

SCOTTISH HYDRO ELECTRIC POWER DISTRIBUTION PLC

Marine Construction Environmental Management Plan

Mainland Orkney to Shapinsay Distribution Cable Replacement



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DOCUMENT RELEASE FORM

Scottish Hydro Electric Power Distribution plc

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GLOSSARY

AIS

Automatic Identification Systems

BWM

Ballast Water Management

BWMP

Ballast Water Management Plan

CFLO

Companies Fisheries Liaison Officer

CEMP

Construction Environment Management Plan

COSHH

Control Of Substances Hazardous to Health

DDV

Drop Down Video

DPR

Daily Project Report

EPS

European Protected Species

EPS RA

European Protected Species Risk Assessment

EU

European Union

FIR

Fishing Industry Representative

FLMAP

Fisheries Liaison Mitigation Action Plan

ID

Identification

IMO

International Maritime Organisation

JNCC

Joint Nature Conservation Committee

MARPOL

International Convention for the Prevention of Pollution from Ships / Maritime Pollution

MCS

Marine Conservation Society

MD-LOT

Marine Directorate - Licensing Operations Team

MGO

Marine Gas Oil

MHWS

Mean High Water Spring

MMO

Marine Mammal Observer

MMPP

Marine Mammal Protection Plan

MSDS

Material Safety Data Sheets

nm

Nautical mile

NRA

Navigational Risk Assessment

PAD

Protocol for Archaeological Discoveries

PAM

Passive Acoustic Monitoring

pUXO

Potential Unexploded Ordnance

ROV

Remotely Operated Vehicle

RQHSE

Risk, Quality, Health, Safety and Environment

SEPA

Scottish Environmental Protection Agency

SHE

Safety, Health and Environment

SHEPD

Scottish Hydro Electric Power Distribution plc

SOP

Standard Operating Procedures

SOPEP

Shipboard Oil Pollution Emergency Plan

SPA

Special Protection Area

SEN

Scottish and Southern Electricity Networks

SWCN

Special Waste Consignment Note

UK

United Kingdom

WTN

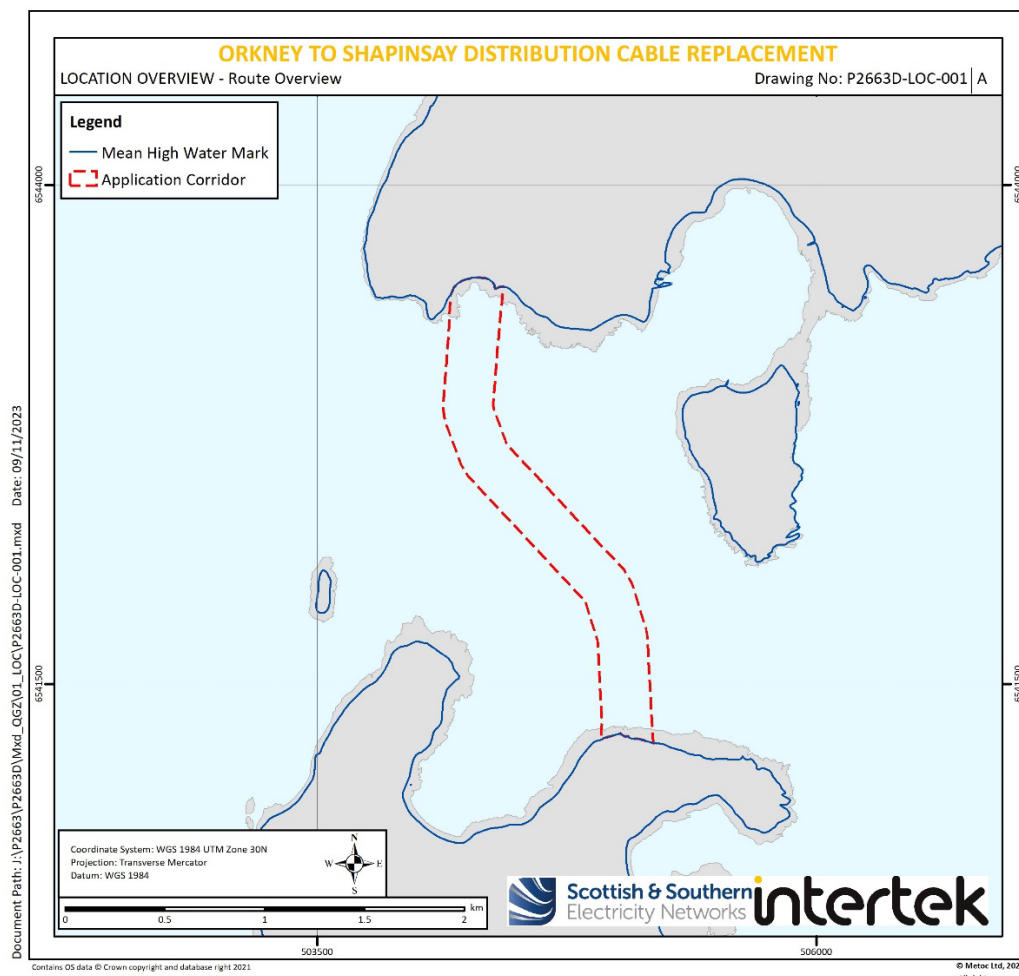
Waste Transfer Note

1. INTRODUCTION

1.1 Background

This marine Construction Environment Management Plan (CEMP) covers the installation phase of the Mainland Orkney to Shapinsay 33kV submarine electricity cable between the Head of Work, Mainland Orkney and Twi Ness, Shapinsay (the Project, hereafter also referred to as Orkney - Shapinsay). The installation operations will be undertaken by **HOLD FOR CONTRACTOR NAME** (known as the *Contractor*) and will take place within an Application Corridor 250m wide and approximately 2.6km in length (Figure 1-1; Drawing reference: P2663D-LOC-001). The cable will be 2.9km in length.

Figure 1-1 Orkney to Shapinsay cable installation application corridor (P2663D-LOC-001)



This marine CEMP sets out the proposed environmental management framework and procedures that will be followed by the *Contractor* during the installation of the cable. It covers all potential effects associated with installation of the cable and all works at the landfall occurring below Mean High Water Springs (MHWS). Given that the cable will be installed across the shore, management of potential impacts on the shore have also been considered or have been referenced to the separate onshore CEMPs. Mitigation measures are incorporated in the design of the cable to prevent or reduce adverse environmental effects as much as possible are discussed separately as part of the Marine Environmental Appraisal (MEA) report (Document reference P2663D1_R6253).

1.2 Objectives of this Document

The purpose of this marine CEMP is to provide the over-arching framework for environmental management during the installation of the replacement subsea cable. It sets out the principles that will be applied by the *Contractor* in implementing their environmental management plans. The works will be undertaken considering the following:

- Relevant legislation as outlined in supporting MEA report;
- Relevant policies in Scotland's National Marine Plan and Pentland Firth and Orkney Waters Marine Spatial Plan;
- Findings of the assessments undertaken to support the Marine Licence application;
- Any conditions established through the Marine Licence and other relevant licences including the European Protected Species (EPS) Licence and Basking Shark Licence;
- SHEPD policies and procedures:
 - Sustainability Policy (PO-COR-033)
 - Environment and Climate Change Policy (PO-COR-054)
 - Safety Health and Environmental Organisation Standard (MS-SHE-001)
 - Business Unit SHEPD Requirements (SP-PS-LT-901)
 - Safety, Health & Environment (SHE) Requirements
 - Specification for Contracts (SP-SHE-009-001 SSE)
 - Responsible Procurement Charter (REF-PRS-004)
 - Incident Reporting Management and Investigation Standard (MS-SHE-010)
 - Minimum Requirements for Submarine Electricity Cable - Environmental Specification (SP-CAB-NET-402)
 - SHEPD Communication, Reporting of SHE Incidents (REF-PS-SHE-COM-015)
 - Group Sustainability Policy (PO-GRP-016)
 - Group Climate Change Policy (PO-GRP-001)
 - Group Safety and Health Policy (PO-GRP-015)
 - Group Safety and Health Policy Summary (PO-SHE-001)
 - Group Environment Policy (PO-GRP-007)
 - Otter Species Protection Plan (TG-NET-ENV-503.pdf)
 - Bird Species Protection Plan (TG-NET-ENV-505.pdf)
 - General Environmental Management Plan- Working in or Near Watercourses (TG-NET-ENV-512.pdf)
 - General Environmental Management Plan- Soil Management (TG-NET-ENV-511.pdf)
 - General Environmental Management Plan- Dust Management (TG-NET-ENV-520.pdf)
 - General Environmental Management Plan- Waste Management (TG-NET-ENV-516.pdf)
 - General Environmental Management Plan- Working in Sensitive Habitats (TG-NET-ENV-513.pdf)
 - General Environmental Management Plan- Bad Weather (TG-NET-ENV-523.pdf)

- General Environmental Management Plan- Oil Storage and Refuelling (TG-NET-ENV-510.pdf)
- General Environmental Management Plan- Working with Concrete (TG-NET-ENV-514.pdf)

1.3 Marine CEMP Document Management

The marine CEMP will be a controlled document and will be formally issued to the *Contractor's* cable installation team. Live copies of the CEMP will be held at the following locations:

- *Contractor's* project office;
- At the premises of any agent of the *Contractor* acting on behalf of the *Contractor*;
- All site offices dealing with marine operations;
- Onboard all principal construction vessels involved in offshore activities;
- With the *Contractor's* Environmental Manager.

The *Contractor* will provide the *Employer* with the most up to date copy of the marine CEMP and is responsible for maintaining the register of document versions and issue dates.

1.4 Linkage with other documents

This marine CEMP document sets out the proposed overarching environmental management framework to be applied during the Project and forms part of a suite of approved documents that were prepared to inform the Marine Licence application and inform the framework for environmental management of the Project.

