

Our Ref. Planning/Kincardine OS Windfarm
Your Ref.
Contact Deb Munro
Email debmunro@aberdeencity.gov.uk
Direct Dial 01224 523721
Direct Fax



1 November 2016

Rosanne Dinsdale
Marine Scotland Licensing Operations Team
Scottish Government
Marine Laboratory
375 Victoria Road,
Aberdeen
AB11 9DB

Planning and Sustainable
Development
**Communities, Housing and
Infrastructure**
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Aberdeen AB10 1AB

By email to: Rosanne.Dinsdale@gov.scot

Tel 03000 200 292
Minicom 01224 522381
DX 529451, Aberdeen 9
www.aberdeencity.gov.uk

Dear Rosanne,

PROPOSAL: CONSENT TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989

*The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations
2000*

The Electricity (Applications for Consent) Regulations 1990

MARINE (SCOTLAND) ACT 2010, PART 4: MARINE LICENCE

MARINE AND COASTAL ACCESS ACT 2009

*The Marine Works (Environmental Impact Assessment) Regulations 2007 (as
amended)*

Thank you for your consultation of 23rd September 2016 on the proposed Kincardine Offshore Windfarm. We have considered the Environmental Statement (ES) Addendum dated 23rd September 2013 and have the following comments:

1. We maintain our support for the proposal in principle as set out in our response to the Environmental Statement consultation (letter dated 20th July 2016).

Socio-economic and community effects

2. We consider that the matters raised in our letter of 20th July 2016 in respect of socio-economic and community effects have now been satisfactorily addressed.

PETE LEONARD
DIRECTOR



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Landscape, seascape and visual effects

(a) Night time effects – project only

3. We now have a better understanding of the likely night time effects of the project and have no further comments to offer.

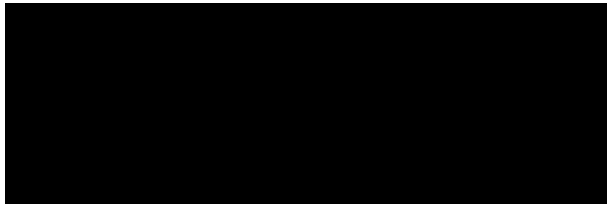
(b) Cumulative landscape/seascape and visual effects – day time and night time

4. We maintain our position of 20th July 2016 that there are likely to be adverse sequential seascape/landscape and visual effects. These are acceptable on this occasion.

Further marine and coastal development in this area would benefit from robust assessments of cumulative landscape, seascape and visual effects, for both day and night time, and in accordance with best practice.

5. Notwithstanding the above, Aberdeen City Council advises **no objection** to the proposals.

Yours sincerely



Gale Beattie

Acting Head of Planning and Sustainable Development

Dinsdale R (Rosanne)

From: Katherine Harris <K-Harris@aberdeen-harbour.co.uk>
Sent: 12 October 2016 09:46
To: MS Marine Renewables
Cc: Colin Parker
Subject: Aberdeen Harbour

Dear Rosanne,

Thank you for your email. Aberdeen Harbour Board has no comments to make on the additional information.

Kind regards,

Katherine Harris
Aberdeen Harbour Board

16 Regent Quay
Aberdeen, AB11 5SS
Tel: 01224 597000
Mob: [REDACTED]



www.aberdeen-harbour.co.uk

From: "Rosanne.Dinsdale@gov.scot" <Rosanne.Dinsdale@gov.scot>
Date: 23 September 2016 at 12:24:56 BST
Cc: "Joao.Queiros@gov.scot" <Joao.Queiros@gov.scot>, "Catarina.Aires@gov.scot" <Catarina.Aires@gov.scot>, "David.Bova@gov.scot" <David.Bova@gov.scot>
Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November
Reply-To: "MS.MarineRenewables@gov.scot" <MS.MarineRenewables@gov.scot>

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

MARINE (SCOTLAND) ACT 2010

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APPLICATION FOR CONSENT UNDER SECTION 36 AND DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

On 22nd September 2016 Kincardine Offshore Windfarm Limited (the applicant) submitted further information in the form of an '*Environmental Statement Additional Information Addendum*' in support of the application previously submitted to the Scottish Ministers on 23rd March 2016 to construct and operate the Kincardine Offshore Windfarm.

As required by the above legislation, details of the further information will be published for two consecutive weeks in The Edinburgh Gazette, The Herald and The Mearns Leader.

The above legislation allow for representations to be made to Scottish Ministers. The closing date for representations is **04th November 2016**. If you wish to submit a response, please send to MS.MarineRenewables@gov.scot. We would also welcome your advice in the following format:

- R• Carry forward previously issued consultation recommendations/conditions in this response, if they remain relevant to the revised proposal; and**
- R• Provide advice to Ministers on the further information; and**
- R• Present all recommendations/conditions in a separate Annex to your response.**

If you have no comments to make, please submit a 'nil return' response. If you require an extension to the consultation deadline, we would be grateful if you let us know before the closing date. If we have not received your comments, nor have we received any extension request by the closing date, we will assume you have no comments to make.

Marine Scotland Licensing Operations Team ("MS-LOT") will make your representation publicly available, with personal information such as name, address (home and email) and signature redacted (blacked out). If you have any queries or concerns about how your personal data will be handled please visit the MS-LOT website <http://www.scotland.gov.uk/Topics/marine/Licensing/marine> or contact MS-LOT at MS.MarineRenewables@gov.scot. Alternatively write to Marine Scotland Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB.

A copy of the further information has already been sent to you by the applicant. If you have not received a copy, or require more information not enclosed with this letter, please contact MS-LOT as soon as possible.

A copy of the 'Environmental Statement Additional Information Addendum' is also available for download at:

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

We would also be grateful if you would acknowledge receipt of this email.

Yours faithfully,

Rosanne Dinsdale

Rosanne Dinsdale
Marine Renewables Casework Officer
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Dial: +44 (0)1224 295 331
Fax: +44 (0)1224 295 524
Email: rosanne.dinsdale@gov.scot
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>



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FAO David Bova
Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Via Email

ABZ Ref: ABZ2610

11th November 2016

Dear David

**APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989
AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE
MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE
OFFSHORE WINDFARM**

I refer to your consultation request received in this office on 16th May 2016.

The proposed development has been examined from an aerodrome safeguarding perspective and conflicts with safeguarding criteria.

