

Agnisola G (Giulia)

From: Millar H (Hannah)
Sent: 02 August 2018 08:22
To: Drew J (Jessica)
Cc: Culloch R (Ross); Stainer P (Paul) (MARLAB); Leiper R (Rowan); Agnisola G (Giulia); Roberts R (Rhianna)
Subject: RE: MSLOT - MSS Advice Proforma - Moray Offshore Windfarm (East) Limited ("Moray East"), Piling strategy - comments requested

Follow Up Flag: Follow up
Flag Status: Completed

Hi Jessica,

We have reviewed the Moray East OfTI Piling Strategy document and have no comments.

Rowan/Paul – if you could please make record of this as appropriate on Objective.

Many thanks,

Hannah

From: Drew J (Jessica)
Sent: 13 July 2018 09:39
To: MS Renewables
Cc:
Subject: MSLOT - MSS Advice Proforma - Moray Offshore Windfarm (East) Limited ("Moray East"), Piling strategy - comments requested

Hi all,

Please find attached the MSS proforma requesting comments on the Moray East piling strategy attached. Comments are required by 3rd August 2018.

Also attached are the PS documents.

Jessica

Jessica Drew
Casework Manager – Compliance Monitoring
Marine Scotland Licensing Operations Team

Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB
Direct Line: +44 (0)131 244 4023

e. jessica.drew@gov.scot / MS.MarineRenewables@gov.scot

w: <http://www.gov.scot/marinescotland>

CATARINA REI

From: Giulia.Agnisola@gov.scot
Sent: 06 September 2018 10:17
To: CATARINA REI
Cc: Jessica.Drew@gov.scot; Sarah Pirie
Subject: RE: Moray East plans consultation

Dear Cat,

I trust you are well.

Please find below MSS response on the ADD issue.

“MSS agree with reducing ADD use to 5 – 10 minutes (allowing for slightly different deployment times) and agree that this recommendation is based on the best scientific knowledge, at present.

With respect to the subsequent two piles in the set of three, MSS agree that these may be installed with only the soft start, and ramp up, if installed directly after the preceding pile. As such, MSS also welcome discussion on the acceptable duration for a break in piling, prior to using the ADD again.

MSS agree with SNH’s overarching comment that the aim of mitigation is to protect animals from direct injury, and by reducing the duration of ADD use, this should help to reduce the overall disturbance from piling activities at offshore windfarms.”

Best regards,

Giulia

From: CATARINA REI <Catarina.Rei@edpr.com>
Sent: 24 August 2018 11:18
To: Agnisola G (Giulia) <Giulia.Agnisola@gov.scot>
Cc: Drew J (Jessica) <Jessica.Drew@gov.scot>; Sarah Pirie <Sarah.Pirie@edpr.com>
Subject: RE: Moray East plans consultation

Hi Giulia,

Many thanks for the consultation responses.

Whilst reviewing SNH’s response on the OfTI PS I have noticed that they are recommending a slightly modified protocol for ADD deployment (reduced ADD use) from that agreed initially within MFRAG. SNH are also recommending that MSS are consulted on this reduced ADD deployment.

Can you please advise if MSS have been consulted on this proposed approach and when we are likely to receive feedback? Of course this will affect the finalisation of the OfTI PS but also how we revise the Wind Farm PS.

Many thanks

Cat

CATARINA REI

OFFSHORE CONSENTS MANAGER

5th floor, Atria One, 144 Morrison Street,
Edinburgh EH3 8EX

Email: catarina.rei@edpr.com

Tel: +44 131 556 7602 Ext: 40407

Mob: +44 7557 018 985

From: Giulia.Agnisola@gov.scot <Giulia.Agnisola@gov.scot>

Sent: 23 August 2018 14:14

To: CATARINA REI <Catarina.Rei@edpr.com>

Cc: Jessica.Drew@gov.scot

Subject: RE: Moray East plans consultation

Hi Cat,

Many thanks for the phone call earlier. Please find attached the responses to the consultation on the following plans:

- Marine Pollution Contingency Plan ("MPCP")
- Construction Programme and Construction Method Statement ("CoP" and "CMS")
- Offshore Transmission Infrastructure Piling Strategy ("OfTi PS").

