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SCOTTISH MINISTERS ASSESSMENT OF THE PROJECT'S IMPLICATIONS FOR A DESIGNATED NATURE CONSERVATION MARINE PROTECTED AREA

APPLICATION FOR MARINE LICENCES UNDER THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT EXPORT CABLES ASSOCIATED WITH THE GREEN VOLT OFFSHORE WIND FARM

SITE DETAILS: CABLE CORRIDOR LEADING FROM GREEN VOLT OFFSHORE WIND FARM, APPROXIMATELY 80 KILOMETRES OFF THE COAST OF ABERDEENSHIRE TO LANDFALL AT PETERHEAD

Name	**Assessor or Approver**	**Date**
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SECTION 1: BACKGROUND

1 Introduction

1.1 This Nature Conservation Marine Protected Area ("ncMPA") assessment relates to the application submitted by Green Volt Offshore Windfarm Ltd ("the Company") for marine licences under the Marine (Scotland) Act 2010 ("the 2010 Act") and the Marine and Coastal Access Act 2009 to construct a generating station and associated infrastructure including export cables. The export cable and corridor aspects are located partially within the Southern Trench ncMPA ("the Works").

1.2 The assessment has been undertaken by the Scottish Ministers and is required under Section 83 of the 2010 Act. The Scottish Ministers, as the 'public authority' under the 2010 Act, must be satisfied that there is no significant risk of the Works hindering the achievement of the conservation objectives of the protected features of the ncMPA before granting the relevant authorisation(s) for the Works.

1.3 A detailed ncMPA assessment has been undertaken and NatureScot, operating name of Scottish Natural Heritage, has been consulted in accordance with section 83(8) of the 2010 Act.

2 ncMPA assessment conclusion

2.1 This ncMPA assessment concludes that there is no significant risk of the Works hindering the achievement of the conservation objectives of the protected features of the Southern Trench ncMPA.

3 Details of proposed Works

3.1 The proposal is for the laying of the export cables to connect Green Volt offshore wind farm to a landfall near Peterhead. Green Volt offshore wind farm will consist of up to 35 floating wind turbines with a capacity of 560 megawatts, located approximately 80 kilometres ("km") off the coast of Aberdeenshire.

3.2 In addition to the export cables, the wind farm will include up to 35 inter-array cables with a maximum total of 134 km for all the inter-array cables.

3.3 Up to four High Voltage Alternating Current ("HVAC") export cables are proposed. Two of the HVAC export cables are proposed to run from the wind farm array area to the Buzzard oil and gas platform for electrification purposes (60 km total of cable). The remaining two export cables are proposed to run to landfall near Peterhead (240 km total of cable). There are two potential landfall sites in the vicinity of Peterhead under consideration. The Company has confirmed that the installation at landfall will be via HDD rather than open trenching. The installation methods being considered for the export cables are trenching, jetting, ploughing and mechanical cutting. For all trenching techniques, burial depth is expected between 0.6 to 1.5 m, with an expected trench width of 3 m. Jetting and ploughing options would result in a seabed disturbance width of 10 m, and a total area of disturbance of 0.6 km^2 to Buzzard and 2.4 km^2 to landfall. Where possible, the Company aims to actively

backfill the cable trench to achieve the required cable burial depth. The portion of the export cables from 12 nautical miles to landfall will pass through the Southern Trench ncMPA.

3.4 As part of the Company's proposal, pre-installation works will be carried out for the export cable corridors and inter-array cables, including geophysical surveys and UXO and boulder clearance activities. The geophysical surveys will include the use of side scan and sub bottom profiling.

4 Consultation

4.1 NatureScot was consulted on 3 February 2023 and responded on 30 March 2023.

4.2 The Company provided a revised diagram of the proposed Works in relation to the Southern Trench ncMPA on 28 September 2023. NatureScot was consulted on this on 7 November 2023 and provided updated advice on 28 November 2023.

5 Main issues raised during consultation

5.1 In its updated advice of November 2023, NatureScot advised that the proposed Works are capable of affecting, other than insignificantly, the subglacial tunnel valley element of the quaternary feature of the Southern Trench ncMPA.

5.2 Consequently the Scottish Ministers are required to carry out a ncMPA assessment to determine if there is a significant risk of hindering the achievement of the conservation objectives.

SECTION 2: INFORMATION ON THE ncMPA SITE

6 Background information and protected features of the relevant ncMPA site

6.1 This section provides links to the NatureScot SiteLink website ("SiteLink") where the background information on the site being considered in this assessment is available. The protected features for the site are listed as are the conservation objectives.

Table 1 Name of ncMPA site affected and link to SiteLink

Southern Trench ncMPA
https://sitelink.nature.scot/site/10477

Table 2 Protected features

Southern Trench ncMPA

Habitats

- Burrowed mud

Large scale features

- Fronts

Mobile species

- Minke whale (*Balaenoptera acutorostrata*)

Geomorphological features

- Quaternary of Scotland
- Shelf deeps
- Submarine Mass Movement

Table 3 Conservation objectives

Southern Trench ncMPA

1) The Conservation Objectives of the Southern Trench ncMPA, are that the protected features

a) so far as already in favourable condition, remain in such condition
b) so far as not already in favourable condition, be brought into such condition, and remain in such condition

2) In paragraph (1) “favourable condition”, with respect to a marine habitat, means that

a) its extent is stable or increasing; and
b) its structures and functions, its quality, and the composition of its characteristic biological communities are such as to ensure that it is in a condition which is healthy and not deteriorating.

3) In paragraph 2(b) the reference to the composition of the characteristic biological communities of a marine habitat includes a reference to the diversity and abundance of species of marine flora and fauna forming part of, or inhabiting, that habitat.

