



## Association of Salmon Fishery Boards

Capital Business Centre, 24 Canning Street, Edinburgh, EH3 8EG

Tel: 0131 272 2797 | [www.asfb.org.uk](http://www.asfb.org.uk)

26 July 2013

Mr Colin Palmer  
Marine Scotland Licensing Operations Team  
Marine Laboratory  
PO Box 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

Dear Mr Palmer,

### **ASFB response to BOWL Addendum to Environmental Statement**

In addition to receiving the ES Addendum, ASFB have had the opportunity to meet with SSE and discuss the project in more detail. We welcome the further detail provided, and recognise the willingness of the developers to consider contributing to strategic monitoring and potentially building mitigation into the construction schedule. However, we maintain our belief that there remains insufficient information to make an adequate assessment of the potential effect on salmonid populations. We recognise that these information gaps can only reasonably be filled by large-scale, strategic research, but until such time as we are able to assess risk in the light of such information we maintain our objection to this development.

### **Specific Comments**

- We welcome the further work on suspended sediment set out in the ES addendum.
- We welcome the additional information provided on likely construction operations. We are encouraged to learn that the developers have raised the potential for a degree of mitigation to potentially be built into the construction schedule. We would like the opportunity for wild fisheries interests to be involved in discussions relating to the overarching strategy for piling operations. Fundamental to the success or otherwise of such mitigation is further information relating to the use of the site by migratory salmonid fish. However, we also recognise that the potential for such mitigation, could only happen if the timing of operations is consistent with the needs of other species of conservation importance in the area, such as cetaceans and seabirds. Clearly, this aspect requires considerable further discussion and coordination. With regard to soft start piling, we seek reassurance that the duration of such piling will be of sufficient duration to allow salmon and sea trout smolts to swim out of the area prior to potentially damaging noise levels being reached.
- We welcome the commitment to bury the transmission cables to 1m depth where possible and we believe that such burial, or appropriate shielding where this is not possible, should be a condition of consent. We maintain concerns about the construction of the transmission cable to land, due to its proximity to the mouth of the River Spey SAC. Depending on the timing of strategic research on migratory fish migration routes, and the timing of consent being granted, it is likely that we will not fully understand the marine migratory behaviour of smolts emanating from the Spey, or other rivers in the

Moray Firth, prior to construction. On that basis, we do not believe that work on the near shore section of the cable route should be permitted to take place during the spring period, when smolts are leaving the river and the spring stock of returning adults is entering the river. Further information as to the specific dates of the smolt run and spring returns can be determined in discussion with the relevant DSFBs, and via the MSS research strategy.

- We support the approach adopted for the European Offshore Wind Deployment Centre off Aberdeen, where we understand that the development of a Project Environmental Monitoring Programme, will be a condition of consent. We would urge MS LOT to take a similar approach to the developments in the Moray Firth in order to ensure that the expertise of District Salmon Fishery Boards and Fishery Trusts are utilised in the development of such programmes for the Moray Firth Developments.

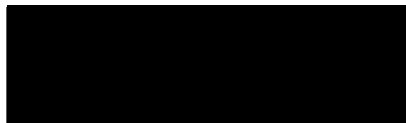
As stated above, the information required to allow wild fisheries interests to make an adequate assessment of the potential effect of such developments on migratory salmonid populations is lacking and can only reasonably be delivered at a strategic scale. We recognise that it would not be reasonable for developers to deliver such strategic research in isolation, but we also believe that it is reasonable to expect developers to contribute to the funding of such research.

ASFB are members of the steering group overseeing the national strategy into strategic research for offshore marine renewables and anadromous fish. We will continue to engage positively with this process, in order to develop and help deliver a credible and effective research strategy. We would note that the steering group only met for the first time on Tuesday 16<sup>th</sup> July and further stakeholder meetings are scheduled for late July and early August. It is therefore clear that the strategy, which is currently only at the early stages of scoping, will not be developed in time to inform several of the developments currently in the consenting process. We would emphasise the importance of developing a finalised, agreed research plan, with a clear time schedule for delivery, at the earliest possible date. It is vital that adequate resources are made available to this work, in order that these key questions can be answered, in a robust and timeous manner. This would allow migratory fish interests to approach the consenting process in the knowledge that a strategy is in place to address the legitimate concerns relating to possible negative interactions resulting from the construction and on-going operation of these developments. In the absence of such a strategy, it is not possible for ASFB to withdraw our outstanding objection to the BOWL development.

