

Appendix I: Consultation Representations

Date: 19 April 2023
Our ref: 429370
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VIA EMAIL ONLY

Dear Emma

BERWICK BANK OFFSHORE WIND FARM CAMBOIS CABLE CONNECTION, FIRTH OF FORTH HABITATS REGULATIONS APPRAISAL SCREENING REPORT

Thank you for your consultation dated 12 April 2023. The following constitutes Natural England's formal statutory response.

The advice contained within this letter is provided by Natural England, which is the statutory nature conservation body within English territorial waters (0-12 nautical miles). Due to our remit, we restrict our comments to impacts to English inshore Marine Protected Areas.

Furthermore, Marine Scotland has requested we advise on impacts arising from the portion of the Cambois Connection cable which lies in Scottish waters.

Due to the HRA screening report covering the whole cable corridor, it is difficult to extract the particular impacts potentially arising from the Scottish portion of the cable. We provide this advice without prejudice to any future advice we may provide the Marine Management Organisation or the applicant.

The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)

We consider that the correct features from English SACs and SPAs have been screened in and we concur with the conclusions of LSE from impacts arising from the Scottish portion of the cable.

We reserve our judgement on impacts from the English portion of the cable.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

Ruth Cantrell
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05 May 2023

Our ref: CNS REN OSWF Berwick
Bank – Pre-application

Dear Emma,

BERWICK BANK – CAMBOIS CONNECTION – ADDITIONAL EXPORT CABLE

NatureScot ADVICE ON HABITATS REGULATIONS APPRAISAL

Thank you for consulting NatureScot on the Habitats Regulations Appraisal (HRA) Screening Report submitted by Berwick Bank Wind Limited. We provide our advice on the natural heritage interests to be addressed within the Report to Inform Appropriate Assessment (RIAA) below for the proposed Cambois Cable Connection. This additional export cable would be located from within the proposed Berwick Bank offshore wind farm array area, located 39.2km east of the East Lothian coastline, to a proposed landfall location near Blyth, Northumberland in England. Our advice relates only to the Scottish elements of the proposed works, which is entirely within offshore waters.

The proposal, which includes a project design envelope approach, comprises:

- An export cable approximately 180km in length, comprising two monopole systems of up to four cables installed in separate trenches alongside each other.

Background

We have previously issued advice on the Scoping Report for the Cambois Connection (issued 19 December 2022) and advice in relation to the Marine Licence and Section 36 application for the proposed Berwick Bank offshore wind farm (issued 21 February 2023 for advice on all aspects except ornithology and 31 March 2023 for advice on ornithological interests). The array area for the Berwick Bank wind farm and the existing planned connection to Branxton, East Lothian, are wholly within Scottish waters. The boundary for the proposed Cambois Connection overlaps with

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the Berwick Bank wind farm array area, as part of the Cambois Connection will connect into the Offshore Converter Station Platforms (OCSPs) located within the Berwick Bank wind farm array area.

NatureScot advice

We have reviewed the Habitats Regulations Appraisal (HRA) Stage 1 Screening Report (document reference: A100796-S01 – HRA Stage 1 Screening Report Rev A02) for the Cambois Connection and provide advice, as outlined below, on those European sites and their qualifying features for which we consider it reasonable to expect a likely significant effect (LSE) either alone or in-combination with other plans or projects. This includes advice on the approach taken for connectivity and suitability of potential impact pathways.

Annex I habitats

We are content that no sites with Annex I habitat features are screened in within Scottish waters.

Diadromous fish interests

As previously advised in our response to the Marine Licence and Section 36 application for the proposed Berwick Bank offshore wind farm (issued 21 February 2023), we cannot advise on these species under the HRA process. Due to uncertainty on where migratory fish (Atlantic salmon, sea and river lamprey) go within marine waters and any connectivity back to natal rivers, we consider these species should be assessed through EIA only and not through HRA. For other species, like seals, we have a reasonable understanding of connectivity to individual SACs. We also have population estimates for nearly all seal SAC populations in the standard data forms – part of the citation package. For diadromous fish species, we do not have population data for any salmon or lamprey SAC on the data forms. This inability to understand connectivity between individual rivers and the development area currently prohibits an informed assessment of the actual impact on individual site integrity. We are aware of work being led by ScotMER on the Review of Evidence of Diadromous Fish, which is an area of research that may change conclusions on how diadromous fish are treated in both EIA and HRA going forward.

Ornithological interests

Identification of European sites and features

We are broadly content with the European sites identified in Section 5. However, there a few minor discrepancies as detailed below.

