



Ms Esther Villoria
Aberdeen Offshore Wind Farm Limited
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Edinburgh
EH8 8PJ

21st September 2017

Dear Ms Villoria

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (AS AMENDED)**

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (AS AMENDED)**

MARINE (SCOTLAND) ACT 2010

THE ELECTRICITY ACT 1989 (AS AMENDED)

**DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE CONSENT AND
REGULATORY APPROVAL**

**FOR THE CONSTRUCTION AND OPERATION OF THE EUROPEAN OFFSHORE WIND
DEPLOYMENT CENTRE ELECTRICITY GENERATING STATION, ABERDEEN BAY,
APPROXIMATELY 2KM EAST OF BLACKDOG, ABERDEENSHIRE WITH A MAXIMUM
GENERATION CAPACITY OF 100 MW.**

1.1 Description of the Application

1.1.1 On 26th March 2013 the Scottish Ministers, granted in favour of Aberdeen Offshore Wind Farm Limited (Company Number SC278869) having its registered office at The Tun Building, 4 Jacksons Entry, 8 Holyrood Road, Edinburgh EH8 8AE ("the Company") consent under section 36 ("s.36") of the Electricity Act 1989 (as amended) relative to the above works. Condition 15 of the said s.36 consent, requires the Company to submit a Cable Laying Strategy for approval by the Scottish Ministers prior to commencing the above works.

1.1.2 On 15th August 2014, the Scottish Ministers, granted in favour of the Company a marine licence under part 4 of the Marine (Scotland) Act 2010 relative to the above works. The said marine licence was subsequently varied by the Scottish Ministers, on 03 May 2016 and again on 30th September 2016 ("current marine licence"). Conditions 3.2.1.2 and 3.2.1.7
Marine Laboratory, 375 Victoria Road,
Aberdeen AB11 9DB
www.gov.scot/Topics/marine/Licensing/marine

of the current marine licence requires the Company to submit a report detailing current 'best practice' relating to the attenuation of field strengths of cables by sheilding or burial designed to minimise effects on electro-sensitive and migratory fish species ("the Report") and a Cable Protection Plan ("CPP") for approval by the Scottish Ministers prior to commencing the above works.

1.1.3 On 27th January 2017 the Company submitted to the Scottish Ministers the Cable Laying Strategy incorporating both the Report and the CPP (collectively hereinafter referred to as "CLS") and applied for multi-stage consent and regulatory approval thereto in accordance with condition 15 of the said s.36 consent and conditions 3.2.1.2 and 3.2.1.7 of the current marine licence.

1.2 Summary of Consultation Responses

1.2.1 The Scottish Ministers have consulted with the Maritime Coastguard Agency ("MCA"), the Northern Lighthouse Board ("NLB"), Scottish Natural Heritage ("SNH"), Scottish Environment Protection Agency ("SEPA"), the Don District Salmon Fishery Board ("Don DSFB"), the Dee District Salmon Fishery Board ("Dee DSFB"), Aberdeenshire Council ("AC") and Aberdeen City Council ("ACC") in respect of the CLS.

1.2.2 In respect of the intra-array cabling SNH confirmed they were satisfied with the proposed installation process and intended level of cable burial, including no anticipated requirement for cable protection materials. SNH advised the target burial depth of 1.0 metres should be sufficient to mitigate any effects from electromagnetic fields ("EMF"). SNH confirmed any EMF from the cabling would not be greater than baseline and would not give rise to any significant impacts on fish or benthic interests.

1.2.3 In respect of the export cable, SNH advised their preference was for the use of horizontal directional drilling (HDD) when installing the export cable where it would come ashore and on this basis their preference was for landfall location 2 as identified in the CLS. SNH however also confirmed that they did not have an objection to the use of cable trenching at landfall location 1 provided it was demonstrated that this would not interfere with coastal processes. SNH's main concern related to potential requirements for cable protection in nearshore coastal waters, which they advised could be avoided by burying the cable sufficiently deeply so that it would not become re-exposed over the life of the wind farm. SNH recommended the Company reviewed the outputs from Scotland's Coastal Change Assessment to help inform their understanding of any potential changes in beach level in the area and thus the target depth for cable burial.

1.2.4 SNH further advised that if the Company committed to the reburying of any cable potentially exposed by erosion and confirmed no use of cable protection then this would remove all of their concerns in relation to either HDD or cable trenching. SNH confirmed that if this mitigation was adopted then there would be no interference with coastal processes and no impacts on the Foveran Links Site of Special Scientific Interest. SNH also confirmed they were satisfied with the inter-tidal survey work carried out to inform the choice of cable landfall options and confirmed that installation of the export cable (either at landfall location 1 or landfall location 2) would not give rise to any significant impacts on benthic or other ecological interests.

1.2.5 The Company submitted an amended CLS which removed landfall location 2 and HDD on the basis that landfall location 1 had been chosen. The amended CLS also included the results of the Company's review of the Dynamic Coast project online tool which showed the coastline at Blackdog undergoing accretion rather than erosion. The Company therefore considered that the cables were less likely to become exposed because of this, however

advised that changing coastal processes could put the cable at risk of exposure through erosion and therefore confirmed they would design the landfall with an aim to minimise the risk of cables becoming exposed through the design the above works. The Company also amended the CLS to include provisions regarding cable reburial and cable protection. SNH subsequently confirmed that they had no further comments on the amended CLS.