Finally, we would emphasise the importance of the process adopted towards consent being flexible enough to take into account relevant information relating to migratory fish, as and when such information becomes available. It is therefore important that conditions are included which allow appropriate additional mitigation to be put in place, should negative interactions prove to be more likely than set out in the ES.

Please do not hesitate to contact me if you require any further information.

Yours sincerely,



Dr Alan Wells  
ASFB Policy and Planning Director

**Innes G (Graeme)**

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**From:** Alan Wells <alan@asfb.org.uk>  
**Sent:** 26 July 2013 18:34  
**To:** MS Marine Licensing  
**Subject:** RE: Beatrice  
**Attachments:** BOWL Addendum to ES - ASFB response.pdf

Please find attached a response to the BOWL addendum to the Environmental Statement on behalf of the Association of Salmon Fishery Boards. Please don't hesitate to contact me if you require any further information.

Best regards,

Alan Wells

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Dr Alan Wells | Policy & Planning Director | Association of Salmon Fishery Boards  
Capital Business Centre, 24 Canning Street, Edinburgh, EH3 8EG  
Tel: 0131 272 2797 | Mob: [REDACTED]  
[www.asfb.org.uk](http://www.asfb.org.uk) | Twitter: @asfb\_scotland

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**From:** [Robert.Main@scotland.gsi.gov.uk](mailto:Robert.Main@scotland.gsi.gov.uk) [<mailto:Robert.Main@scotland.gsi.gov.uk>] **On Behalf Of**  
[MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)  
**Sent:** 11 July 2013 16:23  
**To:** [alan@asfb.org.uk](mailto:alan@asfb.org.uk)  
**Subject:** RE: Beatrice

Hi Alan,

This extension is fine. Many thanks for the request.

Many thanks

Rob

---

**From:** Alan Wells [<mailto:alan@asfb.org.uk>]  
**Sent:** 11 July 2013 15:50  
**To:** MS Marine Licensing  
**Subject:** Beatrice

I understand that the deadline for responses to the ES Addendum for the BOWL development is 15<sup>th</sup> July. I am due to meet with SSE on 18<sup>th</sup> July, and on that basis I would like to request a short extension on behalf of ASFB until 26<sup>th</sup> July.

Best regards,

Alan

---

Dr Alan Wells | Policy & Planning Director | Association of Salmon Fishery Boards  
Capital Business Centre, 24 Canning Street, Edinburgh, EH3 8EG  
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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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**Innes G (Graeme)**

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**From:** Neal MacPherson <Neal.MacPherson@moray.gsx.gov.uk>  
**Sent:** 25 July 2013 17:46  
**To:** Holland G (Gayle)  
**Subject:** RE: 003/OW/BOWL-8: Addendum Consultation Ornithology Chapter Erratum 26 June 2013

Hello,

**Addendum to the proposed Beatrice Offshore Wind Farm by Beatrice Offshore Windfarm Limited**

We refer to the addendum and additional ornithological information submitted in relation to the Electricity Act 1989 Section 36 and 36A application submitted for Beatrice Offshore Windfarm Ltd.

In line with the previous response from Moray Council issued on 16<sup>th</sup> August 2012, the Council again raises no objection to the application. The further information does not therefore alter the Councils previous position.

I trust this email is sufficient, but should you require further confirmation, please do not hesitate to contact us.