4) For the purposes of paragraph (1), any temporary deterioration in condition is to be disregarded if the marine habitat is sufficiently healthy and resilient to enable its recovery from such deterioration.

5) In paragraph (1) “favourable condition”, with respect to a mobile species of marine fauna, means that

a) the species is conserved or, where relevant, recovered to include the continued access by the species to resources provided by the

MPA for, but not restricted to, feeding, courtship, spawning or use as nursery grounds;

b) the extent and distribution of any supporting feature upon which the species is dependent is conserved or, where relevant, recovered; and
c) the structure and function of any supporting feature, including any associated processes supporting the species within the MPA, is such as to ensure that the protected feature is in a condition which is healthy and not deteriorating.

6) In paragraph (1) “favourable condition”, with respect to a large scale feature, means that

a) the extent, distribution and structure of that feature is maintained;
b) the function of that feature is maintained so as to ensure that it continues to support its characteristic biological communities and their use of the site including for, but not restricted to, feeding, courtship, spawning or use as nursery grounds; and
c) the processes supporting that feature are maintained.

7) In paragraph 6(b) the reference to the characteristic biological communities of a large scale feature includes a reference to the diversity of any species associated with the large scale feature.

8) In paragraph (1) “favourable condition”, with respect to a feature of geomorphological interest, means that

a) its extent, component elements and integrity are maintained;
b) its structure and functioning are unimpaired; and
c) its surface remains sufficiently unobscured for the purposes of determining whether the criteria in paragraphs (a) and (b) are satisfied.

9. For the purpose of determining whether a feature of geological or geomorphological interest is sufficiently unobscured under paragraph (8)(c), any obscuring of that feature entirely by natural processes is to be disregarded.

10. For the purpose of determining whether a protected feature is in favourable condition within the meaning of paragraphs (2), (5), (6) or (8) any alteration to that feature brought about entirely by natural processes is to be disregarded.

SECTION 3: ASSESSMENT OF THE POTENTIAL TO HAVE A SIGNIFICANT RISK OF HINDERING THE

ACHIEVEMENT OF THE CONSERVATION OBJECTIVES OF THE ncMPA.

7 Requirement for assessment

7.1 Is the proposal capable of affecting (other than insignificantly) the protected features of the ncMPA?

7.1.1 In its updated advice of November 2023, NatureScot advised that the Works are capable of affecting, other than insignificantly, the subglacial tunnel valley element of the quaternary feature of the Southern Trench ncMPA due to potential direct physical impacts from cable installation.

7.1.2 For completeness, in its advice of March 2023, NatureScot advised that there will be no potential impact on the submarine mass movement feature due to the significant distance from the proposed infrastructure. NatureScot also advised that the Works are capable of disturbing, but insignificantly, the minke whale feature. Therefore these features have not been considered further in the ncMPA assessment.

7.1.3 In its updated advice of November 2023, NatureScot stated that it had previously incorrectly identified in its March 2023 advice that the export cable for the proposed Works crossed a moraine feature, however the updated diagram provided by the Company shows no overlap with this feature. NatureScot confirmed that it agrees with the Company's assessment and that the sensitivity of the seabed is negligible and the moraine feature has therefore also not been considered further in the ncMPA assessment.

7.2 Is there a significant risk of hindering the achievement of the ncMPA's conservation objectives?

7.2.1 In its updated advice of November 2023, NatureScot concluded that the proposed Works would not hinder the achievement of the conservation objectives of the Southern Trench ncMPA.

7.2.2 The Scottish Ministers agree with this advice and have used it to undertake an ncMPA assessment for the site.

8 Assessment of the implications for the site in view of the site's conservation objectives.

8.1.1 In its updated advice of November 2023, NatureScot stated that the subglacial tunnel valley element of the quaternary feature could be affected by the proposed Works due to the potential direct physical impacts as a result of export cable installation.

8.1.2 NatureScot noted in its updated advice of November 2023 that the proposed Works would disturb the seabed in a corridor up to 10 m wide and would include trenches 1.5 m deep.

8.1.3 NatureScot advised that the information on the subglacial tunnel valley in question is not readily available, but that bathymetry in Figure 7.3 of the EIA

Report[1] suggests it might be mostly less than approximately 15 m deep and that Figure 2i in the Data Confidence Assessment[2] indicates it is greater than 20 km in length. NatureScot stated that the 10 m wide corridor affected by the cabling element of the proposed Works would be three orders of magnitude smaller and at right angles to the tunnel valley. Additionally, NatureScot highlighted that most or all of the excavation would be through post-glacial sediment that drapes the valley landform and the surface of the drape would be partly or wholly re-formed after cable burial. NatureScot therefore advised that the extent, component elements, integrity and structure of the tunnel valley would be maintained. In addition, where cables are proposed to be surface-laid with protection, the landform surfaces would remain sufficiently unobscured for the purposes of determining whether the extent, component elements and integrity of the tunnel valley would be maintained. NatureScot noted that the term 'functioning' is not relevant here as tunnel valleys are relict landforms.

8.1.4 NatureScot concluded that the proposed Works would not hinder the achievement of the conservation objectives of the Southern Trench ncMPA with regard to tunnel valleys. The Scottish Ministers agree with this conclusion.

9 Scottish Ministers conclusion

9.1 The Scottish Ministers are satisfied that there is no significant risk of the proposed Works hindering the achievement of the stated conservation objectives of the Southern Trench ncMPA.

SECTION 4: CONDITIONS

10 Requirement for conditions

10.1 No requirement for conditions.

[1] Available at this address: https://marine.gov.scot/sites/default/files/2314cd1.pdf

[2] Available at this address: https://sitelink.nature.scot/site/10477