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Ms Anja Schoene
Consents Manager
Berwick Bank Wind Limited
SSE Renewables
2 Waterloo Street
Glasgow
G2 6AY

Date: 7 June 2023

Dear Ms Schoene,

Habitat Regulations Appraisal Screening under The Conservation of Offshore Marine Habitats and Species Regulations 2017

Thank you for the Habitat Regulations Appraisal (“HRA”) Screening Report received on 30 March 2023, in relation to the construction and operation of the proposed Berwick Bank Offshore Wind Farm Cambois Cable Connection (“the Proposed Works”). The Proposed Works will be located within the proposed Berwick Bank Offshore Wind Farm array area located approximately 39.2km east of the East Lothian Coastline in the outer Firth of Forth to a proposed landfall location located near Cambois, Northumberland, England. The Proposed Works will occur in both Scottish and English waters, however, for the purposes of this response Marine Directorate – Licensing Operations Team (“MD-LOT”) will only be considering the extent of the Proposed Works occurring in Scottish waters which will be entirely within the Scottish offshore region (beyond 12 Nautical Miles of the coast).

MD-LOT has consulted on the HRA Screening Report with the Dee District Salmon Fishery Board (“DSFB”), Esk DSFB, Forth DSFB, Tay DSFB, Fisheries Management Scotland, Natural England, NatureScot (“NS”), the River Tweed Commission and the Royal Society for the Protection of Birds Scotland. Copies of the representations received are attached (see Appendix 1). MD-LOT advises you to fully review and address these, however highlight some key points below. MD-LOT further advises that the HRA must fully align with the impact pathways identified for assessment in the scoping opinion adopted by the Scottish Ministers in relation to the Proposed Works dated 23 February 2023.

Diadromous fish

With regards to the qualifying features to be considered, MD-LOT advises that due to the current uncertainty on where the species of Atlantic salmon, sea and river lamprey go within marine waters, these should be screened out from the HRA and instead must be

considered through the Environmental Impact Assessment Report for the Proposed Works in line with the NatureScot representation.

Ornithological features

With regard to the identification of European sites and features, MD-LOT is broadly content with the European sites identified within Section 5 of the HRA Screening Report however, advise that the discrepancies highlighted in the NS representation with regard to qualifying features and foraging ranges and densities must be fully addressed and taken forward in the HRA.

In relation to impact pathways and determination of likely significant effect, MD-LOT advises that the representation by NS must be fully considered and implemented within the HRA with regard to the proposed impacts identified within Table 6-5, the assessment of LSE within Table 7-3 and the assessment of potential in-combination LSE within Table 8-2 of the HRA Screening Report. In addition to the sites, species and impact pathways identified in the HRA Screening Report, MD-LOT advises that those identified by NS must also be considered in the HRA.

In addition to the use of desk-based sources for assessment, MD-LOT highlights the recommendation of NS with regard to the aerial survey that has been undertaken to inform the assessments relative to the Berwick Bank Offshore Wind Farm project. MD-LOT advises that the aerial survey should be considered with regard to any information that could be used to inform the assessments within the HRA relative to the Proposed Works.

Marine Mammals

With regards to the identification of European sites and features, MD-LOT advises that the Proposed Works may affect the grey seal qualifying interest of the Northumberland Coast Special Area of Conservation ("SAC") and agree that this should be screened in to the HRA. MD-LOT confirm that the Southern North SAC should not be screened out for further assessment within the HRA at this stage, on the basis of the Natural England representation. The River Tay SAC and River Tweed SAC can be screened out of the HRA with regard to the otter qualifying interest.

In relation to the impact pathways and determination of likely significant effect, MD-LOT is content with the assessment of impact pathways presented in Table 7-2 of the HRA Screening Report.

If you require any further assistance or advice on the above, please do not hesitate to contact MD-LOT.

Yours sincerely,

Emma Lees
Marine Directorate - Licensing Operations Team