



Mr Alan West  
Kincardine Offshore Windfarm  
The Silver Fin Building  
455 Union Street  
Aberdeen  
AB11 6DB

Our Ref: 024/OW/KOWF

12 June 2019

Dear Mr MacAskill

**ELECTRICITY ACT 1989 (AS AMENDED)**

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING**

**Section 36 Consent: Condition 29, 'Marine Mammal Observer'**

**Marine Licence, Licence Number 05914/18/0: Condition 3.1.10, 'Environmental protection'**

Thank you for your correspondence dated 24 May 2019 requesting that Marine Scotland Licensing Operations Team ("MS-LOT") on behalf of the Scottish Ministers give their written approval to the proposed appointment of Archie Fowden for the role of Marine Mammal Observer ("MMO") submitted by Kincardine Offshore Windfarm Limited ("KOWL"). Acceptance of the MMO will satisfy the requirements of condition 29 of the Section 36 Consent ("s.36") granted in respect of the Kincardine Floating Offshore Windfarm ("the Development") and compliance with Condition 3.1.10 of the Marine Licence (Licence Number 05914/18/1) in relation to the appointment of the MMO.

In the event that the KOWL wishes to amend who is undertaking the MMO role, the Company must submit in writing, details of the proposed MMO to the Scottish Ministers for their written approval. It is not permissible for any works to proceed prior to the granting of such approval of the appointment.

The MMO must, as a minimum, maintain a record of any sightings of marine mammals and maintain a record of the action taken to avoid any disturbance being caused to marine mammals during pre-construction and geophysical surveys and construction activities. The Licensee must provide the Scottish Ministers with the MMO's records no later than 1 calendar month following Commencement of the Works, and at monthly intervals thereafter.

MS-LOT, on behalf of the Scottish Ministers, is satisfied that they have sufficient information to enable them to reasonably conclude that the proposed appointment of Archie Fowden by the KOWL fulfils the requirements of, and is sufficient to discharge condition 29 of the s.36 granted in respect of of Tranche 1 of the Development and is in compliance with Condition 3.1.10 of the Marine Licence (Licence Number 05914/18/1) in relation to the appointment of the MMO.

Yours sincerely,

Jessica Drew  
Marine Scotland Licensing Operations Team