

Northern Lighthouse Board

CAPTAIN PHILLIP DAY
DIRECTOR OF MARINE OPERATIONS

Your Ref: Moray East – VMP & NSP
Our Ref: AL/OPS/ML/O6_01_543

84 George Street
Edinburgh EH2 3DA
Switchboard: 0131 473 3100
Fax: 0131 220 2093
Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk



Redacted

Marine Scotland – Marine Planning and Policy
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

20 November 2018

Dear Redacted,

MORAY OFFSHORE WINDFARM (EAST) LIMITED
SECTION 36 CONSENT CONDITION 15, OfTI MARINE LICENCE CONDITION
3.2.2.8 & OSP MARINE LICENCE CONDITION 3.2.2.9 (VESSEL MANAGEMENT
PLAN)

SECTION 36 CONSENT CONDITION 17, OfTI MARINE LICENCE CONDITION
3.2.2.9 & OSP MARINE LICENCE CONDITION 3.2.2.10 (NAVIGATION SAFETY
PLAN)

Thank you for your correspondence dated 16 November 2018 regarding the submission by **MORAY OFFSHORE WINDFARM (EAST) LIMITED** of the proposed Vessel Management Plan (VMP) and Navigation Safety Plan (NSP), to satisfy the above conditions of consent, relating to the installation and operation of wind turbines, offshore sub-stations and the associated electrical interconnecting and export cables at their wind farm site in the outer Moray Firth.

We note that the Vessel Management Plan and Navigational Safety Plan for the site apply to the construction and operational phases of the wind farm. NLB would require to be consulted on any additional VMPs and NSPs submitted relating to the decommissioning phase of the wind farm. We also note that the Emergency Response Co-operation Plan (ERCoP) has been submitted separately to the VMP and NSP, and will respond accordingly.

NLB are content with the details contained within the VMP and NSP, and note that areas of concern for the Northern Lighthouse Board have been addressed in the following sections:

- Section 7 – Promulgation of Information (Chart Correction, Notices to Mariners, Chart & Publication Updates)
- Section 9 – Management and Co-Ordination of Vessels

the safety of all

to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS 18001

- Section 11 – Numbers and Movements of Vessels
- Section 12 – Transit Route Corridors

Northern Lighthouse Board will continue regular communications with **MORAY OFFSHORE WINDFARM (EAST) LIMITED** and their representatives as the project progresses to ensure the mariner is best informed of the works and any location of operations being carried out in relation to the project.

Please advise if we can be of any further assistance, or require clarification any of the above.

Redacted

Privacy Statement

NLB take seriously the protection of your privacy and confidentiality, and understand that you are entitled to know that your personal data will not be used for any purpose unintended by you. In line with our document retention schedules, copies of this correspondence will be retained on our live internal system in line with our legislative requirements and obligations, before being archived as required for conformance with our data Protection Policy and the associated Data Retention Schedules. Archived copies may be retained indefinitely in the public interest. Our Privacy Notice can be accessed via the following link: <https://www.nlb.org.uk/Terms/Privacy/>

Redacted

From: Redacted
Sent: 18 December 2018 20:07
To: MS Marine Renewables
Subject: RE: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

Follow Up Flag: Follow up
Flag Status: Completed

Dear Redacted

Thank you for the opportunity to comment on the Vessel Management Plan and the Navigation Safety Plan.

We note that MGN 543 has been referenced throughout. We would also like to inform the applicant that the revised for Annex 5 of MGN 543 Requirements, Guidance and Operational Considerations for Search and Rescue and Emergency Response, which is now available on our website at the following link: <https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping>

The MCA has already provided comment on the layout development plans, the Lighting and Marking Plans and the Safety Zone applications, so will not comment on these aspects.

We would expect all vessels involved in the project to comply with all maritime safety legislation, and encourage operators to contact the local MCA Marine Office with regards to any survey, inspection or safety related certification.

We would expect all hydrographic surveys to be conducted to MGN 543 specifically the Hydrography Guidelines for Offshore Developers, also available on our website.

Kind regards

Redacted

From: navigation safety <navigationsafety@mcga.gov.uk>
Sent: 16 November 2018 14:38
To: Helen Croxson <Helen.Croxson@mcga.gov.uk>

Subject: FW: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

From: Redacted

Sent: 16 November 2018 13:17

To: Redacted

Cc: Redacted

Subject: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)

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The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)

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Dear Sir/Madam,

Moray Offshore Windfarm (East) Limited ("Moray East"), on behalf of Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited, having received consent under the above legislation have submitted to the Licensing Authority the documents attached.

