marinescotland

T: +44 (0)1224 295579
E: ms.marinelicensing@gov.scot

The Scottish Government
Riaghaltas na h-Alba

Marine Licence Application for Scientific Instrument Deployments

Version 1.0

Marine (Scotland) Act 2010

Marine and Coastal Access Act 2009

Marine Scotland, 375 Victoria Road, Aberdeen, AB11 9DB
http://www.gov.scot/Topics/marine/Licensing/marine

Acronyms

Please note the following acronyms referred to in this application form:

ADCP	Acoustic Doppler Current Profiler
MHWS	Mean High Water Springs
MPA	Marine Protected Area
MS-LOT	Marine Scotland – Licensing Operations Team
ROV	Remotely Operated Vehicle
SAC	Special Area of Conservation
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WGS84	World Geodetic System 1984

Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

1. Applicant Details

The person making the application who will be named as the licensee.

2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

4. Application Type

Indicate if the application is for a new scientific instrument deployment site or an existing scientific instrument deployment site. Provide the existing or previous consent/licence number or any other reference details and the expiry date if applicable.

5. Project Details

(a) Give a brief description of the project e.g. wave rider buoy deployment.

(b) Provide the proposed start date of the project. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for the duration of the project but not exceeding 6 years. If a project will not be completed before a marine licence lapses, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing work at least 14 weeks prior to the expiry date of the licence. **Target duration for determination of a marine licence application is 14 weeks.**

(c) Provide the proposed completion date of the project.

(d) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.

(e) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) for each instrument location. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84.

Example: For positions read from charts the format should be as in the example: 55°55.555'N 002°22.222'W (WGS84). The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the format should be as in the example: 55°55'44"N 2°22'11"W (WGS84).

It is important that the correct positions, in the correct format, are included with this application, as any errors will result in the application being refused or delayed.

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;
- any adjacent SAC, SPA, SSSI, MPA, Ramsar or similar conservation area boundary.

Drawings and plans will be consulted upon. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

(f) Indicate if the project is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.

(g) Provide a full method statement, including schedule of work, the period of time it will be in place, it's purpose and expected position (e.g. sea bed or water column).

(h) Provide assessment of the potential impacts the works may have, including interference with other uses of the sea. Please include details of areas of concern e.g designated conservation areas, such as a SAC, SPA, SSSI, MPA or Ramsar site and shellfish harvesting areas. Further guidance on designated conservation areas can be obtained from SNH at this website: http://gateway.snh.gov.uk/sitelink/index.jsp and guidance on shellfish harvesting areas can be obtained from http://www.foodstandards.gov.scot/ with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

Applicants should also be aware of the need to pay due regard to coastal and marine archaeological matters and attention is drawn to Historic Scotland's Operational Policy Paper HP6, "Conserving the Underwater Heritage".

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

6. Deposits

(a) Indicate all instruments to be deployed, providing further information about the quantity and further details about the instrument to be deployed. Please include the details below depending on type of instrument:

Deployment of buoys (e.g scientific buoy, marker buoy, associated guard buoy)

- Description
- Type
- Size

Towed equipment (e.g profiling instruments):

- Description including number of cables
- Type
- Size including length, width and depth of towed equipment (metres)

Deposits on the sea bed:

- Description including how long proposed to be deposited
- Type
- Size including full dimensions (metres)

Where the project involves a number of elements, please complete all appropriate sections.

(b) Provide the vessel name, vessel type and name and address of all vessel operators to be used for scientific instrument deployment. If vessel details are not available at the time of application, please indicate this on the form as these details will be required prior to licence issue. Continue on a separate sheet if necessary.

(c) Provide details of the vessel role (e.g guard or fisheries liaison), indicate if the vessel(s) will be stationary during any survey work and provide details of the length of time that the vessel(s) will be stationary.