Table 1-1 Supporting documents

Document	Document Reference
Project Description	Intertek Document Reference "P2663_R6269" MEA Appendix A
Marine Environmental Appraisal (MEA) Report	Intertek Document Reference "P2663D1_R6253"
Mainland Orkney – Shapinsay Distribution Cable Replacement Navigational Risk Assessment (NRA)	Intertek Document Reference "P2663_R6275" MEA Appendix B
Fishing Liaison and Mitigation Action Plan (FLMAP)	SHEPD Document Reference "Fishing Liaison Mitigation Action Plan for North Coast and Orkney" MEA Appendix C
North Coast and Orkney EPS Risk Assessment	SHEPD Document Reference "North Coast and Orkney EPS Risk Assessment" MEA Appendix D
Onshore CEMP	In preparation at the time of writing, filename will be inserted when available
Marine Licence Application Form	P2663_AHAUG42
EPS Licence Application Form	P2663_AHAUG43
Basking Shark Licence Application Form	P2663_AHAUG44

2. ENVIRONMENTAL MANAGEMENT MEASURES

2.1 Overview

The environmental management measures to be implemented for the marine installation phase of the Orkney to Shapinsay subsea cable replacement (marine CEMP requirements) are outlined in Table 2-1. The measures listed have been combined in a single location to allow the *Contractor* to check and record compliance against the various management measures, mitigation measures and consent conditions (including best practice requirements) as outlined in the supporting FLMAP, MEA Report and when received, the Marine Licence, EPS licence and Basking Shark Licence.

Prior to the start of installation activities these measures will be reviewed, and as appropriate additional detail will be provided on their implementation.

This Section should be read in conjunction with the Monitoring and Reporting Plan provided in Section 9 of this marine CEMP which describes the monitoring and reporting activities that need to be performed during the execution of the Project.

Table 2-1 Environmental management measures

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
All environmental and ecological aspects							
Toolbox talks	EM1 - Marine CEMP Section 3.5 EM2	All project personnel will be trained and informed of their responsibility to implement the environmental and ecological mitigation outlined in the marine CEMP.	All phases of works	Contractor Environmental Manager			
Seabed, Benthic and Intertidal Ecology							
Environmental planning	EM3 MEA "P2663D1_R2653" Section 8	The final cable route will be optimised as part of the final engineering design to avoid impacts on sensitive environmental features, including Annex I habitats and wrecks as far as is practicable. Cable protection methods and quantities will be carefully selected and considered to minimise any potential impact on environmentally sensitive habitats.	Installation	Contractor Environmental Manager and Offshore Manager			
Marine Mammals							
Scottish Marine Wildlife Watching Code	EM1 - Marine CEMP Appendix B EM4	All vessels will adhere to the Scottish Marine Wildlife Watching Code.	All phases of works	Contractor Environmental Manager			
Marine Mammal Protection Plan	EM15 Marine CEMP Section 4	All works will be undertaken in accordance with the Marine Mammal Protection Plan.	All phases of works	Contractor Environmental Manager			

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
Basking shark							
Scottish Marine Wildlife Watching Code	EM4 Marine CEMP Appendix B	All vessels will adhere to the Scottish Marine Wildlife Watching Code.	All phases of works	Contractor Environmental Manager			
Slow moving installation vessel	EM6 EPS RA Section 3.3.1.1.	The installation vessel will be moving at a speed of less than 4 knots to allow any basking sharks time to move away from the vessel. Should a basking shark be found to be in the direct way of a vessel, the vessel will slow down further or, if possible, alter course to avoid collision.	Installation	Offshore Manager			
Basking Shark Code of Conduct	EM32 MEA "P2663D1_R6253" Section 2.10	All vessels will adhere to the Basking Shark Code of Conduct.	All phases of work	Contractor Environmental Manager			
Seabirds							
Scottish Marine Wildlife Watching Code	EM4 Marine CEMP Appendix B	All vessels operating on the project will adhere to the Scottish Marine Wildlife Watching Code.	All phases of works	Contractor Environmental Manager			
Rafting seabirds	EM30 EPS RA Section 5.5.1	The installation vessel will be moving at slow speeds (less than 4 knots) to allow any rafting seabirds time to move away from the vessel should the vessel presence disturb them.	All phases of works	Contractor Environmental Manager			
Breeding birds	EM31 EPS RA Section 5.5.3	When within an SPA which has been designated for breeding birds that may nest or feed near the Application Corridor or the	All phases of works	Contractor Environmental Manager			

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
		landfall, further consultation will be undertaken with NatureScot.					
Visual disturbance (from light)	EM5 EPS RA Section 5.5.4	When within an SPA and where there is potential for 24-hour working, lighting on-board the cable installation vessels will be kept to the minimum level required to ensure safe operations, lights will be directed or shielded to prevent upward illumination and minimise disturbance and blackout blinds / curtains will be used where possible in marine SPAs.	All phases of works	Contractor Environmental Manager			
Pollution Prevention, Spill Response and Contingency Planning							
Emergency Spill Response Plan	EM7 EM8 Marine CEMP Section 8	All works will be undertaken in accordance with the Emergency Spill Response Plan.	All phases of works	Project Manager			
Ballast water	EM10	Ballast water discharges from vessels will be managed under International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention).	All phases of works	Offshore Manager			
Waste management							
Waste management	EM9 Marine CEMP Section 7	All works will be undertaken in accordance with the Waste Management Plan.	All phases of works	Offshore Manager			
Other Marine Users							

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
FLO	EM11 MEA "P2663D1_R6253" Section 4	An onshore Fishing Liaison Officer (FLO) will be provided for the project. The FLO will follow the FLMAP and ensure the entire corridor is kept clear of fishing gear until all operation have been completed.	All phases of work	CFLO			
Notice	EM12 MEA "P2663D1_R6253" Section 4	NtMs will be published to inform sea users via Notices to Mariners, Kingfisher Bulletins, the Maritime and Coastguard Agency (MCA) and the UK Hydrographic Office (UKHO). Broadcast warnings may also be promulgated in advance of any proposed works. Vessels will be requested to remain at least 500m away from cable vessels during installation operations, although there are ongoing discussions with Orkney Islands Council Harbour Authority as to a potential reduction if required.	Installation	Project Manager			
Reduced visibility	EM13 MEA "P2663D1_R6253" Section 4	Where weather reduces visibility then Vessel Masters shall adhere to MGN guidelines and the International Regulations for Preventing Collisions at Sea, 1972 (COLREGS) – as amended, to prevent collisions at sea.	All phases of work	Master			
Preventing collisions	EM13 MEA "P2663D1_R6253" Section 4	Project vessels will comply with COLREGS – as amended, particularly with respect to the display of lights, shapes and signals.	All phases of work	Master			

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
Cable route circulation	EM14 MEA "P2663D1_R6253" Section 4	'As-laid' co-ordinates of the cable route will be recorded and circulated to the UKHO, KIS-ORCA service and any other relevant authorities. Cables will be marked on Admiralty Charts and KIS-ORCA charts (paper and electronic format). An update will be distributed to stakeholders following the completion of installation.	Installation, Post-Installation	Project Manager			
Stakeholder engagement	EM16 FLMAP Section 2	Continuing effective positive liaison with all interested parties through the pre-construction, construction and operational phases of the cable replacement.	All phases of works	CFLO			
Communication of project schedule	EM17 FLMAP Section 9.6	Details of the schedule for cable lay activities to local ports, ship operators, fishers and recreational sailing organisations will be communicated through NtMs and the Harbour Works Licence.	Installation	CFLO			
Automatic Identification Systems (AIS) Tracking	EM18 MEA "P2663D1_R6253" Section 13	The cable installation vessel will have AIS as a legal requirement.	Installation	Master			
Safety zone	EM19 FLMAP Section 9	Implementation of safety zones (of up to 500m) around the cable lay vessel will reduce the risk of collision between the cable laying vessel and other vessels transiting the area.	Installation	Master			

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
Fishing Industry Representatives (FIR) and Standard operating procedures (SOP)	EM20 FLMAP Section 8.4	Should a FIR not be present on a vessel, the Fishing Gear Interaction Standard Operating Procedure (SOP) will be followed.	Installation	CFLO/FIR			
Early consultation	EM21 MEA "P2663D1_R6253" Section 11	Early consultation with relevant contacts to provide notification of impending activity.	Before operations commence	Project Manager			
Guard vessel (if required)	EM22 NRA "P2663_R6275" Section 3	A guard vessel may be used where a risk to the asset or a danger to navigation has been identified.	Installation	Offshore Manager			
Cable protection	EM23 NRA "P2663_R6275" Section 1.3	Cable stabilisation deposits to be installed as appropriate within licenced quantities along the cable route. The deposits will not reduce the navigable depth by more than 5%.	Post-installation	Offshore Manager			
Avoidance over the cable	EM24 MEA "P2663D1_R6253" Section 4	Guidance provided by the UKHO and International Convention for the Safety of Life at Sea (SOLAS) recommend that fishing vessels should avoid trawling over installed seabed infrastructure (UKHO 2020). Vessels are advised in the Mariners Handbook not to anchor or fish (trawl) within 500m of the cable.	Post-installation	Other			
Potential Unexploded Ordnance (pUXO)	EM25 MEA "P2663D1_R6253" Section 12	If pUXO items are discovered during any phase of the project, the location of the item will be recorded. If the pUXO is confirmed as UXO, immediate advice sought from relevant authorities.	All phases of works	Offshore Manager			

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
		Munitions awareness briefings will be given to all relevant personnel.					
Dropped objects	EM33	Licensees must report dropped object incidents to the nearest local coastguard station by telephone at the first opportunity. In instances where the dropped object poses a hazard to other mariners, a Notice to Mariners will be issued to alert relevant parties. To ensure other sea users are aware of any hazard, incidents must also be reported through a Marine Directorate – DROPOB1 - Offshore Wind & Marine Renewables Dropped Objects Form.	All phases of work	Offshore Manager			
Marine Archaeology							
Marine Archaeology Management Plan	EM26 Marine CEMP Section 5	All works will be undertaken in accordance with the Marine Archaeology Management Plan.	All phases of works	Contractor Environmental Manager (Communicating with Offshore Manager)			
Environmental Monitoring and Reporting							