Please find attached the proposed post-consent Vessel Management Plan ("VMP") and Navigation Safety Plan ("NSP"), and associated covering letter addressed to Marine Scotland Licensing Operations Team ("MS-LOT") from Moray East. The purpose of the plans is to satisfy the requirements of the following consent conditions:

1. VMP Conditions:

- Condition 15 of the Telford Offshore Wind Farm, Stevenson Offshore Wind Farm and MacColl Offshore Wind Farm Section 36 Consents (as varied)
- Condition 3.2.2.8 of the Offshore Transmission Infrastructure ("OfTI") Marine Licence (licence number: 05340/14/0)
- Condition 3.2.2.9 of the Offshore Substation Platform ("OSP") Marine Licence (licence number: 06347/17/1)

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**Please note that a separate Emergency Response Cooperation Plan ("ERCoP") has been prepared to address the requirements of the NSP conditions under part f. for the Section 36 Consents and the OfTI Marine Licence.*

The Decision Letters and Conditions, as well as other relevant documents, can be found on our website, using the following link:

<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Moray3>

The VMP conditions state that the plan is to be submitted to the Scottish Ministers for their written approval, following consultation with Scottish Natural Heritage (“SNH”) and Whale and Dolphin Conservation (“WDC”) and any other navigational advisors or organisations as may be required at the discretion of the Scottish Ministers. The NSP conditions state that the plan is to be submitted to the Scottish Ministers for their written approval, following consultation with the Maritime and Coastguard Agency (“MCA”) and the Northern Lighthouse Board (“NLB”) and any other navigational advisors or organisations as may be required at the discretion of the Scottish Ministers.

We would appreciate any comments you may have on the attached documents, in order to determine whether it is fit for purpose for the Scottish Ministers to give it their written approval. Please note that we do not seek comments on the section 36 Consents nor the Marine Licences, which will not be amended.

If you wish to submit any comments, please do so to MS.MarineRenewables@gov.scot before the **14th December 2018**.

I would appreciate if you could acknowledge receipt of this email.

Yours faithfully,

Redacted

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Dh’fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh’fhaodadh nach eil beachdan anns a’ phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Our Ref: MM/dr -18-31

Your Ref:

12 December 2018

E-mail: **Redacted**

E-mail: ms.marinerenewables@gov.scot

Scottish Fishermen's Federation
24 Rubislaw Terrace
Aberdeen, AB10 1XE
Scotland UK

T: +44 (0) 1224 646944

F: +44 (0) 1224 647058

E: sff@sff.co.uk

www.sff.co.uk

Dear Sirs

Moray East VMP & NSP

The Scottish Fishermen's Federation is pleased to respond to this application on behalf of the 400 plus fishing vessels in membership of its constituent associations, The Anglo Scottish Fishermen's Association, Fife Fishermen's Association, Fishing Vessel Agents and Owners Association, Mallaig & North West Fishermen's Association, Orkney Fisheries Association, Scottish Pelagic Fishermen's Association, the Scottish White Fish Producer's Association and Shetland Fishermen's Association with the following comments on the plan.

The SFF would hope that MS LOT would be cognisant of the problems experienced in previous developments, and would endeavour to address the issues as highlighted in the responses below. In our opinion it cannot be stressed enough how important a role is meant to be played by the FLO and his interaction with all affected fishers.

Ref paragraphs 2.2 and 10 on construction vessels, the SFF would expect all vessels contracted in any way for this development to abide by UK regulations on mariners including safety, welfare and remuneration of mariners.

Then going to paragraph 2.3, there must be consent conditions enforcing full compliance by all contractors or sub-contractors to any and all license conditions.

As concerns ports and vessel movements, paragraph 4.1, paragraph 11 and 12, the SFF would seek more clarity than indicative routes, indeed, full and proper consultation with local fishers, preferably with an FLO included, in order to minimise any and all disruption.

As a licence condition the FLO must ensure MCC should be aware of all relevant fishing vessels and work using the liaison data to plan routes avoiding fishing gear.

Col regs notwithstanding, the SFF would expect a detailed protocol agreed, before construction commences as to a procedure for compensation for any fishing gear compromised.