Located 28km south east of the Aerodrome Reference Point, turbines in this location are predicted to be visible to the primary surveillance radar used by Aberdeen Airport and will therefore generate unwanted returns (clutter) on air traffic control display screens.

This site is located in a busy area of airspace used by inbound and outbound Aberdeen flights. Clutter here would affect Aberdeen Airport's fixed wing and Instrument Flight Rules helicopter traffic, adding up to 5 nautical miles to commercial flights and reducing capacity at Aberdeen Airport. This would lead to an increase in the complexity and workload for air traffic controllers and a reduction in air safety.

We, therefore, object to the proposal.

You will be aware that we are currently working with NATS and the applicant to develop a potential mitigation solution that we hope will enable the removal of this objection, subject to conditions. Further technical assessment and development of the mechanism to deliver mitigation is required to confirm it is feasible and achievable.

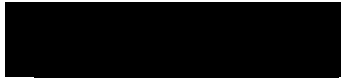
As much as we are hopeful of being able to deliver a mitigation solution, we have not yet made sufficient progress to guarantee that outcome. Our objection must therefore remain in place at this stage. Clearly if positive progress continues to be made, we will review that position, and in line with our proactive approach, would remove our objection as soon as was practically possible.



You should note that where a Planning Authority proposes to grant permission against the advice of Aberdeen Airport, it shall notify Aberdeen Airport, the Civil Aviation Authority and the Scottish Ministers as per Circular 2/2003: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003.

Please do not hesitate to contact me should you wish to discuss.

Yours Sincerely



Kirsteen MacDonald

Safeguarding Manager
Aberdeen Airport



abzsafeguard@aiairport.com

Strategic Development Delivery Team
Infrastructure Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
Tel: 01224 664256
Stuart.Murison@aberdeenshire.gov.uk
25 October 2016

Marine Scotland - Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB
By Email: MS.MarineRenewables@gov.scot

Dear Sir/Madam

Consultation response from Aberdeenshire Council on Environmental Impact Assessment Addendum to Marine License application under the Marine (Scotland) Act 2010 and application under Section 36 of the Electricity Act (1989) for a large scale wind energy development off the Kincardine and Mearns Coast (Kincardine Offshore Windfarm).

Thank you for your consultation dated 23 September 2016, further to our previous consultation response dated 3 August 2016 where Aberdeenshire Council raised **no objection** to the proposal, notwithstanding concerns on the overall robustness of some of the assessments contained within the originally submitted Environmental Statement and also on the understanding that said concerns were being addressed by the developer.

Aberdeenshire Council Planning Service consider that Marine Scotland is well placed to provide the expertise required to determine both applications in line with the relevant legislation.

Having considered the information submitted within the Environmental Impact Assessment (EIA) Addendum, the Planning Service continues to be supportive of the principle of the Kincardine Offshore Wind Farm (KOWF). The additional information submitted within the EIA Addendum as well as the clarification offered on the 5 issues previously highlighted is welcomed. We are satisfied that no further mitigation, aside from what is already outlined, would be necessary after clarification and the addressing of these issues.

The EIA Addendum was presented to the Kincardine and Mearns Area Committee on 25 October 2016, where Members offered the following comments:

- Wind Turbine Colour to be closely monitored and “bright white” colour as shown on visualisations would cause concerns, an off-white or grey colour as intimated within submission would be preferable.

- Care to be taken to avoid conflict with fishing and shipping traffic or areas.

Clarification of the above points, as outlined within the EIA and associated Addendum, was given to Members during the Committee meeting.

While Aberdeenshire Council do welcome the additional clarity provided through the Addendum and does not consider any additional mitigation on top of what is already outlined to be necessary, the robustness of the cumulative impact assessment both in terms of nearby offshore wind energy development as well as in-combination effects from onshore wind energy developments is a matter that we feel would require a far more in depth analysis in any future application process. The results submitted give enough comfort that the impacts experienced would not be significant, but a more comprehensive cumulative impact assessment from the outset would be preferable.

Notwithstanding the above, Aberdeenshire Council would confirm that the conclusion previously offered – **no objection** – can be carried forward and remains relevant to this proposal.

Should there be any issues with regard to the above, please feel free to contact me using the contact details provided.

Kind Regards,



Stuart Murison
Senior Planner

Dinsdale R (Rosanne)

From: esthervilloria.dominguez@nuon.com
Sent: 11 November 2016 13:22
To: Bova D (David) (MARLAB)
Subject: AOWFL Response to Addendum

Dear David,

I have been recently appointed as the Environmental and Consents Manager for the Aberdeen Offshore Wind Farm. Could you address to me any further correspondence on this regard?

Regarding your email below Aberdeen Offshore Wind Farm Ltd does not have any comments.

Regards,
Esther

Esther Villoria
Environment and Consents Manager
Aberdeen Offshore Wind Farm

3rd Floor, The Tun Building
4 Jackson's Entry
Holyrood Road
Edinburgh
EH8 8PJ


Esthervilloria.dominguez@nuon.com

From: David.Bova@gov.scot [<mailto:David.Bova@gov.scot>]
Sent: Friday, November 04, 2016 11:45 AM
To: MS.MarineRenewables@gov.scot
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; Rosanne.Dinsdale@gov.scot
Subject: ONE WEEK REMINDER Consultation on further information for Kincardine Offshore Windfarm Application, by 11th November

Dear Sir/Madam,

ONE WEEK PRIOR TO CONSULTATION END REMINDER

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

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MARINE AND COASTAL ACCESS ACT 2009

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Dinsdale R (Rosanne)

From: Windfarms <Windfarms.Windfarms@caa.co.uk>
Sent: 04 November 2016 13:27
To: MS Marine Renewables
Subject: CAA Response a

Sir / Madam

The CAA have reviewed the additional information and at this stage have no further comment.

Ade

Adrian Stead

Surveillance Policy
Airspace, ATM & Aerodromes
Civil Aviation Authority



Tel: 020 7453 6534

Follow us on Twitter: [@UK_CAA](https://twitter.com/UK_CAA)

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From: Rosanne.Dinsdale@gov.scot [mailto:Rosanne.Dinsdale@gov.scot]
Sent: 23 September 2016 12:25
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot
Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

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On 22nd September 2016 Kincardine Offshore Windfarm Limited (the applicant) submitted further information in the form of an 'Environmental Statement Additional Information Addendum' in support of the application previously submitted to the Scottish Ministers on 23rd March 2016 to construct and operate the Kincardine Offshore Windfarm.

