

Jessica Drew
Marine Scotland – Licensing Operations Team
Scottish Government
Marine Laboratory
PO Box 101
375 Victoria Road
Aberdeen, AB11 9DB

ms.marinelicensing@scotland.gsi.gov.uk

12th October 2017

Dear Jessica Drew,

WDC comments on the Moray West Offshore Habitats Regulations Appraisal Screening Report

Thank you for the opportunity to provide comments on the Moray West Offshore Habitats Regulations Appraisal (HRA) Screening Report. Given our area of interest, we have only focused on the marine mammal sections.

We understand that the Moray West Offshore Wind Farm will be located approximately 22 kilometres from the Scottish coast on the Smith Bank in the Outer Moray Firth. The Offshore Transmission Infrastructure will be located within the Outer Moray Firth and comprise of one or two offshore substation platforms. The export cables will make landfall on the Moray/Aberdeenshire coast. The Onshore Transmission Infrastructure will comprise onshore transition bays near the landfall where the offshore and onshore circuits join together. The location of the onshore work has yet to be determined and will be covered in the onshore Environmental Impact Assessment and onshore HRA. The development is anticipated to consist of up to 90 wind turbines with a potential generation capacity of up to 850 MW.

WDC are endeavouring to assist with the environmentally sustainable development of marine renewable energy in Scotland. Whilst welcoming the Scottish Governments' commitment to renewable energy generation, particularly noting the potential consequences of climate change for cetaceans, we have concerns about current levels of uncertainty and the possible negative impacts these developments, both individually and cumulatively, may have on cetaceans (whales, dolphins and porpoises) and seals in Scottish waters.

In summary

Overall, we are happy with the HRA screening document and agree with the potential impacts that have been 'scoped in' for Likely Significant Effect (LSE) in Table 5.3.1.

Harbour porpoise

We understand that there are no harbour porpoise SACs in the Moray Firth and that connectivity between the Moray Firth and the candidate SACs is low. However, considering the

WHALE AND
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CONSERVATION



number of harbour porpoises observed in the development area during the surveys, we would like to see the potential impacts on harbour porpoises given more consideration. Harbour porpoise are very sensitive to noise from pile driving and if pile driving is conducted during development of Moray West there is the potential for an impact on the population.

Harbour seals

In recent years, connectivity between harbour seals in the Moray Firth and Orkney has been shown from tagged data. Due to the significantly declining population in Orkney, harbour seals in the Moray Firth should be given the same level of protection from disturbance and displacement as harbour seals in Orkney.

We hope you find these comments useful and would be happy to discuss any of these comments further.

Yours Sincerely,

[REDACTED]

F

Policy Officer

WHALE AND
DOLPHIN
CONSERVATION





Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

Marine Scotland
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Your ref: Moray West Offshore
Wind Farm - Offshore Habitats
Regulations Appraisal (HRA)
Screening Report

For the attention of: Jessica Drew

Our ref: CNS/REN/OSWF/Moray
West/CPA147544

By email only:

Date: 12 October 2017

MS.MarineRenewables@gov.scot
jessica.drew@gov.scot

Dear Sirs,

MORAY WEST OFFSHORE WIND FARM

SNH ADVICE ON HABITATS REGULATIONS APPRAISAL SCREENING REPORT FOR THE MORAY WEST OFFSHORE WIND FARM PROPOSAL

Thank you for your consultation of the 14 September 2017 requesting our advice on the Habitats Regulations Appraisal (HRA) screening report for the Moray West offshore wind farm (OSWF) development proposal.

Introduction

We have now had chance to review the HRA screening document and we have the following comments to make:

- The layout and content of the report make it difficult to follow and to understand the conclusions reached by the developer as to which species / sites are being taken forward to the next stage.
- We disagree with some of the conclusions reached and provide further advice below.
- We are unable at this point to provide final advice in respect of ornithological interests; this is due to ongoing discussions about the baseline characterisation and modelling. We are aware of a further request for a meeting and a further report is due the week of the 23rd October which may help inform which SPAs / features need to be taken to the next stage of HRA.
- As an interim measure we would refer you to the final short list of species taken forward in the appropriate assessment for the Moray East proposal. Please note this is with the caveat that we wish to understand more of the baseline characterisation before we can confirm if any additional species / sites require to be considered or if any sites / features from this list do not require to be considered further.

SNH advice

We provide advice below in respect of those species / sites for which we can conclude at this stage if they require further consideration as part of the HRA for the proposed Moray West application. At this stage we are unable to provide any advice on which ornithological

European sites / features should be screened into the HRA. We cannot make an informed judgement on this without an agreed baseline of species recorded on the development site. This requires further information from the developer as was discussed at the meeting held on 24 August 2017.

Notwithstanding our comments above, please find below comments in respect of the other receptors which have been considered:

1. Diadromous Fish

Please note that SNH advises that with regard to this proposal that there is no requirement to consider diadromous fish as part of the HRA. We do however advise that impacts to diadromous fish should be considered within the EIA report. In our view, we do not feel that it is possible to undertake site-specific HRA for migratory Atlantic salmon or other migratory fish because we cannot apportion impacts correctly to individual SACs. This is due to the current lack of information on SAC diadromous fish populations upon which to inform decisions on site integrity. As our knowledge improves and assessment methods develop this position may change. Potential impacts to migratory fish and therefore as a consequence freshwater pearl mussel (FWPM) should, in our view therefore be considered under EIA rather than HRA.