Not all ornithology qualifying features were included in Table 5-1, for example, shag, Roseate tern and Sandwich tern are missing. Table 5-1 also incorrectly cites the mean maximum foraging range for Common tern, this should be 18 ± 8.9 km based on values from Woodward et al. (2019) – see also NatureScot Guidance Note 3¹. Additionally, the shag (breeding) qualifying feature is omitted from the Outer Firth of Forth and St Andrews Bay Complex SPA in Table 5-3.

Paragraph 120 states that Manx shearwaters have low foraging density in the North Sea, however large concentrations of Manx shearwaters have been recorded within the Outer Firth of Forth and St Andrews Bay Complex SPA during the breeding season.

¹ NatureScot, 2023. Guidance Note 3: Guidance to support Offshore Wind applications: Marine Birds - Identifying theoretical connectivity with breeding site Special Protection Areas using breeding season foraging ranges.

Impact pathways and determination of Likely Significant Effect

We advise there are elements that require further consideration, concerning both the impacts proposed to be taken forward to the LSE determination stage (summarised in Table 6-5) and the consideration of LSE for project alone (Table 7-3) and in-combination effects (Table 8-2), as outlined below.

Although for seabird species the assessment will use desk-based sources, there will be at least some of the area in Scottish waters that is covered by the aerial survey that has been undertaken to inform for the Berwick Bank project. The Cambois Connection should consider if any of this information is helpful in determining usage of the habitat within the cable corridor.

Disturbance and displacement

We note that disturbance and displacement is screened out during the O&M phase for all species. However, we advise that more detail is required on the likely maintenance and repair activities, including frequency and duration, before this can be screened out.

Further information should be presented, relating to size, number and operating speed of vessels, as well as potential vessel routes and period over which activity will take place within a localised vicinity. A qualitative assessment based on vessel movements and areas occupied by activity should be undertaken, as well as consideration for species sensitive to vessel disturbance.

Changes in prey availability

We welcome the consideration of disturbance from the Cambois Connection on important prey species and habitats of prey species in relation to seabirds. However, we disagree that the impact of temporary habitat loss or indirect effects on prey species is screened out. The changes to prey species availability from pre-construction activities that can emit significant underwater noise should also be considered further.

Project alone effects

The Outer Firth of Forth and St Andrews Bay Complex SPA is the only site in Scottish waters to be screened in to the next stage of the HRA process.

However, there seems to be some inconsistency with how certain SPAs are treated during the screening process. For example, Northumbria Coast SPA in English waters has been screened in for all features under the Scottish scheme, despite this being beyond the recommended foraging ranges for certain seabirds.

In contrast, certain SPAs in Scottish waters with connectivity to the Cambois Connection have been screened out. Thus, we consider the following sites in Scottish waters have been screened out prematurely:

- Forth Islands SPA, and
- St Abb's Head to Fast Castle SPA

The sites listed above should be screened in for vessel disturbance during construction and decommissioning. As indicated above, disturbance and displacement during the O&M phase and changes in prey availability should also be considered, including for the Outer Firth of Forth and St Andrews Bay Complex SPA.

We are content for Fowlsheugh SPA and Buchan Ness to Collieston Coast SPA to be screened out.

In-combination effects

As above, we advise the following sites in Scottish waters are screened in for vessel disturbance and displacement across all phases for in-combination effects also:

- Outer Firth of Forth and St Andrews Bay Complex SPA,
- Forth Islands SPA, and
- St Abb's Head to Fast Castle SPA

We advise that changes in prey species availability for seabirds is also screened in for the sites listed above for in-combination effects. The scale of disturbance arising from the Berwick Bank offshore wind farm and Cambois Connection as a whole will be very large and therefore we cannot conclude no LSE due to in-combination effects.

Marine mammal interests

Identification of European sites and features

Although the Scottish portion of the proposed Cambois Connection is 35km from the Berwickshire and North Northumberland Coast SAC, the distance in English waters is only 18km. Thus, impacts from the proposed Cambois Connection could affect grey seals from the SAC population and we agree this site should be screened in.

We confirm that the River Tay SAC and the River Tweed SAC are screened out when considering the otter qualifying feature.

Advice from Natural England should be sought with respect to the Southern North Sea SAC, but we advise it should not be screened in with respect to activities in Scottish waters.

Impact pathways and determination of Likely Significant Effect

We are content with the assessment of impact pathways in the LSE matrices (Table 7-2).

Further information and advice

NatureScot can provide further advice on natural heritage interests, at appropriate stages, as work is undertaken by the applicant in support of their formal submission. Please contact myself, Caitlin Cunningham or Karen Taylor in the first instance for any further advice.

Yours sincerely,

Caitlin Cunningham

Marine Sustainability Adviser

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