As required by the above legislation, details of the further information will be published for two consecutive weeks in The Edinburgh Gazette, The Herald and The Mearns Leader.

The above legislation allow for representations to be made to Scottish Ministers. The closing date for representations is **04th November 2016**. If you wish to submit a response, please send to MS.MarineRenewables@gov.scot. We would also welcome your advice in the following format:

Dinsdale R (Rosanne)

From: Adrian Munda <AMunda@ukchamberofshipping.com>
Sent: 23 September 2016 12:47
To: MS Marine Renewables
Subject: CoS

Thank you for the opportunity to respond to the further information on the Kincardine Offshore Windfarm. The UK Chamber of Shipping has no additional comments.

Adrian J Munda MVO
Policy Manager

UK Chamber of Shipping
30 Park Street, London SE1 9EQ

DD +44 (0) 20 7417 2828

amunda@ukchamberofshipping.com
www.ukchamberofshipping.com

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From: Rosanne.Dinsdale@gov.scot [mailto:Rosanne.Dinsdale@gov.scot]
Sent: 23 September 2016 12:25
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot
Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

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The above legislation allow for representations to be made to Scottish Ministers. The closing date for representations is **04th November 2016**. If you wish to submit a response, please send to MS.MarineRenewables@gov.scot. We would also welcome your advice in the following format:

- Carry forward previously issued consultation recommendations/conditions in this response, if they remain relevant to the revised proposal; and

Dinsdale R (Rosanne)

From: DIO SEE-EPS SG3a1a (Parker, Deborah Ms) <DIOSEE-EPSSG3a1a@mod.uk>
Sent: 02 November 2016 11:53
To: MS Marine Renewables
Subject: MoD Response Further Info Kincardine Offshore
Attachments: 20160526-MOD to Scot Govt-Mitigation Accepted Planning Condition Wording-O.pdf

Dear Sir or Madam

The MoD received notification of additional information regarding the above on 23rd September 2016. After consulting Richard Wakefield of Atkins and confirming the location and specifications of the wind turbines have not changed I can confirm the MoD position on this wind farm remains extant (please see attached letter).

Kind regards

Debi Parker | Safeguarding Assistant, DIO Safeguarding |
| Defence Infrastructure Organisation |
Building 49 | Kingston Road | Sutton Coldfield | B75 7RL
Civ: 0121 311 2010 | Mil: [REDACTED] Fax: 0121 311 2218
Email: diosee-epssg3a1a@mod.uk
Website: www.mod.uk/dio/



Defence Infrastructure Organisation

Your Ref. Kincardine Offshore
DIO Ref. DE/C/SUT/43/10/1/20585

Ministry of Defence
Safeguarding
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Telephone [MOD]: +44 (0)121 311 3781
Facsimile [MOD]: +44 (0)121 311 2218
E-mail: DIOSEE-EPSSG3@mod.uk

Via Email

Catarina Aires
Catarina.Aires@gov.scot

26 May 2016

Dear Ms Aires,

APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

The Ministry of Defence (MOD) objected to the above application in the letter to Marine Scotland dated 23rd May 2014.

The MOD objected on the grounds that the proposed development would have an adverse impact upon the Air Defence (AD) radar at RAF Buchan. The MOD noted that if the developer is able to overcome these unacceptable impacts that the turbines should be fitted with appropriate aviation lighting.

You may be aware that the MOD has been in discussions with the applicant since the submission of this objection letter with a view to reaching agreement on appropriate mitigation to address the unacceptable impacts of this development. The updated MOD position is set out below:

AD Radar at RAF Buchan

The applicant submitted a technical proposal to mitigate the unacceptable affects of the proposed development on the AD radar at RAF Buchan in February 2016. The proposal has been accepted by the MOD, and a planning condition has been agreed with the applicant. A draft is included at Annex A for the Scottish Government's consideration.

Aviation Lighting

In the objection letter of 23rd May 2014 the MOD identified that if the developer is able to overcome the radar issue, the MOD will request that the turbines are fitted with suitable aviation lighting. The MOD has agreed a planning condition with the applicant and a draft is also included in Annex A for the Scottish Government's consideration.

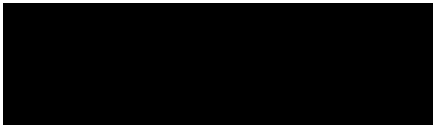
In light of the above, the MOD would be prepared to remove its objection to this application subject to appropriate conditions being imposed upon the consent, if granted. Should the Scottish Government be minded to amend any of the conditions in Annex A, the MOD would welcome the opportunity to discuss these amendments with the Council.

If planning permission is granted, the MOD would like to be advised of the following information;

- The date construction starts and ends;
- The maximum height of construction equipment;
- The latitude and longitude of the turbine erected

Please do not hesitate to contact me should you require any additional information, or should you wish to discuss matters.

Yours faithfully



Marie Neenan
Senior Safeguarding Officer

Enc. Annex A

Annex A

Air Defence Radar

No development shall commence unless and until an Air Defence Radar Mitigation Scheme ("the ADRM scheme") has been submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition, the ADRM Scheme means a detailed scheme to mitigate the adverse impacts of the Development on the air defence radar at RAF Buchan and the air surveillance and control operations of the MOD. The scheme will set out the appropriate measures to be implemented to that end.

No turbines shall become operational until:

- (a) the mitigation measures which the approved ADRM Scheme requires to be implemented prior to the operation of the turbines have been implemented; and
- (b) any performance criteria specified in the approved ADRM Scheme and which the approved ADRM Scheme requires to have been satisfied prior to the operation of the turbines have been satisfied.

The Company shall thereafter comply with all other obligations contained within the approved ADRM Scheme for the duration of the operation of the Development.

Aviation Lighting

The Company shall install MOD-accredited 200cd visible red lighting or infrared lighting to all turbines at the highest practicable point. The turbines will be erected with this lighting installed and the lighting will remain operational throughout the duration of this consent.

ESK DISTRICT SALMON FISHERY BOARD

ESK RIVER & FISHERY TRUST

WODDSIDE CROFT

ECCLESGREIG

ST CYRUS DD100DP

Abi Cowins

Atkins

Glasgow

25th Oct 2016

Dear Abi,

APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WIND FARM

Further to our correspondence, we are content with the reassurances provided concerning the above proposed development we would however add the following points.