We would anticipate that assessment under EIA would also include the export cable and landfall with any potential effects addressed through appropriate mitigation as part of a construction method statement.

2. Marine Mammals

- Harbour Porpoise

We agree with the decision not to consider harbour porpoise further within the HRA with there being no likely significant effect with any of the candidate SACs. We do not however agree with the reasons. When considering harbour porpoise we advise that it does not need to be considered further, our reason for this advice is as follows:

- I. The development does not lie within a cSAC
- II. The appropriate management unit for harbour porpoise to consider is the North Sea.
- III. This development does not have any direct or indirect impact overlapping with the Southern North Sea cSAC.

We also advise that consideration of harbour porpoise should still be included within the EIA Report as well as with the provision of information for any European Protected Species (EPS) licencing requirement.

- Grey Seal

We advise that there is no connectivity to grey seal SACs and this species therefore needs no further consideration within HRA. We would only consider grey seal SACs where there was an impact pathway from a proposal within 20km of a breeding colony.

- Dornoch Firth and Morrich More SAC - Harbour seal

We agree that there is a likely significant effect for harbour seal and this site should be included within the HRA for harbour seal.

- Moray Frith - Bottlenose Dolphins

As identified, the Moray Firth SAC and bottlenose dolphin feature should be considered with the HRA. As part of the HRA, consideration will need to be given to in combination

effects with the Forth and Tay offshore wind proposals. Recent advice provided by SNH in respect of the Forth and Tay proposals and the methods for considering underwater noise impacts are pertinent and we advise that the Forth and Tay discussions should also be held with Moray West.

3. Coastal Habitats

- Moray Firth SAC - Subtidal Sandbanks

The report correctly identifies the physical processes modelling and assessment work as the key tool in understanding any likely impact that the proposal may have on the physical processes within the wider Moray Firth, including any hydrodynamic changes that may affect the subtidal sandbank feature of the Moray Firth SAC. Given the potential connectivity, and pending the modelling assessment, we are unable to rule out a Likely Significant Effect (LSE).

We therefore do not agree that this impact should be addressed under EIA, rather the Moray Firth SAC subtidal sandbank feature should at this point in time, be screened in. We are content that the Dornoch Firth & Morrich More SAC and the Culbin Bar SAC are sufficiently far away for there not to be any discernable connectivity in terms of physical processes and so both of these sites can be screened out.

We hope these comments are helpful. Please note I have been temporarily promoted in SNH for the next six months and will not be working on marine renewables during this period. If further information or advice is required please contact the Marine Energy mailbox in the first instance: MARINEENERGY@snh.gov.uk

Yours faithfully,

KAREN TAYLOR
Marine Renewable Energy Casework Adviser

CC Sarah MacNab - GoBe consultants for Moray West

Roberts R (Rhianna)

From: Drew J (Jessica)
Sent: 13 October 2017 07:38
To: 'Nathan, Charles'
Cc: 'McCluskie, Aly'; 'Erica Knott'; 'Catriona Gall'
Subject: RE: Moray West Offshore Wind Farm - Offshore Habitats Regulations Appraisal (HRA) Screening Report

Good morning Charles,

Many thanks for forwarding your response to my request.

Kind regards,

Jessica

From: Nathan, Charles [mailto:Charles.Nathan@rspb.org.uk]
Sent: 12 October 2017 17:31
To: Drew J (Jessica)
Cc: McCluskie, Aly; Erica Knott; Catriona Gall
Subject: FW: Moray West Offshore Wind Farm - Offshore Habitats Regulations Appraisal (HRA) Screening Report

Dear Ms Drew,

Thank you for inviting comments on the HRA screening report for the proposed Moray West project.

We have no comment on the approach to screening, however we do wish to highlight the potential risks and our concern with the lack of a full two years site specific survey to support the environmental assessment. The alternative proposal to analyse existing historic and contextual survey data is welcomed, although the requirement for 2 full years' worth of site specific data is a long established UK minimum standard for site characterisation of offshore wind projects.

The Moray West proposal may have significant effects on SPAs within the region both in isolation and in combination, therefore any conclusions of the effects on site integrity need to be based on adequate and robust environmental data. It is imperative that the site characterisation and environmental baseline is supported by site specific survey data that is equivalent to 2 full years of site survey effort. We would recommend this 'equivalence' is demonstrated and accepted prior to the application and future determination.

Best regards,
Charles

Charles Nathan MRTPI
Senior Conservation Planner

(Please note my working week: Tue - Fri)

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rspb.org.uk

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The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

From: Jessica.Drew@gov.scot [<mailto:Jessica.Drew@gov.scot>]
Sent: 14 September 2017 15:35
To: MARINEENERGY@snh.gov.uk; sarah.dolman@whales.org; fiona.read@whales.org; planning, scotland <scotland.planning@rspb.org.uk>
Cc: Erica.Knott@snh.gov.uk; Karen.Taylor@snh.gov.uk; Nicola.Bain@gov.scot; Sophie.Humphries@gov.scot
Subject: Moray West Offshore Wind Farm - Offshore Habitats Regulations Appraisal (HRA) Screening Report

Dear Sir/Madam,

Please find attached the offshore HRA Screening report for Moray West Offshore Wind farm.

We would appreciate any comments you may have on the attached document. If you wish to submit any comments, please do so to MS.MarineRenewables@gov.scot before the **12th October 2017**.

Yours faithfully,

Jessica Drew
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Marine Scotland Licensing Operations Team

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PLEASE NOTE NEW TELEPHONE NUMBER

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