Members:

Anglo Scottish Fishermen's Association · Fife Fishermen's Association · Fishing Vessel Agents & Owners Association (Scotland) Ltd ·
Mallaig & North-West Fishermen's Association Ltd · Orkney Fisheries Association · Scottish Pelagic Fishermen's Association Ltd ·
The Scottish White Fish Producers' Association Ltd · Shetland Fishermen's Association

VAT Reg No: 605 096 748

Paragraph 10.31 on the prelay grapnel clearance, if not removing debris from seabed must liaise with local fisheries to ensure these are left safely. Paragraph 10.3.3, 10.3.5, 10.5.1, 10.5.2 and paragraph 6.5 about subsea cable burial and inspection would be best if laying and burial were simultaneous, if not consecutive to minimise disruption. Liaison with industry over the timing of these operations should take place for best practice co-operation and co-existence.

Further to that, referring to 7.1.4, prompt delivery of as laid and as built charter to SFF, kingfisher UK MO et al is essential.

Finally, 10.2.1 refers to transport barges, the SFF would expect that, if these are to be used, proper consultation with local fishers is essential to allow sea room for them in case of queuing, and the same applies to paragraph 13 on anchoring areas, listing 20 appears excessive, so local liaison is essential, in order to make such sites amenable to the already existing industry in the area.

Yours faithfully

Redacted

Moray East's VMP & NSI

SNH response - 13 December 2018

Stakeholder	Comment ID
Scottish Natural Heritage (SNH)	SNH 1
Scottish Natural Heritage (SNH)	SNH 2
Scottish Natural Heritage (SNH)	SNH 3
Scottish Natural Heritage (SNH)	SNH 4

Scottish Natural Heritage (SNH)	SNH 5
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› Consultation: SNH Response

Stakeholder Response

1. We note the indicative vessel transit corridors. Once all ports are confirmed, we advise that vessel transit corridors should follow established shipping routes, which will help to minimise any potential disturbance.

2. Section 15 – potential effects of increased vessel activity on environmental sensitivities – should mention that vessel operators are made aware of the Scottish Marine Wildlife Watching Code (<https://www.nature.scot/professional-advice/land-and-sea-management/managing-coasts-and-seas/scottish-marine-wildlife-watching-code>). Adherence to the code will help to minimise any potential disturbance to marine wildlife. Specifically this should apply during the use of anchorage points during construction activities.

3. The VMP does not mention the role of the Environmental Clerk of Works (ECoW). We advise that the VMP should clearly indicate that the ECoW role will be instrumental in ensuring compliance with this plan and other plans required by consent conditions. The ECoW role should submit monthly compliance reports on training programmes immediately pre construction and arrival on site, and throughout the duration of construction to ensure all crew / vessels receive adequate training on the following aspects:

- ☑ Minimisation of disturbance to marine wildlife on site and in transit including highlighting key species such as bottlenose dolphins, harbour porpoise, grey and harbour seals.
- ☑ Measures to reduce the potential for marine invasive non-native species, including discharge of ballast water, inspection and cleaning of vessels.
- ☑ How records will be maintained and by whom, and how this will be reported in the monthly ECoW reports.
- ☑ Any requirements for visits to origination vessel ports prior to vessels transiting to the UK to check all is in order.

4. We are unclear if any bunkering is to be undertaken during the course of construction and if so for which vessels and the frequency it may occur. This is an omission and should be addressed in a further version of this plan if bunkering activities are likely to occur.

5. Please note that the comments above excludes advice in relation to the installation of the export cable. We will provide advice on the installation of the export cable when the Cable Management Plan is submitted.

Moray East comments	Updates to VMP/NSP required
<p>Noted. The VMP & NSP will be updated as relevant taking into account the ports used to support the construction and O&M activities. It should be noted that there are no established shipping routes in the area. Outside of IMO routeing measures vessels can navigate as they choose under SOLA. The transit routes we use are only intended as indicative. An update of the plan will be made prior to construction if relevant.</p>	No
<p>Noted. Reference to the Scottish Marine Wildlife Watching Code will be added to Section 15.</p>	Yes
<p>The role of the ECoW on ensuring compliance with plans and reporting requirements is clearly stated within the EMP.</p>	No
<p>Bunkering details will be provided as part of the monthly ECoW reporting, as per the template provided within the Marine Pollution Contingency Plan.</p>	No

Noted.