- (i) The route of the landfall cable has not yet been determined and some further consultation concerning the route would be appreciated
- (ii) The potential impact of electromagnetic fields associated with the cabling may have some potential impacts which as knowledge progresses might require mitigation
- (iii) As part of the consenting process the Esk Board and Trust would request that a monitoring programme be implemented which would monitor the migration of fish species in the vicinity of the development

Yours sincerely

Dr Marshall M Halliday

Clerk to the Esk Board

Director Esk Rivers & Fishery Trust



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: MS.MarineRenewables@gov.scot

Ms Rosanne Dinsdale
Marine Planning & Policy
Marine Scotland
Marine Laboratory
375 Victoria Road
ABERDEEN
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: AMN/16/GB
Our Case ID: 201603421
19 October 2016

Dear Ms Dinsdale

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 Kincardine Offshore Windfarm

Thank you for your correspondence of 23 September 2016 seeking our comments on the Additional Information/Addendum for the above proposal. We have considered the information for our historic environment interests. That is scheduled monuments and their setting, category A listed buildings and their setting, gardens and designed landscapes (GDLs) and battlefields in their respective Inventories and World Heritage Sites.

Historic Environment Scotland's position

Historic Environment Scotland does not object to the application. We have reviewed the additional information along with the original Environmental Statement (ES) from April 2016.

We note that there have been no alterations to the scheme since the previous consultation. Additional information has been supplied regarding the potential setting impacts to the scheduled monument known as Dunnottar Castle (SM 986). The additional information does not alter conclusions of the assessment of impacts on the scheduled monument and we remain content that the impacts to the setting will not be so significant as to raise issues of national importance. We, therefore, have no further detailed comments to offer on the proposals.

We have concluded that the development proposal does not raise issues of national significance sufficient to warrant an objection for our historic environment interests. We are therefore content that the comments in our previous letter (dated 19 May 2016) can be carried forward.

Historic Environment Scotland's advice

Please also seek information and advice from the relevant local authority's archaeology and conservation advisors who will also be able to give advice on historic environment issues, including matters such as unscheduled archaeology and category B and C listed buildings, which are outside Historic Environment Scotland's remit.

I hope this letter has been helpful to you. If you would like to discuss any of the issues raised please feel free to contact me on the details above.

Yours sincerely

Victoria Clements
Senior Heritage Management Officer

Dinsdale R (Rosanne)

From: Sarah.Canning@jncc.gov.uk
Sent: 31 October 2016 13:52
To: Dinsdale R (Rosanne)
Subject: JNCC

Dear Rosanne

Thank you for the email below regarding the Kincardine Offshore Wind farm Ltd (KOWL). It is our understanding that while the development area includes a small section in offshore waters, the turbines themselves and all associated works will be within inshore waters. JNCC have not been consulted by Marine Scotland on this wind farm to date, given its location, and hence will not be responding to this consultation and defer to SNH.

Regards,

Dr Sarah Canning

Offshore Industries Advisor
PhD, BSc (Hons)
Joint Nature Conservation Committee
Inverdee House, Baxter Street, Aberdeen, AB11 9QA
Tel: 01224 266 550
Direct Tel: 01224 266589
Email: sarah.canning@jncc.gov.uk



<http://jncc.defra.gov.uk>



25 years delivering innovative solutions to realise the value of nature.

From: Rosanne.Dinsdale@gov.scot [<mailto:Rosanne.Dinsdale@gov.scot>]
Sent: 23 September 2016 12:25
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot
Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

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Dinsdale R (Rosanne)

From: JRC Windfarm Coordinations <windfarms@jrc.co.uk>
Sent: 04 November 2016 14:03
To: Bova D (David) (MARLAB)
Subject: JRC [WF786607]

Dear david,

A Windfarms Team member has replied to your coordination request, reference **WF786607** with the following response:

Dear Sir/Madam,

Planning Ref: Application - Section 36

Site Name: Kincardine Offshore

Turbine at NGR: 402000 789000

Hub Height: 107m ***Rotor Radius:*** 85m

*This proposal ***cleared*** with respect to radio link infrastructure operated by:*

The local electricity utility and Scotia Gas Networks

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal. Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for a location within the declared grid reference (quoted above).

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a consequence of any links assigned between your enquiry and the finalisation of your project.

JRC offers a range of radio planning and analysis services. If you require any assistance, please contact us by phone or email.

Regards

Wind Farm Team

*The Joint Radio Company Limited
Dean Bradley House,
52 Horseferry Road,
LONDON SW1P 2AF
United Kingdom*

TEL: +44 20 7706 5199

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.

Registered in England & Wales: 2990041

<http://www.jrc.co.uk/about-us>

We hope this response has sufficiently answered your query.

If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email keeping the subject line intact or login to your account** for access to your coordination requests and responses.

<https://breeze.jrc.co.uk/tickets/view.php?auth=o1xbucqaafmduaaaqdbjp%2FbBQuRyEw%3D%3D>

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

This email has been received from an external party and

has been swept for the presence of computer viruses.

Dinsdale R (Rosanne)

From: Nick Salter <Nick.Salter@mcga.gov.uk>
Sent: 14 October 2016 14:18
To: MS Marine Renewables
Cc: Queiros J (Joao); Aires C (Catarina); Bova D (David) (MARLAB)
Subject: MCA

Dear Rosanne,

I have no comments to make on the addendum. All previous advice remains extant.

Regards

Nick

Nick Salter
Offshore Renewables Advisor
Navigation Safety Branch | Maritime and Coastguard Agency
Spring Place | 105 Commercial Road | Southampton | SO15 1EG
Tel: 020 3817 2433 | Mob: [REDACTED] | Email: nick.salter@mcga.gov.uk



Maritime &
Coastguard
Agency

Safer Lives, Safer Ships, Cleaner Seas

From: Rosanne.Dinsdale@gov.scot [mailto:Rosanne.Dinsdale@gov.scot]
Sent: 23 September 2016 12:25
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot
Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

APPLICATION FOR CONSENT UNDER SECTION 36 AND DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

On 22nd September 2016 Kincardine Offshore Windfarm Limited (the applicant) submitted further information in the form of an 'Environmental Statement Additional Information Addendum' in support of the application previously submitted to the Scottish Ministers on 23rd March 2016 to construct and operate the Kincardine Offshore Windfarm.

As required by the above legislation, details of the further information will be published for two consecutive weeks in The Edinburgh Gazette, The Herald and The Mearns Leader.