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
Monitoring and Reporting Plan	EM27 Marine CEMP Section 9	To ensure works are carried out as per legislation, consent and licence conditions and in line with the <i>Employer</i> requirements monitoring and reporting of activities is to be undertaken in accordance with Monitoring and Reporting Plan.	All phases of works	Project Manager			
Equipment Checks							
Pre installation checks	EM28	All equipment will be checked and recorded prior to the commencement of installation activities to ensure that following completion of the cable installation all equipment has been recovered. The list of checks is to be determined during the Hazard Identification and Risk Assessment (HIRA) process prior to commencement of the works.	Pre-installation	Offshore Manager			
Post installation checks	EM29	Upon completion of the cable installation operation, post installation equipment checks will be completed to confirm that all equipment has been recovered in its entirety and no unlicensed deposits in the marine environment result from the project operations. The list of checks is to be determined during the HIRA process prior to commencement of the works.	Post-installation	Offshore Manager			
Marine Licence Conditions							

Environmental Aspects	Ref	CEMP Requirement	Project Phase (Pre-lay survey, Installation, Post-lay survey)	Responsibility	Date completed/ reviewed or checked [HOLD: to be completed through works]	Relevant Reference/ Evidence [HOLD: to be completed through works]	Comment/ Ongoing actions required [HOLD: to be completed through works]
Marine Licence (Insert) reference number when received)	ML #	[Marine Licence Conditions to be listed below when marine licence is received.]		Contractor Environmental Manager (Communicating with Offshore Manager)			
European Protected Species (EPS) Licence and Basking Shark Licence Conditions							
EPS Licence Reference* Basking Shark Licence*	EPSL # BSL #	EPS and BS Licence Conditions to be listed below when marine licence is received.]	All phases of works	Contractor Environmental Manager (Communicating with Offshore Manager)			

3. ENVIRONMENTAL MANAGEMENT FRAMEWORK

3.1 Introduction

This section sets out the environmental management framework for the Project, under the following areas:

- Marine CEMP – roles and responsibilities;
- Marine CEMP – staff competency and training; and
- Marine CEMP – communications and reporting.

3.2 Marine CEMP Roles and Responsibilities and Chain of Command

This section sets out the roles and responsibilities of all relevant Project personnel in relation to the delivery of this marine CEMP.

All Project personnel have a responsibility to comply with the requirements of the marine CEMP, however, the key roles relevant to the delivery and implementation of the marine CEMP are outlined in Table 3-1.

Table 3-1 Roles and responsibilities

Role	Responsibilities	Name and Contact Details
Project Manager (<i>Contractor</i>)	<p>Responsible for ensuring that the project is in compliance with any Consent, licence or associated information and identifies any breach or potential breach to the <i>Employer</i> Marine Consents Manager. Specific responsibilities, include:</p> <p>Facilitate dissemination of environmental requirements to the Project Team;</p> <p>Ensure and be responsible for compliance with all permits, licences and consents, and to report any deviations or breaches;</p> <p>Oversee the implementation and review of environmental procedures throughout Project;</p> <p>Monitor the environmental performance of the Project through maintaining an overview of incidents, inspections and audits;</p> <p>Ensure that environmental considerations form an integral part of Design and Implementation of the Works and include environmental reviews as part of regular Project meetings;</p> <p>Review environmental matters with the Contractor Environmental Manager on a regular basis and as per project requirements;</p> <p>Liaise with the Contractor Environmental Manager on all environmental issues as appropriate;</p> <p>Ensure that all environmental incidents are reported to the Contractor Environmental Manager according to agreed procedures; and</p> <p>Nominate individual Project Team members to support the <i>Employer</i> in public relations and community liaison activities, including local community meetings.</p>	
Project Manager (<i>Employer</i>)	<p>Amongst others is responsible for ensuring that the project is in compliance with any Consent, licence or associated information and identifying and breach or potential breach to the Marine Consents Manager and/or the Subsea Safety Advisor.</p>	
Offshore Manager (<i>Contractor</i>)	<p>The Offshore Manager will be responsible for overseeing the monitoring of environmental and licence compliance during works. The Offshore Manager is experienced in ensuring site operations function in a manner that is environmentally compliant. Responsibilities include:</p> <p>Understanding and implementing all environmental procedures ensuring that site operations function in compliance;</p> <p>Reporting environmental incidents at the earliest possible time to SSEN's 30 minute reporting line who will liaise with the relevant statutory bodies (such as the Marine Directorate). Advising the Contractor's Environmental Manager & Project Manager of any incidents;</p> <p>Ensuring toolbox talks are carried out as necessary to highlight responsibilities of the project under the marine CEMP.</p>	

Role	Responsibilities	Name and Contact Details
Risk, Quality, Health, Safety and Environment (RQHSE) Business Partner (<i>Contractor</i>)	The RQHSE Business Partner shall ensure that: Incidents are thoroughly investigated and reported throughout the Company; Assistance is provided, when appropriate, during investigations; Investigation levels are appropriate to the actual or potential severity of the incident; and Incidents are reported in compliance with statutory requirements. Develop risk assessments where appropriate.	
Subsea Safety Advisor (<i>Employer</i>)	The Subsea Safety Advisor shall ensure that: Incidents are thoroughly investigated and reported throughout the Company; Assistance is provided, when appropriate, during investigations; Investigation levels are appropriate to the actual or potential severity of the incident; and Incidents are reported in compliance with statutory requirements.	
Offshore Client Representative (<i>Employer</i>)	The <i>Employer</i> Offshore Client Representative shall be responsible for ensuring that the <i>Employers</i> requirement under the contract with the Contractor are met. They shall be responsible for identifying and raising any defects or breaches against the contract, licences or supporting information and will be competent to stop the works if any unsafe operations are attempted. These defects and breaches shall be detailed in the Daily Progress Report (DPR). In the case that an incident occurs, the SSEN Offshore Client Representative will inform the <i>Employer's</i> Marine Consents Manager and the <i>Employer's</i> Project Manager.	
Marine Consents Manager (<i>Employer</i>)	The Employer Marine Consents Manager shall be responsible for: Obtaining Marine Licences, Marine Works Licences and Marine EPS Licences (as appropriate) for the works; Review and acceptance of Contractor documentation; Pre works briefings where they are related to licence conditions or Consent compliance and Working alongside with the external stakeholder engagement team in developing relationships, including the Marine Directorate and The Crown Estate Scotland, to ensure that the project information is communicated as and when appropriate, in order to build consensus around project decision making. They shall be in direct communication with the <i>Employer</i> Project Manager and <i>Employer</i> Offshore Client Representative.	
Company Fisheries Liaison Officer (CFLO)	The primary responsibilities of the CFLO are to establish and maintain effective communications between <i>Employer</i> , the Contractor and legitimate sea users during surveys and construction and	

Role	Responsibilities	Name and Contact Details
	ensure compliance with best practice guidelines whilst doing so. The primary responsibilities of the CFLO are described in detail in the FLMAP.	
Fisheries Industry Representative (FIR)	The FIR reports to the CFLO and works in conjunction with <i>Employer</i> . The primary responsibilities of the FIR are also described in the FLMAP.	
Marine Mammal Observer (MMO) and PAM operator	Where required, the Marine Mammal Observer (MMO) and Passive Acoustic Monitor (PAM) operator shall be trained or experienced in UK waters and shall implement the requirements set out in any applicable EPS Licence, Marine Mammal Protection Plan (MMPP) or EPS Risk Assessment, along with compliance with any other applicable legislation or guidance such as the JNCC guidance. They shall be employed by the Contractor and shall be dedicated to the role on a full-time basis. A minimum of two MMO/PAM operators will be provided for 24-hour works. The Operators shall be responsible for the provision of any reports as required and within the timescales set out in any applicable licence(s).	
Environmental Manager (<i>Contractor</i>)	The Contractor Environmental Manager will be based at the Contractors head office and be in close contact with the Project Manager. The Contractor Environmental Manager shall be responsible for: Preparation, implementation and undertaking reviews of environmental plans in accordance with <i>Employer</i> and Contractor requirements and procedures and current legislation; Providing the necessary updates and reports to Project Team and <i>Employer</i> ; Interfacing with site staff and subcontracted companies on environmental issues; Ensuring the Project specific marine CEMP is implemented, ensuring compliance with procedures and legislation; In conjunction with the <i>Employer</i> , liaising with government departments, local authorities and other statutory authorities on environmental matters, as per project needs; and Reviewing Method Statements against environmental issues.	
Other project staff	All other project staff, are responsible for ensuring that they adhere to the following: Understand and implement procedures relevant to their role as laid out in the marine CEMP and the associated documentation including FLMAP and MMPP; Raise any environmental concerns with their supervisor or the Contractor Environmental Manager; and Report all environmental incidents to their supervisor or the RQHSE Business Partner as soon as possible. Compliance with marine CEMP.	

3.3 Contractor Staff Competence, Training and Awareness

The *Contractor* will require that all personnel engaged in the Project have adequate experience to perform the activities executed under their responsibility or in their scope in a safe manner for themselves and others and are adequately supported at all levels. This will be confirmed by the *Contractor* Environmental Manager.

The *Contractor* will ensure that a Project organogram is in place and that the roles and responsibilities of all named personnel are clear and that clear project management procedures are in place for all aspects of the Project, including those related to environmental management measures.

The *Contractor* has a documented process in place to manage the selection and ongoing performance of any subcontractors to ensure that the SHE risks associated with the *Contractors'* activities are managed effectively.

The *Contractor* will require that all Project personnel attend required inductions including, but not necessarily limited to, matters related to *Employer's* environmental rules and policies, Site Rules, Health and Safety requirements, arrangements for First Aid and Emergency Response (including environmental pollution and emergency spills), Environmental Management, including Consent compliance requirements and Incident Management.

Training and awareness specific to this marine CEMP will be delivered using the following tools:

- Vessel inductions;
- Toolbox talks; and
- Vessel notice boards / awareness material.