1.2.6 The MCA requested sight of the kilometre points on a chart, conversion of the coordinates contained in the CLS into latitude and longitude and information regarding the HDD exit points. The Company amended the CLS to include the requested coordinate format and a commitment to provide a chart with the kilometre points. The amended CLS no longer included reference to landfall location 2 and the associated use of HDD. The MCA also advised that if cable protection was required then discussion with the MCA and NLB would be necessary. The Company confirmed it was their intention to bury all of the offshore export cables and inter-array cables however amended the CLS to include a commitment to consult with SNH, the NLB, the MCA and the Scottish Fishermen's Federation if additional cable protection was required. In addition, the MCA advised that if additional protection was needed at the duct end of the cable further consideration of the impacts to navigation would be required. The Company amended the CLS to include a commitment that if such a need arose they would discuss the matter with the MCA. The MCA also requested further information regarding the Company's intentions for cable monitoring and surveys and the Company amended the CLS to confirm their position in this regard. The MCA confirmed they were content with the amended CLS.

1.2.7 SEPA initially requested further information on a number of matters relating to landfall location 2 and the use of HDD. SEPA also requested that the format of the coordinates detailed in the CLS be amended to longitude and latitude. In addition, SEPA raised concerns with regards to the potential for the CLS to contradict information required as part of the Company's planning permission. SEPA also advised that movement of the Blackdog Burn as a result of normal tidal and shore dynamics had resulted in releases from Blackdog Landfill in the past and the potential for this to be exacerbated or mitigated by the above works should be considered. The Company amended the CLS in light of SEPA's comments including the removal of references to landfall location 2 and the associated use of HDD. SEPA confirmed they were content with the amended CLS.

1.2.8 The Don DSFB and Dee DSFB both initially requested further information to be added to the CLS. Following further consultation both the Don DSFB and Dee DSFB each requested that there be specific scheduling of construction periods so that peak times of salmon entering or exiting local rivers were not affected and these timings should be discussed with local fishery boards. The Company amended the CLS to include the anticipated commencement and completion dates for the works relating to cables, confirming that the works were currently planned (subject to further engineering refinement) to be undertaken entirely outwith the smolt migration period and predominantly (in terms of the main export cable installation works) outwith the main period for adult migration. The Company would in the event of the installation of the offshore export cables being delayed, such that some or all of the works need to be completed outwith the currently anticipated period and in a period of particular sensitivity for smolt or adult migration, the Scottish Ministers would be informed prior to any such works being undertaken.

1.2.9 The Don DSFB and Dee DSFB also requested that the Company along with the local fishery boards develop an appropriate and robust monitoring programme to evaluate any impacts on the migration of salmon and sea trout. The Company have advised that whilst site specific monitoring was not considered to be required in relation to EMF, as part of the European Offshore Wind Deployment Centre Scientific Research and Monitoring Programme the following project has been chosen for funding: The River Dee Trust, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB
www.gov.scot/Topics/marine/Licensing/marine

Aberdeenshire, and Marine Scotland Science - Assessing the interactions between salmon and sea trout with offshore wind technology. The Scottish Ministers consider this monitoring measure to be appropriate and proportionate.

1.2.10 AC raised initial concerns regarding the use of HDD however following the removal of the landfall location 2 and the associated HDD, AC confirmed they did not have any comments on the amended CLS.

1.2.11 ACC advised that they would not be providing comments on the CLS. NLB confirmed they were content with the CLS.

1.3 Reasons and Considerations on which this decision is based

1.3.1 An amended CLS was submitted to the Scottish Ministers by the Company on 9th August 2017.

1.3.2 The Scottish Ministers have fully considered all other representations received regarding the CLS.

1.3.3 The Scottish Ministers have considered the information detailed in the 'Independent Evaluation of the Potential Impact of the Aberdeen Offshore Wind Farm upon Salmon and Sea Trout' by Anthony D. Hawkins together with the reviews undertaken by the Company, CH2M, Scottish Natural Heritage and Nathan Merchant of the Centre for Environment Fisheries and Aquaculture Science relative thereto. The said information is either available on the Marine Scotland licensing page of the Scottish Government's website or upon request to the Scottish Ministers.

1.3.4 The Scottish Ministers have also considered advice provided by Marine Scotland Science that there is no new information since the said s.36 consent and current marine licence were granted which has led to the identification of significant effects where none were previously identified in the Environmental Statement ("ES") and Supplementary Environmental Information Statement ("SEIS") in relation to the CLS.

1.3.5 The information contained in the CLS is within the parameters of what has already been assessed within the ES and SEIS submitted in respect of the said s.36 consent and current marine licence.

1.4 Reasoned Conclusion

1.4.1 As set out above the Scottish Ministers, are satisfied that they have sufficient information to enable them to reasonably conclude that the effects of the CLS have already been considered within the ES and SEIS previously assessed in respect of the said s.36 consent and the current marine licence. No new significant effects on the environment have been identified within the CLS.

1.4.2 In taking into account the information set out above the Scottish Ministers are satisfied that this information is relevant, appropriate and up to date.

1.5 Determination and Terms of Decision

1.5.1 The Scottish Ministers, hereby approve the CLS as submitted on 9th August 2017 and grant multi-stage consent and regulatory approval in relation thereto.

1.5.2 In the event that the Company wishes to update or amend the CLS, the Company must submit, in writing, details of the proposed updates or amendments to the Scottish Ministers for their written approval prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval.

1.5.3 Unless otherwise agreed, in writing by the Scottish Ministers, all works must be constructed and operated in accordance with the CLS.

1.5.4 This Decision Notice has been published on the Marine Scotland licensing page of the Scottish Government's website:

<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/EOWDC>.

1.5.5 A copy of this Decision Notice has also been sent to the relevant planning authorities.

Signed by



Kerry Bell

21 September 2017

Authorised by the Scottish Ministers to sign in that behalf