Best regards,

Giulia

From: CATARINA REI <Catarina.Rei@edpr.com>

Sent: 20 August 2018 10:55

To: Agnisola G (Giulia) <Giulia.Agnisola@gov.scot>

Subject: RE: Moray East plans consultation

Hi Giulia,

Would you be able to provide an update on when we will be receiving the consultation responses on the MPCP, CoP & CMS document and OfTi PS?

Many thanks

Cat

CATARINA REI

OFFSHORE CONSENTS MANAGER

5th floor, Atria One, 144 Morrison Street,
Edinburgh EH3 8EX

Email: catarina.rei@edpr.com
Tel: +44 131 556 7602 Ext: 40407
Mob: +44 7557 018 985

From: CATARINA REI
Sent: 13 August 2018 09:21
To: Giulia.Agnisola@gov.scot
Cc: Jessica Drew (jessica.drew@gov.scot) <jessica.drew@gov.scot>; Sarah Pirie <Sarah.Pirie@edpr.com>
Subject: Moray East plans consultation

Hi Giulia,

Would you be able to provide an update on the consultation of the following plans please?

- **MPCP** – consultation due to close on the 8 August
- **CoP & CMS** – consultation due to close on the 9 August
- **OfTI PS** – consultation due to close on the 10 August

Many thanks

Cat



CATARINA REI

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

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Agnisola G (Giulia)

From: Chris Eastham <Chris.Eastham@nature.scot>
Sent: 08 August 2018 13:15
To: MS Marine Renewables
Cc: Drew J (Jessica)
Subject: RE: Moray East - Consultation - Piling Strategy (PS) - comments requested by 10/08/2018

Dear Jessica,

Thank you for consulting SNH on the Offshore Transmission Infrastructure (OfTI) Piling Strategy (PS) for the Moray East Offshore Wind Farm. Please see our comments below:

1. In Section 1.7 – Additional Consents and Licences – it is mentioned that an EPS licence to disturb cetaceans will be required for pile driving. We advise that rather than having multiple EPS licences covering different activities, it is preferable to have one licence covering all aspects of the construction phase.
2. In Section 3.3.5 - Potential Simultaneous Piling – it states that Moray East are “ now committing to limiting the number of concurrent piling activities to two in the Moray East site” a reduction on the agreed number in the PS. However, this is slightly at odds with the comment later in table 4-1 where it states 2 per wind farm site (Telford, Stevenson and MacColl Offshore Wind Farms) and overall 3 for the entire Moray East site. We advise the number of potential simultaneous piling activities is clarified.
3. Preliminary results from the BOWL OWF suggests that ADDs are working as pre pile mitigation, but are potentially working more effectively than is needed and are resulting in further disturbance than may be necessary. Although further analyses are still to be conducted, it may be possible to reduce the duration of ADD use for Moray East.
4. The instantaneous injury distance predicted from the initial soft start hammer energy was less than 100m from the source. If an ADD was deployed for 5 minutes and assuming a flee speed of 1.5m/s, this will result in an avoidance response of about 450m. This is greater than the predicted injury zone and close to the normally accepted 500m mitigation zone. Previously, 15 minutes was selected to give a fleeing distance of 1350m as a precautionary measure as it was unclear how well this would work.
5. We advise that ADDs are deployed for 5-10 minutes (allowing room for slightly different deployment times) before the first pile of each set of three, followed by soft start and ramp up. The other two piles may be installed with only the soft start and ramp up, if installed directly after the preceding pile. If there is a 24hr break in piling then the ADD should be used before the next pile regardless if it is the first one or not. The aim of this mitigation is to protect animals from direct injury, and by reducing the duration of ADD use should help reduce the overall disturbance resulting from piling.
6. We advise that MS Science is consulted on this proposed reduction in ADD use and, if in agreement, a similar approach may be taken forward for the PS for the wind farm.

We hope these comments are useful.