The above legislation allow for representations to be made to Scottish Ministers. The closing date for representations is **04th November 2016**. If you wish to submit a response, please send to MS.MarineRenewables@gov.scot. We would also welcome your advice in the following format:

- **Carry forward previously issued consultation recommendations/conditions in this response, if they remain relevant to the revised proposal; and**

David Bova
Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen **AB11 9DB**

NATS Safeguarding
Corporate & Technical Centre
4000 Parkway
Whiteley
Fareham PO15 7FL

☎: 01489 444687
✉: natssafeguarding@nats.co.uk
🌐: www.nats.co.uk/windfarms

9th November 2016

Sent via email: MS.MarineRenewables@gov.scot;
cc: David.Bova@gov.scot; ianfletcher@windbusiness.co.uk

NATS Ref: **SG19087**

Dear Mr Bova,

APPLICATION FOR CONSENT UNDER SECTION 36 AND DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

I refer to the consultation for the application referenced above. NATS has objected to the application on the grounds of an impact upon its Perwinnes radar. The application is expected to cause an unacceptable impact and hence affect the operations of the NATS Air Traffic Control Centre located at Aberdeen airport which relies on the radar.

NATS is currently investigating mitigation measures and has identified a potential solution which it expects to resolve the impact of the proposed development. While in principle there appears to be no reason why this solution could not be appropriate, further technical assessment and stakeholder engagement work is required to confirm this.

NATS remains positively engaged with the Applicant around the mitigation and the agreement of the mechanism to deliver this. It also remains engaged with the users of the radar and is continuing to work in order to identify a solution that is acceptable to all parties.

I trust this clarifies our position, but should you have any further queries, do not hesitate to contact us.

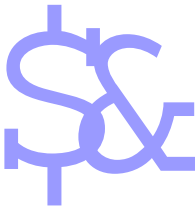
Yours faithfully


Mr Sacha Rossi
For and on behalf of NATS (En-Route) PLC

**CAPTAIN PHILLIP DAY
DIRECTOR OF MARINE OPERATIONS**

Your Ref: Email Rosanne Dinsdale 230916
Our Ref: AJ/OPS/ML/O6_15_356

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F n b j n # f o r v j s f t A o n e / p s h / v l ..



Ms Rosanne Dinsdale
Marine Renewables Casework Officer
Marine Scotland – Marine Planning and Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

13 October 2016

Dear Rosanne

KINCARDINE OFFSHORE WIND FARM, SOUTH EAST OF ABERDEEN.

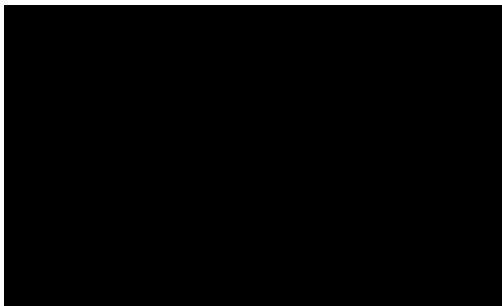
We are in receipt of correspondence dated 22 September 2016 requesting comments to the above application submitted by Atkins Global Ltd on behalf of **Kincardine Offshore Windfarm Ltd (KOWL)** regarding offshore works for a floating offshore wind turbine development including an export cable and grid connection at their site south east of Aberdeen.

The correspondence included the supporting document 'Environmental Statement - Additional Information' and relates primarily to the change of the wind turbine sub-structure.

NLB would have no further comment to make with regards to the marking and lighting of the proposed windfarm contained within our response Ref: O6-15-311 (attached).

We would however note that the new design of sub-structure will have three radial subsurface floatation chambers that will extend approximately 35m from the central column, and a mooring arrangement extending outwards from these chambers creating a subsurface obstruction.

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



Rosanne Dinsdale (Marine Renewables Casework Officer)
Marine Scotland
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

1 November 2016

Dear Ms Dinsdale

APPLICATION FOR CONSENT TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

Thank you for reconsulting RSPB Scotland on the above application following the submission of the 'Environmental Statement Additional Information Addendum' on 22 September 2016.

RSPB Scotland **maintains its objection** to the application, on the grounds that a conclusion of no adverse effect on site integrity of relevant SPAs cannot be reached. This is due to existing unacceptable cumulative or in-combination effects arising from four proposed offshore wind projects in the Forth and Tay region, Neart na Gaoithe, Inch Cape, Seagreen Alpha and Seagreen Bravo. The consent decisions for these offshore wind projects were found to be unsound and quashed in a judgement issued by the Court of Session on 18th July 2016. It would be unfortunate if those project proposals were to progress in their current form as it means that they need to be considered in any in-combination assessment for the proposed Kincardine Offshore Windfarm, making it not possible to support the Kincardine proposal.

As acknowledged in section 2 (In-combination Assessment) of the HRA Additional Information Addendum (Appendix B of the ES Additional Information Addendum), the scale of the impacts of the Forth and Tay wind farm developments are such that any additional impacts in-combination with these projects, no matter how small, will result in an adverse effect on the integrity of the SPA in-combination. Section 2 of the addendum confirms that the assessment indicates that the Kincardine proposal would have a negative impact on Kittiwake from Fowlsheugh SPA and Puffin from Forth Islands SPA.

If it becomes clear that the existing Forth and Tay offshore projects will not proceed, or if they are revised such that their potential impacts are significantly reduced, RSPB Scotland would be very willing to review its current position on this Kincardine application.

Scotland Headquarters
2 Lochside View
Edinburgh Park
Edinburgh
EH12 9DH

Tel 0131 317 4100
Fax 0176 768 5008
rspb.org.uk



We note that section 2.1 ('Mitigation') of the HRA Additional Information Addendum refers to several potential options for monitoring the effects of the project on seabirds. We wish to highlight that monitoring should not itself be regarded as 'mitigation'.

Should Scottish Ministers be minded to grant consent notwithstanding our objection, a monitoring programme for monitoring the effects of the development on kittiwake and puffin should be required by condition. The monitoring programme should take full advantage of the unique opportunity provided by the design of the floating structures for mounting observation devices and monitoring equipment. It should include details of mechanisms for tracking breeding kittiwake and puffin between the colony SPAs and the development site, and monitoring of collisions at the wind farm, to allow an assessment of the effect of the development on the SPAs. The annex to this letter provides more detailed comments on the monitoring proposals and suggestions made in Section 2.1 of the HRA Additional Information Addendum.