7. Noise Monitoring

Under the Marine Strategy Regulations (2010), there is now a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. Activities where this type of noise is produced include seismic airguns, other geophysical surveys (<10kHz), pile driving, explosives and certain acoustic deterrent devices. Where noisy activity is being undertaken, you must complete an initial registration form for the noise registry which allows you to provide details on the proposed work. Completion of a 'close-out' form, which allows licensees to provide details of the actual dates and locations where the activities occurred, is also required within 12 weeks of the completion of the 'noisy' activity or, in the case of prolonged activities such as piling for harbour construction or wind farms, at quarterly intervals or after each phase of foundation installation.

These forms can be downloaded from:
http://www.scotland.gov.uk/Topics/marine/science/MSInteractive/Themes/noise-reduction

Marine licence applications will not be accepted until this form has been completed and submitted.

8. Scotland's National Marine Plan

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: http://www.gov.scot/Publications/2015/03/6517/0

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made including reference to the policies that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

9. Consultation

Provide details of all bodies consulted and give details of any consents issued including date of issue.

10. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. land reclamation, marine/harbour construction works, dredging and sea disposal etc). If this is the case, provide reference/licence number for the related marine projects

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It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Section 54 of the Marine (Scotland) Act 2010 and Section 101 of the Marine and Coastal Access Act 2009, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act. Under the 2009 Act, application information goes on the Register unless the Secretary of State determines that its disclosure in the Register would be contrary to the interests of national security.

Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

(a) for reasons of national security; YES ☐ NO ■

(b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES ☐ NO ■

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

Signature [Redacted] Date 08/11/2019

Name in BLOCK LETTERS DIEGO DEL VILLAR

Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form ☑
- Maps/Charts ☑
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☑
- Method Statement ☑
- Additional information e.g. photographs, consultation correspondence (if applicable) ☐
- Noise Registry – Initial Registration Form (if applicable) ☐
- Payment (if paying by cheque) ☐

1. **Applicant Details**

Title: Dr. Initials: DV Surname: del Villar

Trading Title (if appropriate):

Address: 22 Victoria Road, Derry~Londonderry, Northern Ireland BT472AB

Name of contact (if different):

Telephone No. (inc. dialing code): 07747214761 Ext.3173

Email: diego.delvillar@loughs-agency.org

Statutory Harbour Authority? YES ☐ NO ☑

If **YES**, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

2. **Agent Details (if any)**

Title: Initials: Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

3. **Payment**

Enclosed Cheque ☐ Invoice ☒

Contact and address to send invoice to:

Applicant ☒ Agent ☐ Other ☐

If **OTHER**, please provide contact details:

Title: Initials: Doreen Surname: Simpson

Address: 22 Victoria Rd, Londonderry BT47 2AB

Email: Doreen.Simpson@loughs-agency.org

4. Application Type

Is this application for a new scientific instrument deployment site or an existing scientific instrument deployment site:

New Site ☒ Existing Site ☐

If an **EXISTING SITE**, please provide the consent/licence number or any other reference details and the expiry date if applicable and expiry date:

Consent/Licence Number or Other Reference Details	Expiry Date

5. Project Details

(a) Brief description of the project (e.g. wave rider buoy deployment):

The Loughs agency is the leading partner of the EU-INTERREG project, SeaMonitor. The primary aim of the project is developing cross-border capacity for the monitoring and management of marine protected areas and species. It will result in a corresponding increase in cross-border monitoring and management capacity. This will be performed by deploying acoustic listening stations (ALSs) across the north channel from Malin Head, Ireland to Islay, Scotland. These ALSs will record the presence of tagged salmon, seals, cetaceans, basking shark and skate species, and provide evidence for conservation measures for these species.

(b) Proposed start date **(Target duration for determination of a marine licence application is 14 weeks):**

28th March 2020

(c) Proposed completion date:

30th October 2022

(d) Cost of the works seawards of the tidal limit of MHWS:

£ 12,000, 40ALS @£300

(e) Location:

Off the coast of the Isle of Islay. Please see appendix 1 for full list of co-ordinates and maps.