Kind regards

Chris

Please note my email has now changed to chris.eastham@nature.scot

Dr Chris Eastham | Policy & Advice Officer – Marine Renewables

Scottish Natural Heritage | Battleby | Redgorton | Perth | PH1 3EW | m: 07770 225154 | marineenergy@snh.gov.uk

Dualchas Nàdair na h-Alba | Battleby | Ràth a Ghoirtein | Peairt | PH1 3EW

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

Sent: 13 July 2018 08:31

To: MARINEENERGY; sarah.dolman@whales.org; fiona.read@whales.org

Cc: Giulia.Agnisola@gov.scot; Rhianna.Roberts@gov.scot; Erica Knott

Subject: Moray East - Consultation - Piling Strategy (PS) - comments requested by 10/08/2018

MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING

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

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

Dear Sir/Madam,

Moray Offshore Windfarm (East) Limited (“Moray East”), having received consent under the above legislation and in order to discharge conditions of the Offshore Transmission Infrastructure (“OfTI”) Marine Licence (Licence number 05340/14/0) and the Offshore Substation Platform (“OSP”) Marine Licence (Licence Number 06347/17/1), has submitted to the Licensing Authority the documents attached.

Please find attached a proposed ‘Piling Strategy’ (“PS”) post-consent plan and covering letter addressed to Marine Scotland Licensing Operations Team (“MS-LOT”) from Moray East. The purpose of the PS document is to satisfy the requirements of condition 3.2.2.5 of the OfTI Marine Licence (licence number: 05340/14/0) and condition 3.2.2.6 of the OSP Marine Licence (licence number: 06347/17/1).

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

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

The conditions state that the plan is to be submitted to the Scottish Ministers for their written approval, following consultation with Scottish Natural Heritage (“SNH”) and any such other advisors as may be required at the discretion of the Scottish Ministers. MS-LOT would like to invite Whale and Dolphin Conservation (“WDC”) to comment on the PS.

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

If you wish to submit any comments, please send to MS.MarineRenewables@gov.scot before the **10th August 2018**.

Yours faithfully,

Jessica

Jessica Drew

Casework Manager – Compliance Monitoring

Marine Scotland Licensing Operations Team

Scottish Government

Marine Laboratory

375 Victoria Road

Aberdeen

AB11 9DB

Direct Line: +44 (0)131 244 4023

e. jessica.drew@gov.scot / MS.MarineRenewables@gov.scot

w: <http://www.gov.scot/marinescotland>

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

CATARINA REI

From: Chris Eastham <Chris.Eastham@nature.scot>
Sent: 10 December 2018 18:06
To: CATARINA REI
Cc: Giulia.Agnisola@gov.scot
Subject: RE: Piling Strategy and EPS licence ADD deployment

Dear Cat,

Many thanks for your email regarding ADD deployment prior to piling as part of Moray East's marine mammal mitigation.

In our response to the EPS licence application we advised:

"It was noted that harbour porpoise started to return to the area after 6 hours, so we should discuss and agree the duration of a break in piling after which the ADD mitigation is required again (in our response to the Moray East OfTI Piling Strategy we recommended 24 hours, however is might be too long a gap). We advise that MS Science is consulted on this proposed reduction in ADD use and, if in agreement, a similar approach may be taken forward for the PS for the wind farm."

As we have not yet received the final BOWL monitoring report, and no discussions / agreements have taken place, we advise that if there is a 6 hour break in piling then ADD should be used before the next pile regardless if it is the first one or not.

Hope this is useful.

Please contact me if you have any further queries.

Kind regards

Chris

Please note my email has now changed to chris.eastham@nature.scot

Dr Chris Eastham | Policy & Advice Officer – Marine Renewables

Scottish Natural Heritage | Battleby | Redgorton | Perth | PH1 3EW | m: 07770 225154 | marineenergy@nature.scot
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From: CATARINA REI [mailto:Catarina.Rei@edpr.com]
Sent: 27 November 2018 10:05
To: Chris Eastham
Cc: Giulia.Agnisola@gov.scot
Subject: Piling Strategy and EPS licence ADD deployment

Dear Chris,

The reason for this email is to follow up on SNH's advice on the ADD deployment prior to piling as part of Moray East's marine mammal mitigation.

Many thanks for the advice provided in response to Moray East's Offshore Transmission Infrastructure Piling Strategy (OfTI PS) and the EPS Licence Application during construction (as attached). In order to close out the comments provided by stakeholders in both documents – MS-LOT have advised that we should get in touch with SNH to request clarification on the advice provided on the ADD deployment.