3.4 Project Inductions

Project inductions shall cover the marine CEMP, highlighting the key environmental sensitivities and considerations. This is to ensure that every Project Team member is aware of their duty and the work-related specific hazards. Vessel Inductions are used to raise awareness for personnel regarding site/vessel rules, emergency response procedures and environmental protection arrangements.

3.5 Toolbox Talks

A toolbox talk will be held for the all-vessel crew as part of the daily briefing to be held before starting the operation. In addition, a toolbox talk will be held for any new task or change in operation. These meetings are to address the exact nature of the task and HSE issues specific to the task being performed during a new working day/shift or task change. A list of attendees will be recorded at each toolbox talk meeting. Toolbox talks are a combination of briefing followed by a consultation with the workforce to check understanding and invite opinion.

3.6 Vessel Notice Boards/Awareness Materials

In addition to induction and talks, the *Contractor* Environmental Manager will be responsible for managing the preparation of a series of awareness materials, which may include training packs, posters, signs and newsletters. For example, posters on specific procedures can be on display on notice boards on the cable installation vessel.

3.7 Marine CEMP Communications and Reporting

Internal communications

The following summarises the lines of communication between the key roles in relation to the implementation of the CEMP:

- The *Contractor* Environmental Manager plays a key role in the delivery of the marine CEMP, alongside the *Contractor* Offshore Manager and the *Employer* Marine Consents Manager and the *Employer* Offshore Client Representative. In fulfilling this role, the *Employer* Marine Consents Manager and *Employer* Offshore Client Representative can establish direct contact with the *Employer* Project Manager;
- The *Employer* Marine Consents Manager will report directly to the Marine Directorate – Licencing Operations Team (MD-LOT) on compliance with the marine CEMP and will liaise with MD-LOT and other stakeholders on environmental matters; and
- The *Employer* Marine Consents Manager and *Employer* Offshore Client Representative will maintain direct contact with and report on the marine CEMP compliance and environmental management issues to the *Employer* Project Manager.

During the works, daily (or as required) meetings / calls will take place involving the *Employer* Project Manager, the *Contractor* representatives, the *Employer* Marine Consents Manager and the *Employer* Offshore Client Representative. Consents and licence compliance and environmental management will be discussed as necessary. Any issues or points to note will be recorded in the DPR.

The *Contractor* will be required to provide regular written reports to the *Employer* on installation activity. *Contractor* reporting will include information on environmental management such as details of environmental incidents (if any), environmental statistics and records of environmental inspections or audits undertaken, and any such other information as may be required for the *Contractor* Environmental Manager to complete their reporting responsibilities. This information will inform the external reporting to MD-LOT (see below).

All Project personnel will be required to report any environmental concerns or issues to the *Contractor* Environmental Manager and/or *Contractor* Offshore Manager and the *Employer* Offshore Client Representative immediately.

3.8 External Communications

Table 3-2 summarises the marine CEMP external reporting requirements, mechanisms and frequencies.

The relevant returns and notifications as required by the Marine Licence (and set out in Table 3-2) will be collated from information supplied by the *Contractor* and the *Employer* Project Team where necessary. Table A-1 in Appendix A also details the commitments and correspondences made with stakeholders during this project.

Table 3-2 Required returns and notifications

Communication Type	Responsible Party	Proposed Frequency	Relevant Stakeholders
Pre-installation reporting requirements			
Details of agent, contractor or subcontractor that will carry out any licenced activities	<i>Employer</i> Marine Consents Manager	As soon as is reasonably practicable	MD-LOT
Details of the proposed nature and timescale of the cable installation works	CFLO via NtMs circulated by Orkney Islands Council Harbour Authority	No later than 10 days prior to commencement of cable installation	All appropriate maritime users; Kingfisher Fortnightly Bulletin; Fishers, their representatives and other relevant marine stakeholders
Registration of any noisy activities in the JNCC Marine Noise Register	Contractor Environmental Manager	Prior to submission of the Marine Licence and EPS Licence applications.	JNCC
During installation			
Details of the proposed nature and timescale of the cable installation works	CFLO via NtM	During cable installation (as / if required)	Fishers, their representatives and other relevant marine stakeholders
Change to any of the information on which the Marine Licence is based	The <i>Employer</i> Marine Consents Manager	As soon as reasonably practical	MD-LOT
Details of any part of the licenced works that has become a danger to navigation or protection of legitimate users of the sea	<i>Contractor</i> Marine Consents Manager	As soon as reasonably practical	Maritime and Coastguard Agency (MCA) Northern Lighthouse Board (NLB) Kingfisher Information Service Offshore Renewables and Cable Awareness (KIS-ORCA)
Environmental or pollution incidents	Responsible parties remain as The <i>Contractor</i> Marine Consents Manager and <i>Contractor</i> Supervisor for Offshore Works	Should one occur within 24 hrs for minor incidents within 30 mins for major incidents	MD-LOT, MCA, SEPA
Archaeological discovery	<i>Employer</i> Marine Consents Manager	Following an archaeological discovery	Historic Environment Scotland (HES) and MD-LOT

Communication Type	Responsible Party	Proposed Frequency	Relevant Stakeholders
Post-installation reporting requirements			
Nature and quantity of all substances and articles deposited below Mean High Water Springs (MHWS)	Employer Marine Consents Manager	As determined by licence	MD-LOT
Copy of Marine Licence and 'As Laid Plan'	Employer Marine Consents Manager	Following completion of cable installation	The Hydrographic Office And notify MD-LOT of the notification at the time it is made
Cable route and a 500m zone either side of it as a hazardous area for anchoring	Employer Marine Consents Manager	Following completion of cable installation	Maritime and Coastguard Agency (MCA) UK Hydrographic Office (UKHO) Northern Lighthouse Board (NLB) The Kingfisher Information Service Offshore Renewables and Cable Awareness (KIS-ORCA) The International Cable Protection Committees Also notify MD-LOT of the notification at the time it is made
Assessment of any risks posed by final subsea cable route, burial depths and un-trenched areas where protection measures were used (to ensure that the safety of navigation and other legitimate users of the sea is not compromised)	Contractor Environmental Manager	Following completion of cable installation	MD-LOT
Marine mammal sightings	Contractor to prepare MMO reports for issue to MD-LOT by the licence holder	Within 4 weeks of completion	MD-LOT JNCC NatureScot

4. MARINE MAMMAL PROTECTION PLAN

4.1 Overview

The *Contractor* will ensure legal compliance and implement measures in line with the relevant regulatory and policy framework regarding marine mammals. To reduce the collision risk and disturbance to marine mammals a Marine Mammal Protection Plan (MMPP) has been prepared (Section 4.2). The mitigation measures in the MMPP are informed through a separate EPS Risk and Protected Sites and Species Assessment (EPS RA) undertaken for the Project (Document Reference A-302244-S02-A-REPT-001 A04).

4.2 Marine Mammal Protection Plan (MMPP)

The following measures have been identified to reduce the risk of disturbance to marine mammals (cetaceans and seals) present in the vicinity of the Project through the preparation of a MMPP. The potential for disturbance to marine mammals arises primarily from the noise generated by the proposed cable replacement activities.

- Installation vessel will be travelling at a slow speed (maximum of 4 knots) during the installation works.
- The *Contractor* will provide all project personnel with marine mammal awareness and good practise training.
- Posters and signs of identifying risks and good practise will be provided.
- Pictures of species of concern will be provided.

5. MARINE ARCHAEOLOGY MANAGEMENT PLAN

5.1 Overview

The *Contractor* is required to protect archaeological assets in the Project area. More detail on the regulatory and policy framework regarding archaeology can be found in Section 10 of the MEA Report (Intertek Document Reference P2663D1_R6253). There are no known wrecks within the Application corridor, however there are 10 known wrecks within the vicinity of the Application Corridor, with the closest wreck located 0.8km away from the Application Corridor. An archaeological record, listed as an obstruction, has also been identified close to the Application Corridor (24m away). Potential impacts on unknown heritage will be managed through the implementation of an archaeology and cultural heritage plan management plan (Section 5.2).

5.2 Archaeology and Cultural Heritage Management Plan

5.2.1 Mitigation by design:

- The potential for significant impacts on marine cultural heritage has been reduced to negligible-low during the development and design of the Project by conducting a desk-based assessment, geophysical and Drop-Down Video (DDV) surveys to identify any marine historic environment assets;
- A pre installation survey may be conducted to inform final cable routing and vessel anchoring areas which will seek to avoid any anthropogenic seabed features; and
- Stabilisation measures such as rock bags, split pipe, and/or concrete mattresses will be used to hold the cable in position. This will significantly reduce any cable movement and potential scour or disturbance of unknown archaeological remains over the lifetime of the Project.

5.2.2 Mitigation during installation:

- The *Contractor's* Offshore Manager will be the initial point of contact regarding archaeological interests.
- All wrecks or features of archaeological significance will be avoided by a buffer of $\geq 50\text{m}$ during detailed route design.
- The locations of wrecks and features of archaeological significance will be identified on electronic charts onboard the installation vessel and will be utilised to guide installation operations.
- The locations of any wrecks or features of archaeological significance will be provided to Historic Environment Scotland and the UK Hydrographic Office (UKHO).
- If required by licence, the Crown Estate's 'Protocol for Archaeological Discoveries' (PAD) (The Crown Estate, 2014) will be implemented during installation works.

6. INVASIVE NON-NATIVE MARINE SPECIES PLAN

6.1 Overview

It is common practice for offshore construction projects around the UK to manage the risk of introduction of non-native marine species. As such, all vessels involved in cable installation activities will be required to meet relevant legislative requirements and best standard practices with regards to ballasting activities and vessel biofouling management.

6.2 Regulatory Requirements

To prevent the risk of spread of non-native species through discharging of ballast water, all works will be carried out in accordance with The International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM).