No

Relevant VMP/NSP Section Updated

N/A

The following text has been added to Section 15.2:

"As noted within the EMP Moray East will ensure that all personnel adhere to the Scottish Marine Wildlife Watching Code¹ where appropriate during all installation, operation and maintenance activities. This code will also apply during the use of anchorage points during construction activities."

¹ <https://www.nature.scot/professional-advice/land-and-sea-management/managing-coasts-andseas/scottish-marine-wildlife-watching-code>

N/A

N/A

N/A

MS-LOT Comments

None

None

MS-LOT is satisfied that section 1.3 which states that "the vessel activity and vessel management described in the VMP will be undertaken in line with the environmental management measures described in the EMP" sufficiently addresses this comment.

Please state in the revised NSP/VMP whether bunkering is likely to occur and state that any bunkering details will be provided as part of the monthly ECoW reporting, as per the template provided within the Marine Pollution Contingency Plan.

None

Moray East Response

N/A

N/A

No further amendments required.

Moray East can confirm bunkering will be required.
The following sentence has been added to Section 9:
"Bunkering is likely to be required during the construction phase. Details will be provided as part of the monthly ECoW reporting, as per the template provided within the Marine Pollution Contingency Plan (MPCP)."

N/A

Redacted

From: Redacted
Sent: 20 November 2018 09:39
To: MS Marine Renewables
Subject: RE: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

Apologies, but WDC don't have the capacity to respond to this consultation.

Redacted

From: Redacted
Sent: 16 November 2018 13:17
To: Redacted

]

Subject: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)

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Dear Sir/Madam,

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Please find attached the proposed post-consent Vessel Management Plan ("VMP") and Navigation Safety Plan ("NSP"), and associated covering letter addressed to Marine Scotland Licensing Operations Team ("MS-LOT") from Moray East. The purpose of the plans is to satisfy the requirements of the following consent conditions:

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**Please note that a separate Emergency Response Cooperation Plan (“ERCoP”) has been prepared to address the requirements of the NSP conditions under part f. for the Section 36 Consents and the OfTI Marine Licence.*

The Decision Letters and Conditions, as well as other relevant documents, can be found on our website, using the following link:

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We would appreciate any comments you may have on the attached documents, in order to determine whether it is fit for purpose for the Scottish Ministers to give it their written approval. Please note that we do not seek comments on the section 36 Consents nor the Marine Licences, which will not be amended.

If you wish to submit any comments, please do so to MS.MarineRenewables@gov.scot before the **14th December 2018**.

I would appreciate if you could acknowledge receipt of this email.

Yours faithfully,

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Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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From: Redacted
Sent: 13 December 2018 16:43
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

Dear Redacted

Thank you for the consultation below. We have now reviewed the VMP for Moray East and provide the following advice:

1. We note the indicative vessel transit corridors. Once all ports are confirmed, we advise that vessel transit corridors should follow established shipping routes, which will help to minimise any potential disturbance.
2. Section 15 – potential effects of increased vessel activity on environmental sensitivities – should mention that vessel operators are made aware of the Scottish Marine Wildlife Watching Code (<https://www.nature.scot/professional-advice/land-and-sea-management/managing-coasts-and-seas/scottish-marine-wildlife-watching-code>). Adherence to the code will help to minimise any potential disturbance to marine wildlife. Specifically this should apply during the use of anchorage points during construction activities.
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 - How records will be maintained and by whom, and how this will be reported in the monthly ECOW reports.
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5. Please note that the comments above excludes advice in relation to the installation of the export cable. We will provide advice on the installation of the export cable when the Cable Management Plan is submitted.

Kind regards

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Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]

Sent: 16 November 2018 13:17

To: Redacted

Subject: Moray East - Vessel Management Plan (VMP) & Navigation Safety Plan (NSP) Consultation - by 14/12/2018

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This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager or the sender.

Please note that for business purposes, outgoing and incoming emails from and to SNH may be monitored.

Tha am post-dealain seo agus fiosrachadh sam bith na chois dìomhair agus airson an neach no buidheann ainmichte a-mhàin. Mas e gun d' fhuair sibh am post-dealain seo le mearachd, cuiribh fios dhan manaidsear-siostaim no neach-sgrìobhaidh.

Thoiribh an aire airson adhbharan gnothaich, 's dòcha gun tèid sùil a chumail air puist-dealain a' tighinn a-steach agus a' dol a-mach bho SNH.
