to reduce effects on other sea users during the works, including notification through Notices to Mariners and local site notices (in terms of recreational receptors and bathers using the designated bathing waters)'.*

3.3 SEPA need to ensure that there will be no impact during the bathing water season (the pre-season period, 15 to 31 May, should be included as part of the bathing water season (1 June to 15 September) as we take compliance samples and it counts towards the classification. A key concern in relation to the bathing water would be an increase of faecal coliforms from large scale sediments and sand /silt disturbance. We therefore request the work is NOT carried out between the 15 May and 15 September.

3.4 Finally transport (vehicle movements) and machinery work should be keep at a minimum over the beach area and best practices adhered too.

Detailed advice for the applicant

4. Flood risk

4.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km^2 using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/environment/water/flooding/flood-maps/.

4.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

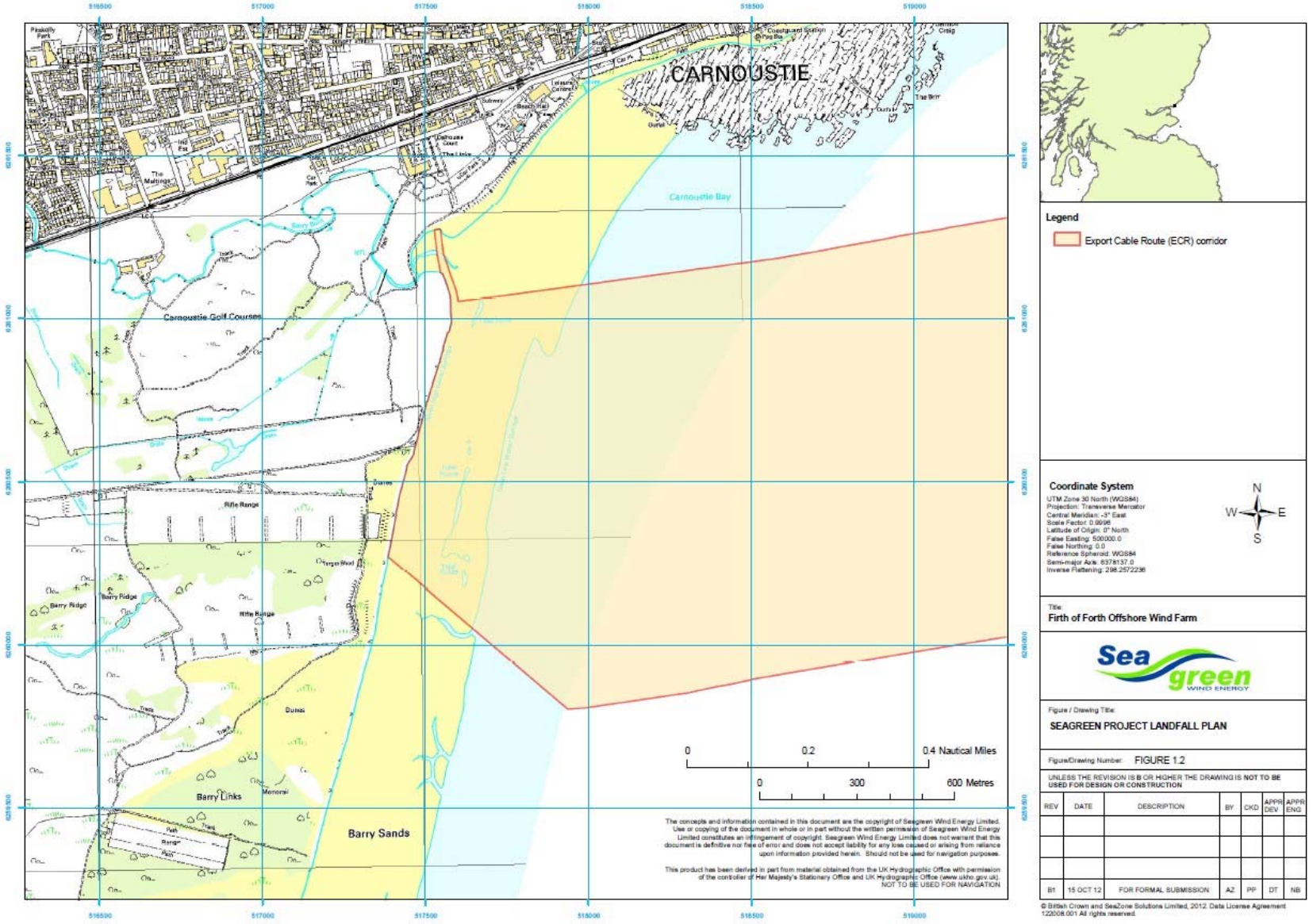
4.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Angus Council as Planning Authority in terms of the said Section 72 (1).

Regulatory advice for the applicant

5. Regulatory requirements

5.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at:

SEPA, 62 High Street, Arbroath, Angus, DD11 1AW. Tel: 01241 874370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Carnoustie Bay
Carnoustie Golf Courses
Rifle Range
Barry Ridge
Dunes
Barry Links
Barry Sands
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0.2
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0
300
600 Metres
Legend
Export Cable Route (ECR) corridor
Coordinate System
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Projection: Transverse Mercator
Central Meridian: -3° East
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W
E
S
Title:
Firth of Forth Offshore Wind Farm
Sea green WIND ENERGY
Figure / Drawing Title:
SEAGREEN PROJECT LANDFALL PLAN
Figure/Drawing Number: FIGURE 1.2
UNLESS THE REVISION IS B OR HIGHER THE DRAWING IS NOT TO BE USED FOR DESIGN OR CONSTRUCTION
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