Please contact me if you wish to discuss any aspect of this response.

Yours sincerely

A solid black rectangular box used to redact the signature of Ian Francis.

Ian Francis
Conservation Manager, East Scotland

Annex: Detailed comments on monitoring proposals

Monitoring collisions, and therefore validating any predictions made in the collision risk modelling, is problematic offshore and a clear 'best-practice' solution to this has yet to be determined. Other than the referenced Strategic Ornithological Support Services (SOSS) report referenced in Section 2.1 of the HRA Additional Information Addendum), it is not entirely clear how the effectiveness of bird collision monitoring equipment was assessed. Technologies available may have changed since that SOSS report was issued in 2011. However, the use of cameras, as suggested, may facilitate the improvement of our knowledge of collisions at this installation.

When considering the use of such equipment it is important to remember that these types of technology can have limitations. For example, the suggested system would not be capable of any night-time data collection. This might also include times with lower light level such as early morning because ability to identify species will be dependent on image quality and light levels. It may be beneficial to combine camera-based systems with other systems, such as acoustic monitoring, to maximise collision detection. It would be interesting to monitor the extent to which the installation does indeed act as a roost/ perching/ resting site for seabirds, and the way in which this affects the level of site-usage by different species, again a remote camera based approach to this is one possibility.

For monitoring that is reliant on technology, the exposure to harsh offshore conditions would need to be factored into a monitoring plan, as breakdowns / technical problems can limit the quality and amount of data collected, and could mean the time over which monitoring is deployed might need to be extended to gain sufficient sample size.

Dinsdale R (Rosanne)

From: Pauline McGrow <Pauline.McGrow@ryascotland.org.uk>
Sent: 28 September 2016 15:43
To: MS Marine Renewables
Subject: RE: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Rosanne,

Thank you for your email. RYA Scotland responds as follows –

We have no additional comments to make to add to our previous response.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Tel: 0131 317 4611

Royal Yachting Association Scotland
T: 0131 317 7388
E: pauline.mcgrow@ryascotland.org.uk



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
T: 0131 317 7388, Fax: 0844 556 9549



NOMINATIONS NOW OPEN

Who will you nominate?

Help us recognise the commitment and achievements all over Scotland in all forms of boating.

From: Rosanne.Dinsdale@gov.scot [mailto:Rosanne.Dinsdale@gov.scot]
Sent: 23 September 2016 12:25

Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot

Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

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APPLICATION FOR CONSENT UNDER SECTION 36 AND DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

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The above legislation allow for representations to be made to Scottish Ministers. The closing date for representations is **04th November 2016**. If you wish to submit a response, please send to MS.MarineRenewables@gov.scot. We would also welcome your advice in the following format:

- **Carry forward previously issued consultation recommendations/conditions in this response, if they remain relevant to the revised proposal; and**
- **Provide advice to Ministers on the further information; and**
- **Present all recommendations/conditions in a separate Annex to your response.**

If you have no comments to make, please submit a 'nil return' response. If you require an extension to the consultation deadline, we would be grateful if you let us know before the closing date. If we have not received your comments, nor have we received any extension request by the closing date, we will assume you have no comments to make.

Marine Scotland Licensing Operations Team ("MS-LOT") will make your representation publicly available, with personal information such as name, address (home and email) and signature redacted (blacked out). If you have any queries or concerns about how your personal data will be handled please visit the MS-LOT website <http://www.scotland.gov.uk/Topics/marine/Licensing/marine> or contact MS-LOT at MS.MarineRenewables@gov.scot. Alternatively write to Marine Scotland Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB.

A copy of the further information has already been sent to you by the applicant. If you have not received a copy, or require more information not enclosed with this letter, please contact MS-LOT as soon as possible.

A copy of the 'Environmental Statement Additional Information Addendum' is also available for download at:

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

We would also be grateful if you would acknowledge receipt of this email.

Yours faithfully,

Rosanne Dinsdale

Rosanne Dinsdale
Marine Renewables Casework Officer
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Dinsdale R (Rosanne)

From: Planning Aberdeen <planning.aberdeen@sepa.org.uk>
Sent: 05 October 2016 12:05
To: MS Marine Renewables; Dinsdale R (Rosanne)
Cc: Planning Aberdeen
Subject: SEPA

Dear Ms Dinsdale

**Application For Consent Under Section 36 And Declaration Under Section 36a Of The Electricity Act 1989 And A Marine Licence Under Part 4 Of The Marine (Scotland) Act 2010 And The Marine And Coastal Access Act 2009 To Construct And Operate Kincardine Offshore Windfarm
Environmental Statement Additional Information Addendum**

Thank you for your email consultation below.

SEPA does not now provide site specific advice on marine licence consultations. Instead, please refer to our standing advice for marine licence consultations within guidance document LUPS-GU13 *Marine Scotland consultations: SEPA standing advice for Marine Scotland on marine licence consultations* which is available from www.sepa.org.uk/planning.aspx.

If, after consulting this guidance, you consider that a particular development is novel or raises a particular environmental issue relevant to our interests which is not addressed by the standing advice, then we would welcome the opportunity to be re-consulted. Please note that the site specific issue on which you are seeking our advice must be clearly indicated in the body of your consultation request.

Regards
Clare

Clare Pritchett

Senior Planning Officer

Planning Service, SEPA, Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA

Direct line: 01224 266609 Mobile: [REDACTED] Email: planning.aberdeen@sepa.org.uk

Part Time: Monday, Wednesday & Thursday

Are you using the new CIRIA SUDS manual C753 yet? After 31st May we expect all SUDS proposals to be designed in accordance with it – www.susdrain.org/resources/SuDS_Manual.html

From: Rosanne.Dinsdale@gov.scot [mailto:Rosanne.Dinsdale@gov.scot]
Sent: 23 September 2016 12:25
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot
Subject: Pls upload to Pcs149171. thanks Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

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APPLICATION FOR CONSENT UNDER SECTION 36 AND DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM



Our Ref: MM/amg – 16-106

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

13th October 2016

T: +44 (0) 1224 646944
F: +44 (0) 1224 647058
E: sff@sff.co.uk

www.sff.co.uk

Rosanne.dinsdale@gov.scot

Dear Rosanne

KOWL Addendums

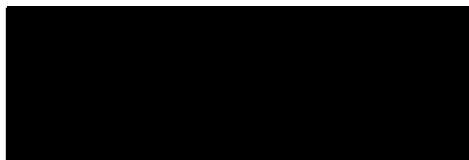
The SFF has no further objections to the information in the HRA Addendum.