The International Maritime Organisation (IMO) also aims to control and manage ships' biofouling through the implementation of the Guidelines for the control and management of ships' biofouling to minimise the transfer of invasive aquatic species (Biofouling Guidelines IMO 2023) (resolution MEPC.207 (62)). The Biofouling Guidelines state that a ship should implement biofouling management practices, including the use of anti-fouling systems and other operational management practices to reduce the development of biofouling. The intent of such practices is to keep the ship's submerged surfaces, and internal seawater cooling systems as free of biofouling as practical.

In addition, in 2014 NatureScot commissioned the production of guidance for producing site and operation-based plans for preventing the introduction of non-native species (Payne *et al.* 2014).

The mitigation and management measures to be adopted to prevent the introduction of invasive non-native species are set out below:

6.3 Invasive Non-Native Marine Species Management Plan

In adopting management measures to prevent the introduction of invasive and non-native marine species, The Contractor will:

- Ballast water management
 - Ensure all vessels contracted to undertake works will be contractually obliged to adhere to relevant BWM measures as outlined above, where relevant and be surveyed and issued with an International Ballast Water Management Certificate.
 - Ballast Water Management Plans (BWMP) will be provided by contracted vessels in accordance with Regulation B-1 of the Convention, alongside Ballast Water Record Books as described by BWM Regulation B-2.
- Biofouling / antifouling
 - The *Contractor* will ensure that all vessels consider the requirements of Resolution MEPC.207(62) Guidelines for the Control and Management of Ships Biofouling to minimise the Transfer of Invasive Aquatic Species, including for example the implementation of a biofouling management plan, and records of biofouling management practices kept in a biofouling record book.
- Ensure all vessels (as appropriate) have an International Anti-Fouling System Certificate.

- All vessels will be required to undertake pre use and post use checks, including the presence for marine growth. All equipment (such as ROVs etc.) will be required to be free from marine growth prior to mobilisation.

7. WASTE MANAGEMENT PLAN

7.1 Overview

The principal wastes generated from the works will include packaging, general waste, and wastewater. Hazardous wastes are possible in the form of used oils and chemicals. Under the Duty of Care as a waste producer, the failure to manage wastes generated from the Project, such as failure to segregate recyclables, also results in breaches of waste management legislation in addition to potential environmental impact.

In accordance with MARPOL (73/78) Annex V (as amended) every ship (certified to carry 15 persons or more), and vessel (of 400 gross tonnage and above) involved in the Project will have a Waste Management Plan. The purpose of the vessel Waste Management Plan is to provide guidance to the Master and crew on board the ship on the procedures for collecting, storing, processing, and disposing of waste, including the use of the equipment on board. Vessel Waste Management Plans will detail the specific ship's equipment and arrangements, and the location of equipment operating manuals. The *Contractor* will be responsible for ensuring all measures of the waste management plan are adhered to during all phases of the installation works.

7.2 Waste Management Plan

7.2.1 General

- The only materials to be deposited on the seabed will be those detailed in the Marine Licence.
- All vessels engaged in the works will be equipped with waste storage facilities according to the IMO International Convention for the Prevention of Pollution from Ships (MARPOL). Standard vessels certified to carry 15 persons or more or of 400 GRT and above will have the following in place:
 - Waste management plan; and
 - Waste record book.
- No waste will be disposed of over the side of the vessel and all produced waste will be stored on board.
- All waste products and rubbish will be removed from the vessel and disposed of by a registered waste disposal company.
- Any debris or waste materials arising during the works will be removed from the vessel and disposed of by a registered waste disposal company.

7.2.2 Waste Reduction

The waste hierarchy of Prevention, Re-use, Recycle and Disposal will be adopted on the Project. The following measures will align the Project waste management with the hierarchy and reduce the amount of waste produced during construction:

- The appropriate volume of materials will be ordered;
- Excess materials will be returned to the supplier if possible;
- Re-usable materials will be identified on site and removed for storage and re-sale;
- Recyclable materials will be removed from site for processing in licenced facilities;
- There will be clearly located and defined storage areas for materials; and

- General information on waste will be provided in site inductions and toolbox talks with feedback welcomed.

7.2.3 Storage of waste

The following methods have been identified in relation to storage of waste:

- Storage will be provided at suitable points for all waste streams including hazardous waste, liquid wastes and discarded smoking materials;
- Waste will be segregated as far as practically possible;
- Waste will be stored in secure covered containers which will be clearly labelled with the waste they hold e.g. wood, metal, plastics etc.;
- Liquid wastes will be stored in appropriately (portable or permanent) bunded facilities that hold the capacity of the container plus a contingency;
- Any hazardous waste will be stored in separate containers (further details on hazardous waste are provided below);
- Any odorous wastes will be temporarily stored in suitable containers and where possible, at a distance from any nearby sensitive receptors;
- All places of work will be kept clean and tidy. Waste will not be allowed to accumulate. All surplus material and waste are to be removed in a timely manner;
- Storage areas / containers will be monitored, and action taken if waste is piled too high; and
- Burning of waste is prohibited.

7.2.4 Hazardous (Special) waste

“Hazardous waste” –any waste which contains properties that might make it harmful to human health or the environment. In Scotland, hazardous waste is referred to as Special Waste.

Special Waste could arise from the following sources:

- Maintenance of plant and machinery;
- Oily water waste;
- Oil filters;
- Oily rags;
- Oil absorbent pads etc.;
- Contaminated Marine Gas Oil (MGO);
- Biological Marine Material
- Hydraulic oil; and
- Environmental spill recovery (small amounts only; larger volumes taken away directly for disposal).

All Special Waste will be segregated by type and from other waste streams.

All Special Waste oil will be stored in a bunded facility until such times that it is collected.

Used filters, rags and absorbents will be stowed in the special waste container in drums or waste oil bags.

7.2.5 Transporting waste

There is a duty of care on the waste producer to make sure that waste is appropriately disposed of. The following measures have been identified to comply with the duty of care:

- All waste leaving the Project will be accompanied by a Waste Transfer Note (WTN) for non-hazardous waste or a Special Waste Consignment Note (SWCN) for hazardous waste. A copy of which will be retained for 2 (WTN) or 3 years (SWCN); and
- Waste contractors will be checked ahead of the works to ensure they have valid licences.

8. POLLUTION PREVENTION, SPILL RESPONSE AND CONTINGENCY PLAN

8.1 Overview

The *Contractor* will be responsible for ensuring all measures set out in the six technical Annexes of the International Convention for the Prevention of Pollution from Ships (MARPOL) are adhered to and appropriate management plans relating to each of the items above are produced and adhered to throughout the works. There are legislative requirements (Section 9.3) that stipulate specific requirements with regards to every ship (certified to carry 15 persons or more), and vessel (of 400 GRT and above). Not all vessels involved in the proposed works will be over 400 GRT. Vessels under 400 GRT, are not subject to the legislative requirements around ship waste. However, these vessels will be operated by a responsible competent contractor.

8.2 Emergency Spill Response

All vessels 400 GRT and above require an approved SOPEP i.e. procedures and descriptions of actions to be taken in the event of an oil pollution incident. The SOPEP shall contain all information and operational instructions as required by the “Guidelines for the development of the Shipboard Oil Pollution Emergency Plan” as developed by the Organisation (IMO). The appendices contain names, telephone numbers etc., of all contacts referenced in the SOPEP, as well as other reference material.

The following measures have been identified regarding emergency spills:

- Work will stop immediately, and the source of the spill will be addressed where possible;
- Follow vessel SOPEP procedure and emergency spill response;
- Isolate the source of the spill / leak if safe to do so;
- Sources of ignition will be eliminated – in case of spilled substance being flammable;
- The spill will be contained as far as practicable using appropriate spill equipment;
- All spills will be reported to the appropriate authorities where applicable;
- The Project Team will be provided with emergency spill response training;
- Spill kits will be made available at fuel storage and refuelling locations and in individual plant vehicles and vessels; and
- Spill kits will be replaced after use.

The collected contaminant from a spill will be treated as hazardous (Special) waste and will be disposed of appropriately.

8.3 Monitoring and Record Keeping

The Control of Substances Hazardous to Health Regulations (COSHH) record for any chemicals stored on the Project will be kept and updated by the *Contractor* along with the data sheet for any COSHH Material, chemical or substance. Operating instructions must be prepared (under the use of current Material Safety Data Sheets (MSDS)). For all used hazardous substances a register must be maintained.

Records will be kept of all visual fuel and oil checks of plant and fuel and oil storage containers by the *Contractor*.

Records will be kept by the *Contractor* of all spills and actions taken will be noted. Lessons learned will be communicated as appropriate.

8.4 Pollution Prevention Measures Onshore (at Cable Landfall)

The pollution measures for the onshore activities are documented in the onshore CEMP (in preparation at the time of writing, filename will be inserted when available).

9. MONITORING AND REPORTING PLAN

9.1 Introduction

Monitoring and reporting of activities during the Project are required to ensure works are carried out as per legislation, consent and licence conditions and in line with the *Employer* requirements. This Section describes the monitoring and reporting activities that will be performed during the execution of the Project. These requirements are additional to the external communications requirements detailed in Section 3.

9.2 Monitoring During Cable Installation

All vessels used on the Project shall be fully compliant with the ISM Code and flag state requirements. Where ISM Code does not apply to a vessel used due to vessel size, the vessel operator shall ensure that the vessel has a suitably integrated Safety Management System in use on board the vessel.

Table 9-1 outlines a number of environmental documents / certificates the vessels will be expected to provide to comply with the environmental aspects of the Project work. Documentation will be required to be provided to the *Contractor* (where specified) ahead of operations and prior to HAZID so that any necessary amendments can be made in advance of works commencing. Pre-works vessel checks will be undertaken by the *Contractor*, to ensure all appropriate documentation is on board the vessel.

