

T: +44 (0)300 244 5046
 E: ms.marinelicensing@gov.scot

LICENCE/CONSENT VARIATION – VALIDATION OF APPROPRIATE ASSESSMENT

1 Licence Details

<u>Licensee/Developer Name:</u>	<u>Seagreen Wind Energy Limited (Company Number 06873902) (“SWEL”)</u>
<u>Site Details:</u>	<u>Seagreen Alpha and Seagreen Bravo Offshore Wind Farms approximately 27 km to the east of Angus (“the Development”)</u>
<u>Date Existing Licence/Consent Issued:</u>	<u>Marine licence MS-00009972 dated 22 November 2022 and European Protected Species licence EPS/BS-00009973 dated 22 November 2022 (“the Existing Licences”)</u>
<u>Date of Existing Appropriate Assessment (“AA”):</u>	<u>17 October 2022</u>

2 Summary of proposed variation application:

Variation application to amend the Existing Licences in the following respects:

- SWEL have been undertaking a geophysical survey campaign between September 2022 and March 2023 as part of the construction and installation phase of the wind turbine generator (“WTG”) jacket and offshore substation platform (“OSP”) within the Development’s wind farm array area. The purpose of the campaign has been to identify potential unexploded ordnance (“pUXO”) and boulders at 20 spare WTG locations which will be used in the event of suction caisson foundation refusals at other WTG sites.
- During the geophysical survey campaign there has been one item of confirmed UXO (cUXO) located on the cable route H6-L6. SWEL intend to avoid the cUXO and route the H6-L6 cable around the item, leaving the cUXO in situ. However, in order to achieve this outcome, a further survey is required that could identify further pUXO, and therefore, potential cUXO targets.
- SWEL therefore has requested a variation to extend the expiry date of the Existing Licences by two months from 31 March 2023 to 31 May 2023 to allow for the further survey or UXO disposal to be undertaken. No other changes to the Existing Licences are proposed.

3 Summary of consultation responses – in relation to European protected sites:

NatureScot (operational name of Scottish Natural Heritage) were consulted on the proposed variation application on 24 March 2023. NatureScot provided a response on 29 March 2023 and confirmed that the advice previously provided on 20 September 2022 in relation to the original application remains unchanged.

4 Summary of other information in relation to European protected sites (MSS responses, external reports).

MSS were consulted in connection with the Existing Licences on 30 August 2022. MSS made no comment in relation to European protected sites.

5 Updated in-combination assessment:

- a) *Detail new plans or projects since date of existing AA.*
- b) *List plan or project titles for which licences/consents have expired since date of existing AA.*
- c) *Update assessment.*

a) New plans or projects since date of existing AA:

Forthwind Demonstration Project – Firth of Forth

Construction and operation of a single test and demonstration turbine located approximately 1.5km east of the northern shore of the Firth of Forth at Methil, Scotland. Consent has been granted for the single turbine with an installed capacity of 20MW, as well as a metamast. The operational lifespan of the project is expected to be 25 years.

Further information regarding the project can be found [here](#).

Dundee City Council – Bridge Construction and Shoreline Works – Monifieth

Dundee City Council are proposing to construct a bridge over the Dighty Burn in Monifieth and carry out shoreline works as part of a wider upgrade of the cycle path from Monifieth to Broughty Ferry, Dundee. The works are expected to take place from the end of March 2023 to 30 September 2023.

Further information regarding the project can be found [here](#).

Forth Ports Limited – Construction of Quay – Port of Leith

Forth Ports Ltd are undertaking works to redevelop an existing berth on the inner edge of the eastern breakwater to accommodate windfarm construction and service vessels in the Port of Leith. The works will comprise the removal of existing infrastructure and construction of a 125 metre long berth; provision of an area of hardstanding to be used for loading/unloading vessels; and capital dredging to enlarge the existing berth pocket. The marine licence and European Protected Species licence for the works is valid from January

2023, with the works expected to take approximately 15 months to complete. A separate marine licence has been granted for capital dredging and sea deposit.

Further information regarding the project can be found [here](#).

Forth Ports Limited – Construction of Quay – Port of Leith

Dredging Operations:

Location of Dredge	Licensee	Amount of Dredge Material (tonnes)	Dredge Spoil Deposit Area	Dates of Licence	Designated Site
Port of Leith	Forth Ports Limited	215,000	FO038	02 January 2023 to 31 December 2025	Firth of Tay & Eden Estuary SAC

b) Plans or projects expired since date of existing AA:

Fife Coast and Countryside Trust – Sand Extraction – West Sands, St Andrews

Fife Coast and Countryside Trust are proposing to harvest sand from West Sands beach in St Andrews to bund blowouts and to create small new dunes. Fife Coast and Countryside Trust proposed to extract 2,600 tonnes of sand from an area of 0.126km² at a depth between 150mm and 200mm from a donor site located below mean high water springs (“MHWS”). The sand would then be deposited within sand dunes above MHWS, a maximum of about 500m from the donor site. These works have been carried out over many years before and are part of continuing dune restoration efforts. The current proposal will be carried out between September and March for a duration of three years until 2 January 2023.

Sea Mammal Research Unit, University of St.Andrews – Geophysical Survey – Firth of Tay and Eden Estuary

The Sea Mammal Research Unit at University of St Andrews are planning to undertake a geophysical survey campaign for the purpose of locating installation of a seawater delivery system into the Scottish Oceans Institute. They are in the process of applying for a European protected species licence in respect of the survey works which will be carried out within 2km of the southern boundary of the Firth of Tay and Eden Estuary SAC and will involve the use of a parametric sub bottom profiler which will emit sound in the hearing range of grey seals, harbour seals and bottlenose dolphins. The survey works are anticipated to occur during June – July.

c) Not applicable.

6 Conclusion - Consideration of whether AA completed for the original decision is still valid:

No consultation responses, advice, external reports or representations have been received which would invalidate the conclusions or alter the outcome of the AA dated 17 October 2022 in respect of the Existing Licences. MS-LOT concludes that providing the existing conditions within the licences are adhered to, there will be no adverse effect on site integrity from the Seagreen proposal, either in isolation or in-combination with the other plans or projects in the AA completed for the original decision and therefore still remains valid.

Name	Assessor or Approver	Date
Amy Alexander	Assessor	24 March 2023
Gayle Holland	Approver	30 March 2023