

Validation of Appropriate Assessment (“AA”)

Licensee/Developer Name: MeyGen Limited (“the Company”)

Site Details: MeyGen Tidal Energy Project Phase 1 Electricity Generating Station located between the Island of Stroma and the Scottish mainland in the Inner Sound of the Pentland Firth, approximately 3km north-west of John O’Groats (“the Development”)

Date of existing Licence/Consent: Section 36 consent dated 16 September 2013 (“Existing Consent”)

Date of existing AA: 11 September 2013

AA Validation Completed by: Kerry Bell - 25 April 2019

Summary of proposed variation.

To amend the Existing Consent to alter the Development boundary to include an area to the north-west and remove a similar sized area from the eastern side in order to maintain the total overall area of the Development. (the Variation Application”)

During the installation of the initial phase of the Development (“Phase 1a”) components of the Phase 1a infrastructure (including turbine support structures, tidal turbine generators, turbine submarine cabling and rock bags) were deployed to the north-west of the Phase 1 area for turbine and potential cable deployment (“the Site”) up to 50 metres outwith the Existing Consent boundary. The Variation Application will amend the area for turbine deployment to include the area where the Phase 1a infrastructure components have been deployed.

Summary of consultation responses – in relation to European protected sites.

Scottish Natural Heritage (“SNH”) advised that it was content that there would be no additional environmental impacts as a result of components of the Phase 1a infrastructure being located to the west of the Existing Consent boundary.

SNH referred to advice it had previously provided which highlighted harbour seal as the key species to consider, as harbour seal density (an important parameter used in collision risk assessment) can vary considerably depending on the area considered. SNH previously advised however, that the location of the Phase 1a infrastructure outwith the Existing Consent boundary is unlikely to change the site specific density estimates as these cover a larger area (i.e. the Phase 1a area and a 250 metre buffer, and the Existing Consent area and a 500 metre buffer). SNH advised therefore, that the risk to the harbour seal population is no greater than if the infrastructure was within the Existing Consent boundary.

SNH's previous advice also confirmed that whilst the Development is located within the Pentland Firth proposed Special Protected Area ("pSPA"), as per their previous advice, there would be no likely significant effect ("LSE") on the Arctic skua or the common guillemot qualifying species. SNH had previously advised of LSE for Arctic tern, the other qualifying interest of the Pentland Firth pSPA, due to disturbance from vessel activity. However, when considering the temporary and localised nature of vessel activity, low numbers of these species recorded during the wildlife surveys and low vulnerability to impacts from tidal turbines, including disturbance from ship traffic, SNH is of the view that there will be no LSE for Arctic tern. In addition, SNH advised that modelled distributions of feeding Arctic terns within the Pentland Firth pSPA show low concentrations within the Site.

Summary of other information in relation to European protected sites (Marine Scotland Science ("MSS") responses, external reports).

Not applicable – No advice from MSS was sought.

Conclusion - Consideration of whether AA completed for the September 2013 decision for the Existing Consent is still valid.

SNH advice does not identify any likely significant effects arising from the Development on the Pentland Firth pSPA. There are no additional environmental impacts arising from the Variation Application compared to what was previously assessed.

No consultation responses, advice, external reports or representations have been received which would invalidate the conclusions or alter the outcome of the AA in respect of the Existing Consent.