Table 9-1 Environmental compliance checklist

Aspect	Document	Action	Responsibility for Provision	Date completed/ reviewed or checked [HOLD: to be completed through works]
Marine Licence and related documentation	Marine Licence	Copy of Marine Licence to be on board vessel throughout works	Vessel	
	EPS Licence	Copy of EPS Licence to be on board vessel throughout works	Vessel	
	Basking Shark Licence	Copy of BS Licence to be on board vessel throughout works	Vessel	
	Marine CEMP (incorporating the MMPP)	Copy of Marine CEMP to be on board vessel throughout works	Vessel	
	FLMAP	Copy of FLMAP to be on board vessel throughout works	Vessel	
	MMO Records	Evidence required at vessel audit	Vessel	
Water Protection	Shipboard Marine Pollution	Plan to be presented prior to the HAZID, and on-	Vessel	

Aspect	Document	Action	Responsibility for Provision	Date completed/ reviewed or checked [HOLD: to be completed through works]
	Emergency Plan (SOPEP)	board vessel throughout works		
	Ensure that materials are secured on deck	Evidence required at vessel audit	Vessel	
	All waste is required to be contained on board vessels for appropriate disposal on return to port	Evidence required at vessel audit	Vessel	
Oily Discharges	Oil Pollution Prevention Certificate	Certificate to be presented prior to the HAZID, and on-board vessel throughout works	Vessel	
	Oil Record Book	Record book to be on board vessel throughout works	Vessel	
Ballast Water Management (if applicable)	International Ballast Water Management Certificate	Certificate to be presented prior to the HAZID, and on-board vessel throughout works	Vessel	
	Ballast Water Management Plan	Plan to be presented prior to the HAZID, and on-board vessel throughout works	Vessel	
	Ballast Water Record Book	Record book to be on board vessel throughout works	Vessel	
Biofouling Management	International Anti-Fouling System Certificate	Certificate to be presented prior to the HAZID, and on-board vessel throughout works	Vessel	
	Biofouling Management Plan	Plan to be presented prior to the HAZID, and on-board vessel throughout works	Vessel	
	Biofouling Record Book	Record book to be on board vessel throughout works	Vessel	
Waste Management	Waste Management Plan	Plan to be presented prior to the HAZID, and on-board vessel throughout works	Vessel	

Aspect	Document	Action	Responsibility for Provision	Date completed/ reviewed or checked [HOLD: to be completed through works]
	Waste Record Book	Record book to be on board vessel throughout works	Vessel	
	Controlled Waste Transfer Note / Special Waste Consignment Note	Notes to be on board vessel at vessel audit and throughout works	Vessel	

9.3 Reporting During/ After Cable Installation

End of installation reporting

Reporting requirements for close out of licence to be added when the Marine Licence has been received.

9.4 Incident Response and Reporting

Incident response and reporting are not part of this CEMP; however, all incidents negatively impacting the environment are to be reported within 30 minutes to the SSEN Offshore Client Representative. The SSEN Offshore Client Representative will inform the *Employer's* Marine Consents Manager and the *Employer's* Project Manager. The SSEN 30-minute reporting hotline is 0800 107 3207.

REFERENCES

1 IMO (2023) Guidelines for the control and management of ship's biofouling to minimize the transfer of invasive aquatic species. Available at: <https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MEPCDocuments/MEPC.378%2880%29.pdf> [Accessed October 2023]

2 Payne, R.D., Cook, E.J. & MacLeod, A., 2014. Marine biosecurity planning: guidance for producing site and operation-based plans for preventing the introduction of non-native species. , pp.1-39. Available at: <https://www.clydemarineplan.scot/wp-content/uploads/2016/05/Guidance-Biosecurity-Planning.pdf>. [Accessed October 2023]

3 The Crown Estate (2014) Protocol for Archaeological Discoveries: Offshore Renewables Projects. Available at: https://www.wessexarch.co.uk/sites/default/files/field_file/2_Protocol%20For%20Archaeological%20Discoveries.pdf [Accessed October 2023]

4 UKHO (2020) The Mariners Handbook (NP100), The comprehensive guide to seamanship and key aspects of navigation

APPENDIX A

Correspondence and Commitments Register

Table A-1 Correspondence and commitments register

Stakeholder	Correspondence/Commitment	Compliance
Company Fishing Liaison Officer (CFLO) and Fishing Industry Representative (FIR)	Contractors shall provide details of all vessel movements, works and co-ordinates as well as regular updates on the proposed timings of operations to the CFLO and the FIR. All Notices to Mariners will be provided to the CFLO ready for issuing through KIS-ORCA	
Fishers	Liaisons will take place between the FIR and fishers in the area, particularly in relation to the requirement to remove creels to allow the works to be carried out.	
Recreational users	Liaisons between the CFLO and other users will take place to provide other users a minimum of 24 hours' notice of a vessel with restricted mobility being in the area	
Marine Directorate (MD)	Specific contact with MD will be made. <ul style="list-style-type: none"> Prior to commencement of the works: <ul style="list-style-type: none"> The Marine Directorate is responsible for the integrated management of Scotland's seas. This includes consultation on the proposed FLMAP and delivery plan; and inclusion of compliance with it as a licence condition. During the works: <ul style="list-style-type: none"> to allow access for an authorised Enforcement Officer to inspect the works. to notify any changes to the works that may affect the validity of the licence. to submit and seek approval of plans to mitigate navigational dangers or risks, where required. On completion of the works: <ul style="list-style-type: none"> to notify the completion of the works to submit an assessment of any risks posed by the installed cable 	
NatureScot	SHEPD will engage on matters related to the project as required.	
Maritime and Coastguard Agency (MCA)	SHEPD will engage on matters related to the project as required.	
Northern Lighthouse Board (NLB)	SHEPD will engage on matters related to the project as required.	
Scottish Environmental Protection Agency (SEPA)	SHEPD will engage on matters related to the project as required.	
Royal Society for the Protection of Birds (RSPB)	SHEPD will engage on matters related to the project as required.	
Scottish Fishermen's Federation (SFF)	Contact will be made with the SFF to keep them apprised of the installation as it proceeds, specifically in relation to the presence of vessels	

Stakeholder	Correspondence/Commitment	Compliance
North and East Coast Regional Inshore Fisheries Group (N&ECRIFG)	Specific contact will be made with the N&ECRIFG. Regular dialogue between the CFLO and the RIFG will be maintained prior to and during the installation work, noting that both mobile and static gear commercial fishing operations are present in the area.	
Scottish Creel Fishermen's Federation (SCFF)	Specific contact will be made with the SCFF. Regular dialogue between the CFLO and the SCFF will be maintained prior to and during any installation work	
Unaffiliated commercial fishermen	Specific contact will be made with relevant unaffiliated commercial fishers. The CFLO and FIR will identify these individuals and maintain liaison with them, particularly in relation to the requirement to remove creels to allow the works to be carried out.	
Crown Estate Scotland (CES)	SHEPD will engage on matters related to the project as required.	
United Kingdom Hydrographic Office (UKHO)	SHEPD will maintain contact with the UKHO to provide regular updates on progress of the works provide a copy of the marine licence and provide as-built details upon completion.	
Kingfisher Information Service Offshore Renewables and Cable Awareness (KIS-ORCA)	SHEPD will maintain contact with KIS-ORCA to provide regular updates on progress of the works and provide as-built details upon completion.	
Ministry of Defence (MoD)	SHEPD and CFLO will engage on matters related to the project as required.	
Royal Yacht Association (RYA)	Regular dialogue between the CFLO and the RYA will be maintained prior to and during the installation work that may affect recreational activities in the area.	
Shapinsay Community Council	SHEPD will engage on matters related to the project as required.	
Kirkwall and St Ola Community Council	SHEPD will engage on matters related to the project as required.	
NAFC Marine Centre	SHEPD will engage on matters related to the project as required.	
Orkney Marinas	CFLO will engage on matters related to the project as required.	
Orkney Harbour Master and Head of Marine Services	CFLO will engage on matters related to the project as required.	
Scottish Coastal Forum	CFLO will engage on matters related to the project as required.	
Orkney Islands Council Harbour Authority	SHEPD will engage with the Harbour authority to keep them informed of cable works.	
Orkney Islands Council Marine Services (Orkney Harbour Authority)	Specific contact will be made with the Orkney Islands Council Marine Services. Regular dialogue between the CFLO and the SCFF will be maintained prior to and during the installation work. The ports and harbours given in Section 8 of the FLMAP will be considered for the distribution of information in reference to the proposed cable works.	

Stakeholder	Correspondence/Commitment	Compliance
Orkney Islands Council Planning Services	SHEPD will engage on matters related to the project as required.	
Orkney Fisheries Association (OFA)	Specific contact will be made with the OFA. Regular dialogue between the CFLO and the OFA will be maintained prior to and during the installation work, noting that both mobile and static gear commercial fishing operations are present in the area.	
Orkney Fishermen's Society (OFS)	Feedback from communications during the PAC events stated that the OFS was represented by the OFA. Specific contact will be made with the OFS if requested.	
Orkney Islands Sea Angling Association	Contact will be made as required with the association who can be contacted through their website.	
The European Marine Energy Centre Ltd (EMEC Ltd)	Specific contact will be made with EMEC. Regular dialogue will be undertaken with EMEC throughout the lifetime of the local cable works to mitigate possible interactions.	
Orbital Marine Power	CFLO will engage on matters related to the project as required.	
Westray South Tidal Development Ltd	CFLO will engage on matters related to the project as required.	
Scuba diving operators	CFLO will engage on matters related to the project as required.	
Orkney and Shetland Dive Charters – Lerwick	CFLO will engage on matters related to the project as required.	
Diving – Scapa Scuba	CFLO will engage on matters related to the project as required.	
Orkney Sub-aqua	CFLO will engage on matters related to the project as required.	
Caithness Diving Club	CFLO will engage on matters related to the project as required.	
Scottish Surfing Federation (SSF)	CFLO will engage on matters related to the project as required.	
Orkney Sea Kayaking	CFLO will engage on matters related to the project as required.	
Orkney Rowing Club	CFLO will engage on matters related to the project as required.	
Orkney Sailing Club	CFLO will engage on matters related to the project as required.	
Orkney Yoal Association	CFLO will engage on matters related to the project as required.	
Cruise ships (operating from Kirkwall)	CFLO will engage on matters related to the project as required.	
Orkney Ferries	CFLO will engage on matters related to the project as required.	
Aquaculture	Specific contact will be made with aquaculture developers through the provision of Notices to Mariners.	