There is, however, a misunderstanding which seems to have made its way into print, and the SFF would like to see it amended before it achieves a life of its own.

On page 31 of the addendum, the final line on the page describes a “new Fishing Community panel that is being set up as part of the Marine Scotland Initiative to support the local fishing communities”.

This is not the case, and the agreement is for input to a Fisheries Development fund proposed and managed by industry. I hope this change is possible in order to avoid future confusion.

Yours sincerely



Bertie Armstrong
Chief Executive
Scottish Fishermen's Federation

Members:

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

VAT Reg. No: 605 096 748



Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

David Bova
Marine Scotland
Marine Laboratory
PO Box 101
375 Victoria Road
Aberdeen
AB11 9DB

Your ref: KOWL Addendum Consultation

Our ref:
CNS/REN/Wind/Demonstrator sites/Kincardine
offshore floating wind/CDM143099

Date: 1st November 2016

By email only:
ms.marinelicensing@scotland.gsi.gov.uk

Dear David,

PROPOSAL: CONSENT TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM - ADDENDUM

SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
The Electricity (Applications for Consent) Regulations 1990

MARINE (SCOTLAND) ACT 2010, PART 4: MARINE LICENCE

MARINE AND COASTAL ACCESS ACT 2009

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

Background

Thank you for your consultation of 23 September 2016 requesting our advice on the proposed Kincardine Offshore Windfarm Addendum. We provided advice in response to the original application on 13 May 2016.

KEY ADVICE

The additional information within the Addendum does not change the conclusion of our advice previously provided (13 May 2016) and we ask that this is referred to as our detailed advice. Key advice in summary is:

We conclude that for this proposal alone there is no adverse effect on site integrity for bird interests.

However, when we consider the Kincardine proposal in combination with other developments, specifically other wind farms consented for the east coast, HyWind and the three Forth and Tay offshore wind farms (Neart na Gaoithe, Seagreen - Alpha and Bravo, and Inch Cape) within species' mean-max foraging range (mmfr), we cannot advise that there will be no adverse effect on site integrity with respect to:

- Black-legged kittiwake - Fowlsheugh Special Protection Area (SPA)
- Atlantic puffin - Forth Islands SPA

Scottish Natural Heritage, Great Glen House, Leachkin Road, Inverness IV3 8NW

Tel: 01876 580236

e-mail: tracey.begg@snh.gov.uk

www.snh.org.uk



Revised HRA assessment

We note that the HRA assessment within the Addendum includes assessment of potential impacts on proposed Special Protection Areas (pSPAs).

Since our advice was submitted for the KOWL application, 10 sites from the dSPA list have gone forward for public consultation and have policy protection as pSPAs. These sites are included in the revised HRA assessment. We agree with the conclusions the revised HRA reaches with regards to the species and sites assessed.

Since the Addendum was submitted, an announcement has been made to take forward a further 5 sites for public consultation¹. This includes the Outer Firth of Forth and St Andrews Bay Complex - further consideration is now required to be given to this site and we provide our advice below.

HRA Advice - Outer Firth of Forth and St Andrews Bay Complex proposed SPA (pSPA)

The Outer Firth of Forth and St Andrews Bay Complex pSPA, lying adjacent to the existing SPAs of the Firth of Forth and the Firth of Tay and Eden Estuary, supports populations of European importance of the following Annex 1 species:

Red-throated diver (*Gavia stellata*)
Little gull (*Larus minutus*)
Common tern (*Sterna hirundo*)
Arctic tern (*Sterna paradisaea*)
Slavonian grebe (*Podiceps auritus*)

It also supports migratory populations of European importance of the following species:

Common eider (*Somateria mollissima mollissima*)
Long-tailed duck (*Clangula hyemalis*)²
Common scoter (*Melanitta nigra*)²
Velvet scoter (*Melanitta fusca*)²
Common goldeneye (*Bucephala clangula*)²
Red-breasted merganser (*Mergus serrator*)²
Northern gannet (*Morus bassanus*)
Manx shearwater (*Puffinus puffinus*)³
European shag (*Phalacrocorax aristotelis*)
Black-legged kittiwake (*Rissa tridactyla*)³
Common guillemot (*Uria aalge*)³
Razorbill (*Alca torda*)³
Atlantic puffin (*Fratercula arctica*)
Black-headed gull (*Chroicocephalus ridibundus*)^{3,4}
Common gull (*Larus canus*)^{3,4}
Herring gull (*Larus argentatus*)^{3,4}

The KOWL development is located approximately 60 km north of the northern boundary of the pSPA. The development location is at some distance from the pSPA and therefore has limited connectivity for the qualifying interests of the pSPA. The development location does not lie within the pSPA boundary and will not therefore have an impact on prey species or supporting habitats due to the location and scale of the KOWL development. We conclude there will be

¹ <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/proposed-marine-spas/>

² Named qualifier of the non-breeding waterfowl assemblage

³ Named qualifier of a breeding or non-breeding seabird assemblage

⁴ Species included as part of the UK SPA Review requirements

no likely significant effect (LSE) on any of the qualifying features of the Outer Firth of Forth and St Andrews Bay Complex pSPA.

Environmental Management and Monitoring

We support the commitment provided in the Addendum to develop monitoring and mitigation for the KOWL proposal, including using the design of the floating structures for mounting observation devices and monitoring equipment to aid data collection and monitor interactions of birds with turbines. Such a monitoring programme should form part of the conditions for the application. We would welcome further discussion on the detail of monitoring requirements for KOWL in order to validate some of the ES predictions and consider the environmental impacts of this demonstrator project.

Appendix E (Conditions) of our response to the original application (13 May 2016) outlines our expectations in relation to monitoring requirements within the Environmental Mitigation and Management Plan (EMMP).

We hope these comments are helpful. If further information or advice is required please contact Tracey Begg in the first instance: tracey.begg@snh.gov.uk or 01876 580236.

Yours sincerely,

Erica Knott

Senior Casework Manager – Marine Energy

Cc Aberdeenshire Council
 Aberdeen City Council

Catarina Aires
Marine Scotland
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Your ref:

Our ref:
TS00474

Date:
11/11/2016

MS.MarineRenewables@gov.scot

Dear Sirs,

APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM – FURTHER ENVIRONMENTAL INFORMATION

With reference to your recent consultation request, we acknowledge receipt of further Environmental Information in the form of an Addendum (ES Addendum) prepared by Atkins Limited. This information has been submitted in support of the Environmental Statement which accompanied a planning application submitted on 23rd March 2016 by Kincardine Offshore Windfarm Limited (KOWL) for the Kincardine Offshore Windfarm.

