

Annex One

MD-LOT European Protected Species Licence Case Handling Report

Licence Number: 00010537/00010745

Licensing Officer: [Redacted]

Site	Eastern Green Link 2 (EGL2): Peterhead to Scottish - English sea-border
Company	Scottish Hydro Electric Transmission PLC 10 Henderson Road Inverness IV1 1SN
Applicant	[Redacted]
Brief Description of Project	As part of the UXO survey undertaken for the Eastern Green Link 2 cable route, Scottish Hydro Electric Transmission PLC (SHET) propose to deploy sub-bottom profiling (SBP) in addition to the geophysical survey methodologies detailed in the original licences EPS 00010242 and BS 00010241. No other changes are proposed.
Associated Licences	Variation to EPS-00010537, BS-00010536

Species	harbour porpoise (<i>Phocoena phocoena</i>); bottlenose dolphin (<i>Tursiops truncatus</i>); minke whale (<i>Balaenoptera acutorostrata</i>); white-beaked dolphin (<i>Lagenorhynchus albirostris</i>)
Inshore/Offshore	Inshore/Offshore

TEST 1	Purpose of licence
	Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
Comments	
<p>The applicant has demonstrated that a specific need is being addressed. The cable for the wider EGL 2 project cannot be installed without a detailed inspection of the seabed to identify any potential UXO as their presence represents a significant risk, and therefore a scenario whereby the surveys are not undertaken is not an option in this instance. The surveys ensure the safety of the crew and wider preservation of the surrounding marine environment. The survey results will inform the applicant whether there is a need for future UXO clearance.</p> <p>The survey is required to support the installation of a new subsea HVDC cables (EGL 2) that are needed to provide additional network capacity and greater power transfer capability across the Anglo-Scottish border. The EGL 2 HVDC cables cannot be installed prior to potential UXOs in the marine installation corridor being identified, for which this survey is required.</p> <p>The application for UXO surveys are not in relation to specific government targets or policies however, they do tie in to the wider program of works for the EGL 2 HVDC cables to increase transmission and support broader renewables targets.</p>	

Test 1 satisfied?	YES
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TEST 2	Satisfactory alternatives
Comments	
<p>The applicant has demonstrated that reasonable effort has been made to consider alternatives that would achieve the same result but with less / no impact on EPS. For the survey data that is required to be collected to show potential UXO positions the proposed methods and equipment must be used. There are no other technological alternatives.</p> <p>By not performing the UXO surveys, the applicant could be endangering human life and environmental preservation during cable installation activities if the location of UXOs within the marine installation corridor are unknown and potentially disturbed.</p> <p>The survey must take place within the marine installation corridor for the planned EGL 2 HVDC cables to inform later installation activities and must be completed prior to EGL2 installation which is planned to commence in 2025. The specified equipment and methods are required to collect the necessary data needed to determine UXO positions.</p>	
Test 2 satisfied?	YES

TEST 3	Favourable Conservation Status ("FCS")
Comments	
<p>NatureScot were consulted on 11 September 2023 with a response being received on 28 September 2023.</p> <p>Nature Scot advised that the sub-bottom profiler operates at frequencies and sound levels which have the potential to cause injury and disturbance to marine mammals. If the proposed mitigation detailed in the existing EPS Licence Application Supporting Information and Risk Assessment (Project ref 60641917), dated 25 August 2023, as submitted to the Licensing Authority, is fully implemented in line with JNCC guidance, the risk of injury from the sub-bottom profiler is minimal, and an EPS licence for injury is not required.</p> <p>It further advised that disturbance may still occur and cannot be mitigated. The risk assessment estimates the number of animals likely to be affected, and the proportion of the populations affected. Based on these figures, and the localised and short-term nature of the activity, Nature Scot advised that the activity will not have a detrimental effect on the favourable conservation status of any of the species concerned.</p> <p>In their response dated 18 April 2024 NatureScot confirmed that the advice provided for EPS-00010537, detailed above, remains valid.</p> <p>JNCC were consulted on 11 September with a response being received on 26 September 2023. JNCC advised that provided marine mammal mitigation (outlined in its advice for previous licence 00010242, dated 21 March 2023) is undertaken before the commencement of data collection, the proposed survey is not capable of having an adverse effect on the favourable conservation status of the European Protected Species concerned in offshore waters.</p> <p>In their response dated 11 April 2024 the JNCC confirmed that the advice provided for EPSS-00010537, detailed above, remains valid.</p>	
Test 3 satisfied?	YES

Date original application received: 23 January 2023

Date variation application received: 19 February 2024

Consultation start date: 11 September 2023
Variation consultation start date: 09 April 2024

Consultation end date: 28 September 2023
Variation Consultation end date: 23 April 2024

Notes

Date	Text	Created By
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Awaiting Information

Start date	End date	Duration (days)	Waiting for	Waiting on Information From
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Licence issue date: 13 October 2023
Variation issue date: 09 May 2024

Date report due: 23 June 2025