Stakeholder	Correspondence/Commitment	Compliance
Scottish Sea Farms	CFLO will engage on matters related to the project as required.	
Cooke Aquaculture Scotland	CFLO will engage on matters related to the project as required.	
Orkney Oysters Ltd	CFLO will engage on matters related to the project as required.	
Rysa Salmon Farm	CFLO will engage on matters related to the project as required.	

APPENDIX B

The Scottish Marine Wildlife Watching Code



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

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



The Scottish Marine Wildlife Watching Code

The Scottish Marine Wildlife Watching Code



Preface

This Code has been produced in fulfilment of the requirement under Section 51 of the Nature Conservation (Scotland) Act 2004 for Scottish Natural Heritage (SNH) to:

“Prepare and issue a code, to be known as the Scottish Marine Wildlife Watching Code, setting out recommendations, advice and information relating to commercial and leisure activities involving the watching of marine wildlife”.

The Act states that the Code may contain information on:

- Activities which are likely to disturb marine wildlife.
- Circumstances in which marine wildlife may be approached.
- The manner in which marine wildlife may best be viewed with minimum disturbance.

The Act also requires SNH to consult others in the development of the Code, to publish and promote the Code and, periodically, to review the Code. The Code was first published in 2006. A revision was undertaken in 2016 to reflect changes in relevant legislation since 2006.

This Code is an opportunity to draw together information relating to best practice on watching all species of marine wildlife in and around Scotland. It is expected that the Code will form the basis for more targeted codes and guidance material.

This Code was developed through extensive review and synthesis of existing guidance, and consultation with scientists, providers of tourism and wildlife watching opportunities, other marine and coastal user groups and the general public.



A Code of Conduct for Watching Marine Wildlife

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Introduction

Scotland has a long and varied coastline and a wealth of marine wildlife. This is arguably the best place in Europe to watch whales, dolphins and porpoises. The basking shark – the second largest fish in the world – can often be seen feeding off the west coast in summer. Seals are found all around our coasts; they can be curious and easy to observe. Otters are more elusive, but are nonetheless relatively common, and if you watch carefully and are patient you may see them. Spectacular populations of seabirds nest on our sea cliffs and islands, and hundreds of thousands of waders and waterfowl frequent our beaches and estuaries. Sea eagles can be seen soaring and hunting on our coasts. Occasionally loggerhead and leatherback turtles are seen in our waters.

Watching marine wildlife is exciting and memorable. It makes us more aware and increases our understanding and enjoyment of the marine environment. It is also increasingly important for tourism and the economy.

Some people now make their living taking visitors to sea, or on coastal walks, to watch wildlife. For others, watching wildlife is purely a hobby or part of a family outing. This Code is principally designed for those who actively watch marine wildlife around Scotland, but it is also relevant to other marine users who encounter marine wildlife during other activities. With this in mind, we all need to know how to act responsibly around wildlife.

The Code is not a law or regulation – its over-riding purpose is to raise awareness and offer practical guidance. It aims to:

- Help you to enjoy watching marine wildlife.
- Improve your chance of seeing wildlife.
- Help minimise disturbance to marine wildlife.
- Provide a standard for the wildlife watching industry.
- Help you to stay within the law.

For these reasons it is important that everyone follows the Code, as far as is safe, practical and feasible. Many species are protected by law and harming or disturbing them may be an offence, as explained in the section on the law in this document.

There are other excellent codes for watching marine wildlife, mostly targeted at particular users, species groups or locations. The Scottish Marine Wildlife Watching Code has been designed to complement these codes, and to help in

the development of new or improved targeted codes and guidance materials.

This document is intended to be a concise code of conduct. This comprises a set of broad Principles, followed by three user codes: **On the coast**, **On the sea**, and **In the sea**.

There is no separate code for those carrying out research: this guidance applies equally to everyone. If in doubt, you should contact **SNH** to discuss whether you need to apply for a licence to undertake an activity that would otherwise constitute an offence. Further information on marine wildlife and the law is provided in the final section.

This Code is complemented by the more detailed Guide to Best Practice for Watching Marine Wildlife ("the Guide"), arranged by major species groups: cetaceans (whales, dolphins and porpoises), basking sharks, seals, otters, birds and turtles. For each of these we provide basic information on the animals found at the coast and in the waters around Scotland, on their vulnerability to different forms of disturbance, on sensitive times and places, and more detailed guidance as to what constitutes responsible watching behaviour. We provide a guide to the law as it applies to each group. Users are reminded that the law protects wild plants as well as animals.

This Code deals mainly with minimising disturbance from individual encounters. There will inevitably be times and places where the number of encounters with wildlife increases to the point where the longer term well-being and survival of animals is compromised. The Guide therefore also includes a section which provides information on Dealing with cumulative impacts through the development of local wildlife management initiatives and improved marine planning.

A set of annexes to the Guide provides additional advice on what to do if you encounter injured or stranded animals, reporting and recording your sightings of marine wildlife, and a list of more specialist codes of conduct and guidance targeted at particular users or species groups.

The recommendations within the Code and Guide should be followed as far as possible, but remember that human safety is paramount and do not put yourself, or others, at risk.

Objectives of the Code

- To minimise the risk of harm to marine wildlife from encounters with people.
- To provide information about marine wildlife in Scotland, human activities most likely to affect animals and how to recognise the signs of disturbance.
- To offer specific guidance about watching marine wildlife with minimum disturbance.
- To provide an over-arching framework against which more detailed user codes or management measures may be developed to address specific local issues.





Principles

Be aware. Before you go wildlife watching, learn about the animals you might encounter. Understand how your actions could affect them. Be alert to the signs that animals make when they feel threatened. Be observant, patient and sensitive to the interests of the wildlife you are watching.

Take responsibility for your own actions. Constantly assess the wildlife's reaction to your presence and, if you see signs of disturbance, move away quietly. Consider how much time you spend watching animals. The presence of people over long periods can be disturbing, however careful you may be.

Have respect for other people, wildlife and the environment. Use your right of responsible access wisely. Respect the privacy and livelihoods of those who live by the sea. Leave the environment as you find it.





On the coast

Scotland's coast is a wonderful place to start exploring our enormously varied marine wildlife: from colonies of cliff-nesting seabirds, to seals that come ashore to rest and pup, to the miniature underwater worlds found in rockpools. You can get great views from the coast of whales, dolphins, porpoises and basking sharks, as well as of birds foraging or rafting on the water. Using binoculars from the coast means that you get better views, without having to be close to the animals.

You may also come across wildlife while taking part in other coastal activities, such as rock climbing, coasteering and land yachting. You should follow this code regardless of whether you deliberately set out to see wildlife or are lucky enough to have an unexpected encounter.

- Follow any locally available advice about avoiding disturbance to wildlife. If you're visiting a wildlife viewing site then you may be asked to follow specific routes to minimise disturbance.
- Use wildlife watching hides wherever possible.
- Keep a good lookout and don't get too close. Use binoculars or a telescope to get better views.
- As soon as you see wildlife, assess the situation. What are the animals doing? Where are they going? How can I avoid disturbing them?

- Let the animals decide how close they want you to be. If you see signs of disturbance (such as “heads up” responses, alarm calls, sudden movements or aggressive behaviour) then you should move away and if possible take an alternative route or wait for the animals to move on.
- If you are passing close to wildlife, do so slowly and cautiously. Make sure that your movements are steady and predictable, and do not approach directly.
- Avoid surrounding or corralling the animals. If other people are watching the same animals, or you are in a group, try to ensure that you all stay together and to one side. Remember that with more people the likelihood of disturbance will be greater.
- Do not chase animals. Let them go if they move away.
- Do not feed or touch birds or other large wild animals.
- Avoid using flash photography – check the default setting on your camera.
- Move away from wildlife as quietly and carefully as you can – your exit should be as careful as your approach.
- Take extra care during sensitive times of year in places where animals may be feeding, resting, breeding or with their young:
 - Be careful not to scare birds off nests or trample burrows/nests.
 - Do not intentionally divide or put up flocks of birds or flush seals into the sea.
 - Do not approach otter holts (dens) closely, and avoid blocking routes to and from the sea.
 - Be careful not to split up groups or mothers and young, and never approach apparently lone young animals.





- Do not trample through rockpools. If you lift rocks, do so carefully and put them back the same way up and in the same place.
- If you touch or pick up small animals from rockpools, handle them with care and put them back where you found them.
- Avoid physical damage to the environment. Carry rather than drag canoes and dinghies where possible, and avoid trampling and erosion, particularly of sand dunes, saltmarsh and coastal grasslands.
- Keep your dog under close control at all times as they can cause great disturbance.
- Do not leave litter.
- If camping on the coast, follow the **Scottish Outdoor Access Code's** advice on camping responsibly. Avoid pitching your tent close to seal colonies, otter holts or sites used by birds for nesting or roosting.

See **A Guide to Best Practice for Watching Marine Wildlife** for more detailed advice on different species groups.



On the sea

Seeing wildlife is a great bonus to any boat trip, and increasing numbers of people are taking advantage of dedicated wildlife watching boat tours. There is a great deal of wildlife around, and it is often easy to see, even from a distance – especially if binoculars are used.

This guidance applies to anyone out in a boat of any kind who encounters wildlife, intentionally or otherwise. Although the Code should be followed at all times where practical, remember that the first responsibility of the skipper of a vessel is the safety of passengers and crew. Do not put yourself, crew or passengers in danger.

- Follow any locally available advice about avoiding disturbance to wildlife. This may include local marine codes, byelaws and wildlife management schemes.
- Keep a good lookout and don't get too close. Use binoculars to get a better view. Tour operators often provide their passengers with binoculars to assist with this.
- As soon as you see wildlife, assess the situation. What are the animals doing? Where are they going? How can I avoid disturbing them?
- If you are passing close to wildlife, reduce your speed to the safest minimum. Make sure that your movements are steady and predictable and approach at an oblique angle – direct or head-on approaches are more threatening. Depart with equal caution.