This information has been passed to JMP Consultants Limited for review in their capacity as Term Consultants to Transport Scotland – Trunk Road and Bus Operations (TRBO). Based on the review undertaken, we would provide the following comments.

Proposed Development

We understand that the proposed development is for a floating offshore wind demonstrator project comprising the installation of eight 6-8MW wind turbine generator units within a water depth of >60m and providing up to 50MW of power. The site is located approximately 17km south-east of Aberdeen with the nearest trunk road to the site being the A90(T) approximately 19km west of the development site.

Transport Scotland was consulted previously on the application and provided comment in a letter dated 16/05/2016.

ES Addendum

It is noted that the ES Addendum has been prepared to incorporate the responses received from consultees on the original Environmental Statement (ES), including requests for clarification, additions and further information.

The ES Addendum includes information on the following:

- Fish and Shellfish;
- Ornithology;
- Landscape, seascape and Visual Impact Assessment; and
- Socio-Economics

Having reviewed this information, we note that it has no effect on the Trunk Road Network. Consequently, we can again confirm that we have no objection to the development in terms of environmental impacts on the trunk road network.

Assessment of Onshore Impacts

In our previous response, we noted that the onshore area will be subject to a separate planning application to Aberdeen City Council. As such, Transport Scotland will provide comment on the onshore aspects of the proposal separately if consulted.

It was also noted that the Port where the substructure will be assembled has yet to be confirmed. We would advise that if abnormal loads associated with the offshore elements of the project are required to be transported on the Trunk Road network, then a separate report will require to be provided to assess the route to site in terms of its suitability for the transportation of these abnormal loads.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at JMP's Glasgow Office on 0141 226 6923.

Yours faithfully



John McDonald

**Transport Scotland
Trunk Road and Bus Operations**

cc Alan DeVenny - JMP Consultants Ltd

Dinsdale R (Rosanne)

From: Douglas Keith <Douglas.Keith@visitscotland.com>
Sent: 08 November 2016 10:10
To: Bova D (David) (MARLAB)
Subject: Visit Scotland
Attachments: Kincardine Offshore Wind Farm response.pdf

Dear Mr Bova,

Carry forward previously issued consultation recommendations. I have attached our previous correspondence for you records.

Kind regards,
Douglas

Douglas Keith
Business Affairs Executive
VisitScotland
Ocean Point One
94 Ocean Drive
Edinburgh, EH6 6JH

Tel: +44 (0)131 472 2053
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Email: douglas.keith@visitscotland.com

For visitor information – www.visitscotland.com
For information on VisitScotland - www.visitscotland.org
For business tourism information - www.conventionscotland.com
For information on the work of EventScotland, Scotland's national events agency - www.EventScotland.org

From: David.Bova@gov.scot [mailto:David.Bova@gov.scot]
Sent: 04 November 2016 11:45
To: MS.MarineRenewables@gov.scot
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; Rosanne.Dinsdale@gov.scot
Subject: ONE WEEK REMINDER Consultation on further information for Kincardine Offshore Windfarm Application, by 11th November

Dear Sir/Madam,

ONE WEEK PRIOR TO CONSULTATION END REMINDER

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

APPLICATION FOR CONSENT UNDER SECTION 36 AND DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM



29 April 2016

Catrina Aires
Marine Scotland Licensing Operations Team
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Dear Ms Aires,

APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE KINCARDINE OFFSHORE WINDFARM

Thank you for giving VisitScotland the opportunity to comment on the above proposed wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 – which is 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.



The VisitScotland Visitor Experience Survey (2011/12) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here: http://www.visitscotland.org/research_and_statistics/tourism_topics/wind_farms-1.aspx

Taking tourism considerations into account

We would suggest that full consideration is also given to the Scottish Government's 2008 research on the impact of wind farms on tourism. In its report, you can find recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses or VisitScotland

The full study can be found at www.scotland.gov.uk/Publications/2008/03/07113507/1

Conclusion

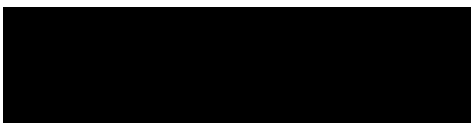
Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Yours sincerely,



Douglas Keith
Business Affairs Executive
VisitScotland

Dinsdale R (Rosanne)

From: Fiona Read <fiona.read@whales.org>
Sent: 04 November 2016 17:12
To: MS Marine Renewables
Cc: Sarah Dolman
Subject: WDC response

Dear Rosanne,

Thank you for the opportunity for WDC to provide comments on the Kincardine Offshore Windfarm Addendum.

Whilst there is no specific information in the Addendum specifically for marine mammals, we understand from the developers that our concerns from the previous consultation in May 2016 have been addressed (see below from ATKINS):

As mentioned in previous correspondence:

1. construction will be halted if marine mammals are seen in the vicinity of the development and activity will not commence until all animals have left the area for a specified amount of time, i.e., monitoring is based on current guidance;
2. a European Protected Species licence has been applied for construction of the development;
3. MMOs and PAM shall be conducted in parallel to visual observations at all times; and
4. The PEMP and we acknowledge your request to be involved in the development of this.
5. In addition no pile driving is being considered for any part of the development.

Therefore, WDC has no comments to submit on the present Addendum.

However, I would like to mention that I have had a few emails from the Developer requesting comments on the consultation before the deadline. We are a small organisation with limited staff time for working on marine renewables. I understand that MS-LOT and the Developers want to 'close' each consultation as soon as possible, but it is not appropriate to be pushed for comments from developers before the end of the consultation period.

Best wishes,

Fiona

Fiona Read
Policy officer
End Bycatch

Telephone: [REDACTED]
whales.org

From: Rosanne.Dinsdale@gov.scot [mailto:Rosanne.Dinsdale@gov.scot]
Sent: 23 September 2016 12:25
Cc: Joao.Queiros@gov.scot; Catarina.Aires@gov.scot; David.Bova@gov.scot
Subject: Consultation on further information for Kincardine Offshore Windfarm Application, by 04th November

Dear Sir / Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended)

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MARINE AND COASTAL ACCESS ACT 2009

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