Within the response provided to the OfTI PS SNH recommended the following:

“We advise that ADDs are deployed for 5-10 minutes (allowing room for slightly different deployment times) before the first pile of each set of three, followed by soft start and ramp up. The other two piles may be installed with only the soft start and ramp up, if installed directly after the preceding pile. If there is a 24hr break in piling then the ADD should be used before the next pile regardless if it is the first one or not. The aim of this mitigation is to protect animals from direct injury, and by reducing the duration of ADD use should help reduce the overall disturbance resulting from piling.”

And within the EPS licence application the following advice was provided:

“We advise that ADDs are deployed for 5-10minutes (allowing room for slightly different deployment times) before the first pile of each set of three, followed by soft start and ramp up. The other two piles may be installed with only the soft start and ramp up, if installed directly after the preceding pile. It was noted that harbour porpoise started to return to the area after 6 hours, so we should discuss and agree the duration of a break in piling after which the ADD mitigation is required again (in our response to the Moray East OfTI Piling Strategy we recommended 24 hours, however is might be too long a gap). We advise that MS Science is consulted on this proposed reduction in ADD use and, if in agreement, a similar approach may be taken forward for the PS for the wind farm.”

Within the advice provided on the EPS licence application there is an indication that SNH would suggest a shorter break between ADD deployment (less than 24hrs) than initially advised for the OfTI PS. I was wondering therefore if you could confirm the final advice from SNH on the ADD deployment so that the OfTI PS and the EPS risk assessment can be updated accordingly. Moray East would also take on board this advice in the update of the Wind Farm PS.

I will look forward hearing from you on the above.

Kind regards

Cat



CATARINA REI

OFFSHORE CONSENTS MANAGER

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

Agnisola G (Giulia)

From: Fiona Read <fiona.read@whales.org>
Sent: 06 August 2018 13:15
To: MS Marine Renewables
Cc: Sarah Dolman
Subject: RE: Moray East - Consultation - Piling Strategy (PS) - comments requested by 10/08/2018

Dear Jessica,

Thank you for including WDC in the present consultation. Overall we are content with the Moray East piling strategy and have no comments to make presently.

Best wishes,

Fiona

Fiona Read
Policy officer
End Bycatch

Telephone: +44 (0)791 869 3023
whales.org

**30 YEARS OF PROTECTING
WHALES AND DOLPHINS**

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 13 July 2018 08:31
To: MARINEENERGY@snh.gov.uk; Sarah Dolman; Fiona Read
Cc: Giulia.Agnisola@gov.scot; Rhianna.Roberts@gov.scot; Erica.Knott@nature.scot
Subject: Moray East - Consultation - Piling Strategy (PS) - comments requested by 10/08/2018

MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)

Dear Sir/Madam,

Moray Offshore Windfarm (East) Limited ("Moray East"), having received consent under the above legislation and in order to discharge conditions of the Offshore Transmission Infrastructure ("OfTI") Marine Licence (Licence number 05340/14/0) and the Offshore Substation Platform ("OSP") Marine Licence (Licence Number 06347/17/1), has submitted to the Licensing Authority the documents attached.

Please find attached a proposed '*Piling Strategy*' ("PS") post-consent plan and covering letter addressed to Marine Scotland Licensing Operations Team ("MS-LOT") from Moray East. The purpose of the PS document is to satisfy the requirements of condition 3.2.2.5 of the OfTI Marine Licence (licence number: 05340/14/0) and condition 3.2.2.6 of the OSP Marine Licence (licence number: 06347/17/1).

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

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

The conditions state that the plan is to be submitted to the Scottish Ministers for their written approval, following consultation with Scottish Natural Heritage ("SNH") and any such other advisors as may be required at the discretion

of the Scottish Ministers. MS-LOT would like to invite Whale and Dolphin Conservation (“WDC”) to comment on the PS.

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

If you wish to submit any comments, please send to MS.MarineRenewables@gov.scot before the **10th August 2018**.

Yours faithfully,

Jessica

Jessica Drew
Casework Manager – Compliance Monitoring
Marine Scotland Licensing Operations Team

Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB
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e. jessica.drew@gov.scot / MS.MarineRenewables@gov.scot

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