- Do not cut off an animal or group of animals by moving across their path, and do not approach them from behind.
- Let the animals decide how close they want you to be. If you see signs of disturbance (such as sudden movements or flight, aggressive behaviour, “heads up”, bunching together, tail slaps) then you should move away and if possible take an alternative route or wait for the animals to move on.
- If animals are moving in a consistent direction, maintain a steady parallel course and where possible keep above the recommended minimum distances discussed in the Guide.
- If marine mammals decide to approach you (for example to bow ride), try to maintain a steady speed and course. Try not to present your propellers to approaching animals.
- Make sure the animals are not surrounded. If other people are watching, try to stay on the same side. Avoid corralling or boxing animals in against the shoreline or in sea lochs or bays.
- If you can see one animal at the surface, others may well be nearby, just below the surface out of sight. Keep a careful lookout at all times.
- Remember that with more boats and people about, the likelihood of disturbance will be greater.
- Take extra care during sensitive times of year in places where animals may be feeding, resting, breeding or with their young:
 - Do not intentionally break up or put up rafts of birds or flush seals into the sea.
 - Avoid landing or entering the sea adjacent to designated seal haul-out sites.
 - Be careful not to split up groups, or mothers and young, and never approach apparently lone young animals.
 - Watch out for basking sharks at tidal fronts where different water bodies meet (often marked on the surface of the water by lines of debris or foam) as they may be feeding and not be aware of your presence.
- If watching whales, dolphins or porpoises, switch off your echo sounder if it is safe to do so. These animals are particularly sensitive to underwater noise and

it may interfere with their communication, navigation and foraging.

- Avoid using flash photography – check the default setting on your camera.
- Do not throw litter into the sea.

If you are using an engine:

- Avoid sudden unpredictable changes in speed, direction and engine noise.
- Keep your engine and propeller well maintained to minimise noise.

If you are under sail, paddling or rowing:

- Do not take advantage of your ability to approach quietly – it may result in wildlife being suddenly startled by your proximity.
- Be aware of any wildlife around your vessel so that you can act as quickly as possible to minimise disturbance.
- Remember that small craft are vulnerable. Getting too close to marine animals may put you at risk.
- If you are under sail, avoid tacking, gybing and flapping sails close to marine wildlife, if possible.
- When seals are hauled out on the shore, they are particularly prone to disturbance from passing kayaks. If paddling, give haul-out sites a wide berth.

Personal water craft (sometimes known as “jet skis”) are not recommended for viewing marine wildlife. They are fast, noisy, and low in the water. Their speed and limited range of visibility means that collisions may occur and can be serious for both parties.

- Keep a good lookout at all times, and keep away from marine wildlife where possible.
- If you have an unexpected encounter with marine wildlife, slow down and move away steadily to 100 metres or more.

See **A Guide to Best Practice for Watching Marine Wildlife** for more detailed advice on different species groups.

In the sea

Diving, snorkelling and swimming in the waters around Scotland offer opportunities to see a stunning array of wildlife. High energy, wave-exposed coastlines with reefs and sea caves are a focus for many divers, with their varied communities of encrusting animals including sponges, anemones, sea mats and sea fans. A fascinating array of marine life can also be seen when snorkelling or swimming in more sheltered waters.

Divers can explore otherwise inaccessible places underwater. This offers great opportunities to see wildlife, but brings a particular responsibility to avoid disturbance. Most divers start out in a boat, and should therefore also observe the **On the sea** code at this stage of their trip.

- Follow any locally available advice about avoiding disturbance to wildlife. This may include local marine codes, byelaws and wildlife management schemes.
- Diving, snorkelling or swimming with marine mammals or basking sharks is not recommended. It can cause disturbance and stress to the animals as well as putting yourself at risk. However, if you do encounter animals while in the water, follow the guidance below where relevant, and take extreme care not to disturb the animals or put yourself in danger.
- Keep a good lookout on the surface and underwater.
- If you are passing close to marine wildlife, do so slowly and cautiously. Make sure that your movements are steady and predictable.



- Let the animals decide how close they want you to be. If you see signs of disturbance (such as sudden movements) then you should stop your approach or move away gently.
- Remember that the likelihood of disturbance will be greater with higher numbers of people (and boats) in the vicinity.
- If you touch or pick up small animals on the sea bed, handle them with care and put them back where you found them.
- Take care not to cause damage to the environment with your feet or fins. Be aware that some species are particularly sensitive to physical damage.
- Make sure that your buoyancy control is good and secure gauges, regulators, torches and other equipment to avoid damaging animals and plants attached to the sea bed or smothering them in clouds of sand or mud.
- Take pictures underwater only when you have become a competent diver and are able to control your buoyancy and your movements precisely. As you would normally use flash, limit the number of photographs of individual animals.
- Be aware that your trapped exhaust air can kill marine life in caves, caverns and wrecks. Minimise your time in such places.
- When night diving, be careful not to dazzle and disturb fish. Use the edge of the beam rather than pointing the torch directly at animals.

See **A Guide to Best Practice for Watching Marine Wildlife** for more detailed advice on different species groups.

The law

Protection of wildlife

Many forms of marine wildlife are protected by law. This Code does not attempt to explain it all but highlights the most relevant measures. You can find further information on wildlife and the law on the [SNH website](#).

For birds it is an offence to intentionally or recklessly kill, injure or take any wild bird, or take, damage, destroy, obstruct or interfere with any wild bird's nest whilst being built or in use, or their eggs. It is also illegal to possess any wild bird alive or dead, or part of one, or any egg.



Certain wild birds (those on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended)) are also protected from disturbance during breeding (whilst they are building or using their nest) or disturbance to their dependent young.

Nests habitually used by white-tailed eagle and golden eagle are protected at all times from intentional or reckless taking, damage, interference, etc. It is also an offence to intentionally or recklessly harass these birds.

For other animals it is an offence:

- To deliberately or recklessly disturb or harass any whale, dolphin, porpoise, marine turtle or otter, or intentionally or recklessly do so to a basking shark.
- To deliberately or recklessly capture, kill or injure any marine turtle, whale, dolphin, porpoise, or otter, or intentionally or recklessly kill, injure or take a basking shark.
- To damage or destroy a breeding site or resting place of any marine turtle, whale, dolphin, porpoise or otter.
- To deliberately or recklessly obstruct access to any structure or place used by an otter for shelter or protection.
- To possess, sell or offer for sale any marine turtle, whale, dolphin, porpoise, basking shark or otter or any part of these animals.
- To knowingly cause or permit any of the above offences.
- To intentionally or recklessly kill, injure or take any live seal at any time.
- To intentionally or recklessly harass seals at designated [haul-out sites](#).

[Marine European Protected Species Guidance](#) gives comprehensive advice for marine users who are planning to carry out an activity in the marine environment which has the potential to kill, injure or disturb a European protected species (EPS).

It is also an [offence](#) to uproot any wild plant unless this is accidental or permission has been given by the owner or occupier of the land. Further, it is illegal to intentionally or recklessly pick, uproot or destroy certain plants even with such permission.

The Partnership for Action Against Wildlife Crime Scotland ([PAW Scotland](#)) represents a wide range of bodies concerned with the prevention of crimes against wildlife.



Access to beaches and the foreshore

Rights of responsible access came into effect in 2005 under Part 1 of the Land Reform (Scotland) Act 2003 (as amended). **The Scottish Outdoor Access Code** sets out how these rights can be exercised and managed responsibly. Exercising access rights responsibly is about making informed decisions about what is reasonable to do in everyday situations. You need to be aware that, whilst you may only visit a place occasionally and feel that you cause no harm, the land manager and the environment may have to cope with the cumulative effects of many people. Acting with awareness and common sense underpins responsible behaviour.

Access rights to Scotland's beaches and coastline are very important as many people enjoy these places. For the public, access rights extend to beaches and the foreshore. Follow any local guidance, for example aimed at reducing dune or machair erosion or at avoiding disturbance of nesting birds. Public rights on the foreshore include fishing for sea fish, lighting fires, beachcombing, swimming, playing and picnicking.

Land managers can work with their local authority and other bodies to help facilitate and manage access. Local information, including signs indicating recommended routes and temporary (timed) restrictions on access, should always be agreed between land managers, representative bodies, conservation authorities and/or local access authorities. Under Section 29 of the 2003 Act, SNH may put up signs asking you to avoid a specific area or route in order to protect the natural heritage.

For further information about your access rights visit
www.outdooraccess-scotland.com

What to do if you think an offence has been committed

If you witness or become aware of a wildlife crime being committed then you should do one of the following:

- If the incident is ongoing and there is a threat to health or property – contact Police Scotland on 999 or 112. Give details to the Service Centre Adviser. The nearest unit will attend the scene.
- If the incident is historical or is ongoing but does not pose a threat to health or property – contact Police Scotland on 101. Ask to speak to a Wildlife Crime Liaison Officer (WCLO). If a WCLO is not available, give details to the Service Centre Adviser. Record the incident number.
- If the incident involves an injured animal that is suffering – contact the Scottish SPCA on 03000 999 999.

The Partnership for Action Against Wildlife Crime (**PAW**) website provides more information on what to do if you think an offence has been committed, what to look for, and who to report to.

Scottish Natural Heritage

Scottish Natural Heritage (SNH) is a government body responsible to the Scottish Government and, through them, to the Scottish Parliament.

Our mission

All of nature for all of Scotland

Our aim

Scotland's natural heritage is a local, national and global asset. We promote its care and improvement, its responsible enjoyment, its greater understanding and appreciation and its sustainable use now and for future generations.

Our operating principles

We work in partnership, by co-operation, negotiation and consensus, where possible, with all relevant interests in Scotland: public, private and voluntary organisations, and individuals.

We operate in a devolved manner, delegating decision-making to the local level within the organisation to encourage and assist SNH to be accessible, sensitive and responsive to local needs and circumstances.

We operate in an open and accountable manner in all our activities.

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