

THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: EPS/BS-00010888

Site	Nearshore Pipeline, St Fergus Gas Terminal, Aberdeenshire
Company	Shell UK Ltd Aberdeen United Kingdom AB12 3FY
Brief Description of Project	Acoustic Pipeline Survey
Associated Licences	

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

TEST 1	Purpose of licence
	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>St Fergus Gas Terminal is located in the North Sea, Aberdeenshire - between Peterhead and Fraserburgh. The terminal consists of 4 major pipelines connecting to onshore receiving, processing and transporting facility complexes.</p> <p>The activity is required to ensure the ongoing safety of the pipelines which carry hydrocarbons, ensuring continuity of supply to St Fergus and wider UK. Protecting the integrity of the pipeline, avoiding an environmental incident within the marine environment potentially impacting on marine life and eco system .</p> <p>The survey also will identify hazards along the pipeline route which may effect legitimate users of the sea.</p> <p>The proposed activity is an acoustic survey using a sub bottom profiler operating at a frequency of up to 100khz.</p> <p>the NMP has been considered namely</p> <p>Gen 1 - The app will ensure any potential impacts are minimised.</p> <p>Gen 4 - Other users of Marine Environment will be notified of operations</p> <p>Gen 5- Vessel emissions will be mitigated by optimising vessel efficiency</p> <p>Gen 9 - Assessment undertaken and the operations are not considered to impact on protected sites</p> <p>Gen 13 - Survey will be of a short duration and mitigation adhered to</p> <p>Gen 14 - Again the survey will be of short duration</p> <p>Gen 21 - The survey are not expected to increase on any cumulative impact.</p>	
Test 1 satisfied?	YES

TEST 2	Satisfactory alternatives
Comments	
<p>The applicant has considered "The Do Nothing " Alternative. To do so would risk damage or anomalies in the pipeline that may lead to a lack of hydrocarbon supply to St Fergus and the wider UK.</p> <p>A pipe line rupture resulting in a spill of hydrocarbons into the marine and costal environment with potential to adversely effect cetaceans, and marine flora/fauna.</p> <p>Other Alternatives considered were;</p> <p>Use of a ROV discounted due to shallow waters and no other practical survey method would provide essential information on burial status.</p> <p>Alternative locations not possible in this instance as pipeline is in a fixed position.</p> <p>Alternative timing/duration - a two day survey is required but dependant on favourable weather conditions. the survey is the shortest period of time to ensure completeness of data.</p> <p>Alternative vessel, however the proposed vessel has been chosen to reduce emissions allowing good data collection whilst having a low impact on the environment</p>	
Test 2 satisfied?	YES

TEST 3	Favourable conservation status
Comments	
<p>NatureScot concluded in its advice of the 15 August 2024 Moray Firth Special Area of Conservation (SAC) – bottlenose dolphin</p> <p>The proposed survey works take place close to the Moray Firth SAC, for which bottlenose dolphin is a qualifying species. Although there is no direct overlap with the proposed works, we know from photo-ID studies that bottlenose dolphin from the SAC travel along the coastline. Therefore, there is potential connectivity between the proposed survey work and bottlenose dolphins from the Moray Firth SAC.</p> <p>The SBP could cause disturbance to bottlenose dolphin from the SAC transiting along the coast and as such we advise that the proposed survey work could have a likely significant effect on bottlenose dolphin from the Moray Firth SAC. However, as the geophysical activities are both short in duration and localised in scale, with mitigation proposed we advise that there will be no Adverse Effect on Site Integrity for bottlenose dolphin as a qualifying species of the Moray Firth SAC.</p>	
Test 3 satisfied?	YES

Date application received: 12/07/2024

Consultation start date: 06/08/2024

Consultation end date: 20/08/2024

Notes

Date	title	Text
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National Marine Plan considerations:

The decision is: In accordance and no further action required

Comments: This application has been assessed against the policies contained within the NMP in particular Chapter 9 Oil and Gas in relation to specific objectives that this licence interacts with as detailed below;

GEN 1 General planning principle: There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan.

GEN 2 General planning principle: Economic benefit: Sustainable development and use which provides economic benefit to Scottish communities is encouraged when consistent with the objectives and policies of this Plan

GEN 4 Co-existence: Proposals which enable coexistence with other development sectors and activities within the Scottish marine area are encouraged in planning and decision making processes, when consistent with policies and objectives of this Plan.

GEN 13 Noise: Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects.

GEN 14 Air quality: Development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits.

GEN 19 Sound evidence: Decision making in the marine environment will be based on sound scientific and socio-economic evidence.

GEN 21 Cumulative impacts: Cumulative impacts affecting the ecosystem of the marine plan area should be addressed in decision making and plan implementation

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