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude										Longitude										
55	°	36	.	302	' N	006	°	51	.	086	' W
55	°	41	.	129	' N	006	°	31	.	077	' W
55	°	39	.	587	' N	006	°	29	.	145	' W
55	°	35	.	363	' N	006	°	50	.	055	' W
	°		.		' N		°		.		' W
	°		.		' N		°		.		' W
	°		.		' N		°		.		' W
	°		.		' N		°		.		' W
	°		.		' N		°		.		' W
	°		.		' N		°		.		' W

(f) Is the project located within the jurisdiction of a statutory harbour authority?

YES ■ NO ☐

If **YES**, please specify statutory harbour authority:

Portnahaven

(g) Method statement including schedule of work (continue on separate sheet if necessary):

SeaMonitor, is a research project leading to protect marine areas for vulnerable marine species i.e. basking shark, seals, cetaceans, salmon and skate. To achieve this the project will use acoustic telemetry technology to detect the presence of acoustically tagged animals in the proximity of a bespoke acoustic listening stations (ALSs). The design of the ALSs and how they will sit on the sea bed can be reviewed in Appendix 2. A total of 40 ALSs are to be deployed in the 12 NM limit of the Scottish coastline (Appendix 1). These ALSs will be deployed 5 times in the space of 3 years. This will allow the retrieval of data and replacement of batteries. The full schedule of work is as follows: 1. March 2020: 1st full deployment of moorings/receivers 2. October 2020: 2nd re-deployment (1st data harvest) 3. March 2021: 3rd re-deployment (2nd data harvest) 4. October 2021: 4th re-deployment (3rd data harvest) 5. March 2022: 5th re-deployment (4th data harvest) 6. October 2022: removal of array (5th data harvest).

(h) Potential impacts the works may have (including details of areas of concern e.g designated conservation and shellfish harvesting areas) and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

It is unlikely that the scheduled works will have any effect on the areas of concern. To mitigate against benthic environment damage from the anchor chain used to weigh down the ALS the lightest possible chain will be used, and it will be made from a high percentage of iron, so that it biodegrades quickly (within 2-3 years). The ALS mooring footprint will measure less that 1m2 and each ALS will be 600m apart to reduce cumulative damage to the benthic environment.

6. Deposits

(a) Please indicate the instruments to be deployed:

Instruments	**Instrument Details** (e.g description, type and size)	**Quantity**
Scientific Buoys (e.g waveriders or wave-powered)		
Marker Buoys		
Associated Guard Buoys		
Profiling Instruments (e.g ADCP)		
ROV		
Other (please specify)	Acoustic listening stations for fish tracking	40

(b) Details of any vessel(s) undertaking deposit or removal activities (please note that a marine licence cannot be issued until the vessel details have been confirmed. Continue on a separate sheet if necessary):

Vessel	Vessel Name	Type of Vessel	Name and Address of Operator
1	Celtic Voyager	Research Vessel	Marine Institute Rinville Co.Galway Ireland
2			
3			
4			
5			

(c) Further details of any vessel(s) undertaking deposit or removal activities (please note that a marine licence cannot be issued until the vessel details have been confirmed. Continue on a separate sheet if necessary):

Vessel	Vessel Role (e.g guard or fisheries liaison)	Vessel to be Stationary (include length of time to be stationary)
1		
2		
3		
4		
5		

7. Noise Monitoring

Will loud, low to mid frequency (10Hz to 10kHz) impulsive noise be produced by the project? YES ☐ NO ■

If **YES**, which please indicate the noise generating activities and sound frequencies:

Noise Generating Activity	Sound Frequency (Hertz)
Use of Explosives	
Use of Acoustic Deterrent Devices	

Other (please describe below):	

If you have ticked **YES**, please complete the Noise Registry – Initial Registration form located at: http://www.scotland.gov.uk/Topics/marine/science/MSInteractive/Themes/noise-reduction

A marine licence application will not be accepted until this form has been completed and submitted.

8. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan? YES ■ NO □

If **YES**, provide details of considerations made including reference to the policies that have been considered:

SeaMonitor is a novel and comprehensive project focussing on a wide range of issues across the Programme Area and the results of this project can directly be implemented to the Scotland's National Marine Plan.

SeaMonitor will address 2 Programme Output Indicators and will deliver directly the INTERREG V objective of developing cross-border capacity for the monitoring and management of marine protected areas and species. It will result in a corresponding increase in cross-border monitoring and management capacity. This will facilitate the development and growth of a regional 'blue economy' based on its maritime resources and the alignment of regional activities with the EU's Atlantic Strategy through the potential of e.g. developing and strengthening the growth of Marine Tourism, providing Management Plans enabling sustainable development to occur in often sensitive environments, etc.

It will deliver 5 models, 3 Management Plans/Groups and extend the COMPASS network of buoys from the east coast of the Island of Ireland to the north establishing a physical connection of acoustic receivers between the Island of Ireland and Scotland thus giving a tangible presence to the INTERREG ethos. SeaMonitor has been jointly developed by all the partners and will be jointly implemented with partners working together across a range of Activities. The Loughs Agency (LA) as Lead will have responsibility for the overall management and delivery of the project. A Project Board will be established with a representative from each organisation and chaired by the CEO of LA. A project team will be appointed by LA, this will be led by a Principal Project Officer (PPO) who will have overall responsibility for the delivery of science and administration.

Models will be developed to support conservation of habitats and species SeaMonitor will deliver five models: 1. Seal spatial usage of the Irish east coast (Carlingford/Dundrum/Dundalk) region; 2. Common skate spatial movement N Antrim coast (including population structuring and Loch Sunart to Jura Marine Prptected Area); 3. Cetacean spatial usage of the area; 4. Salmonid marine migration pathway model for River Foyle, Bush and Clyde.; 5. Basking shark spatial usage of Malin/Islay area (Models 2.Common skate and model 5. Basking shark can be combined into one package, at no change to the budget, if required and have been split out for presentation and ease of assessment).

Marine management plans for designated protected areas complete The information and recommendations for the three Management Plans are: 1. Loch Sunart to Jura MPA for Common skate; 2. Foyle Area Marine Management Plan for Atlantic salmon; 3. Clyde area Marine Management Plan for Atlantic salmon.

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

9. Consultation

List all bodies you have consulted and provide copies of correspondence:

Sea Monitor is an EU-funded project which has identified species and areas which are critically important to state agencies and stakeholders in the INTERREG Area Va. In the main, the data and information being collected are new and resulting from innovative approaches developed and applied by the principal agencies with responsibility and the necessary authority to carry out research underpinning management objectives for national and international legislation reporting and requirements. In this regard, there is little displacement of ongoing activities and a large degree of complementarity with the existing research, monitoring and advisory programmes and roles of partner agencies identified in this project or other agencies with overlapping responsibilities and programmes. The Work Packages, marine management plans and spatially explicit models are not currently available and will be developed such that they provide new information through specific collaborations, transfer of knowledge, development of specific and new management products which would be difficult to achieve without a co-ordinating funding mechanisms and a common agreement on the resources being prioritised. All of the work has been identified as being required (i.e. there is a need and demand which is currently not being met and would not be met without an EU or other regional co-ordinating mechanism) both nationally and under international obligations (OSPAR, Habitats/Birds Directives, NASCO resolutions etc.). Project partners involve the most relevant governmental agencies and universities for the protection of marine areas and its species. These include Loughs Agency, Marine Institute, Queens University Belfast, Agri-Food and Biosciences Institute (AFBI), University of Glasgow, University College Cork, Galway-Mayo Institute of Technology, Ocean Tracking Network – Dalhousie University, University of California Davis.

10. Associated Works

Provide details of other related marine projects, including reference/licence numbers (if applicable):

TRIM link details: AE2-19-2164 & AE1/19/932771