Regards,

Neal MacPherson  
Principal Planning Officer  
Development Management Section  
The Moray Council  
High Street  
Elgin  
IV30 1BX  
Tel. 01343 563266  
Fax. 01343 563263  
neal.macpherson@moray.gov.uk

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**From:** Gayle.Holland@scotland.gsi.gov.uk [mailto:Gayle.Holland@scotland.gsi.gov.uk]  
**Sent:** 26 June 2013 10:06  
**To:** Neal MacPherson  
**Subject:** 003/OW/BOWL-8: Addendum Consultation Ornithology Chapter Erratum 26 June 2013

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

*The Electricity (Applications for Consent) Regulations 1990*

**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 36A OF THE ELECTRICITY ACT 1989  
AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010  
AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT  
2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

Dear Neal,

On the 4<sup>th</sup> June Beatrice Offshore Wind Farm submitted an addendum to their application which was sent to you as part of the consultation process. Beatrice have just submitted an erratum to the

Ornithology chapter of the addendum relating to great black-backed gull, which I have attached to this message. The end date for the consultation is still the **15<sup>th</sup> July 2013**. Please note that extensions to this deadline are unlikely to be agreed.

Kind Regards  
Gayle

-----  
**Gayle Holland**

EIA/HRA Compliance Manager

Marine Scotland – Marine Planning & Policy Division

Scottish Government | Marine Laboratory, PO Box 101 | 375 Victoria Road | Aberdeen AB11 9DB

Tel: + 44 (0) 1224 295600

S/B + 44 (0) 1224 876544

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Email: [gayle.holland@scotland.gsi.gov.uk](mailto:gayle.holland@scotland.gsi.gov.uk)

[ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk)

Web: <http://www.scotland.gov.uk/marinescotland>

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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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Ms Janet Thomson  
Ithaca Energy  
8 Rubislaw Terrace  
Aberdeen  
AB21 0LQ

Our ref: 003/OW/BOWL - 8  
4<sup>th</sup> June 2013

Dear Ms Thomson

**ELECTRICITY ACT 1989**

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On 30th May 2013 Beatrice Offshore Windfarm Limited (the applicant) submitted an addendum in support of the application previously submitted to the Scottish Ministers on 23<sup>rd</sup> April 2012 for consent under Section 36 and 36A of the Electricity Act 1989 and a Marine Licence under Part 4 Section 20 of the Marine (Scotland) Act 2010 and under Part 4 Sections 65 and 66 of the Marine and Coastal Access Act 2009 to construct and operate the Beatrice Offshore Windfarm in the Moray Firth.

Details of the further information are to be published for two consecutive weeks in the The Edinburgh Gazette, The Scotsman, John O Groats Journal (including Caithness Courier), Northern Times, Inverness Courier, Northern Scot & Banffshire Journal and Press & Journal.

The above regulations allow for representations to be made to Scottish Ministers. The closing date for representations is **15<sup>th</sup> July 2013**.

I would be grateful for your consultation response on the submitted addendum which you should, by now, have received directly from the applicant. I 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 new addendum; and**

**Present all recommendations/conditions in a separate Annex to your response.**



I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments by this date we will assume you have no comments to make.

Yours faithfully,

Gayle Holland

## Innes G (Graeme)

---

**From:** Janet Thomson <jthomson@ithacaenergy.com>  
**Sent:** 23 July 2013 13:42  
**To:** Holland G (Gayle)  
**Cc:** John Woods  
**Subject:** FW: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week after reminder 23 July 2013  
**Attachments:** Ithaca Energy.doc

Dear Gayle,

Thank you for your email. We have no further comments to make on the Beatrice Offshore Windfarm addendum, other than those previously submitted by Ithaca Energy.

Please do not hesitate to contact me should you require any further information.

Kind Regards,

Janet

Janet Thomson  
HSEQ Manager  
Ithaca Energy (UK) Ltd

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Direct dial: +44 (0) 1224 652152  
Mob: [REDACTED]  
Fax: +44 (0) 1224 635795

[www.ithacaenergy.com](http://www.ithacaenergy.com)

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**From:** [Gayle.Holland@scotland.gsi.gov.uk](mailto:Gayle.Holland@scotland.gsi.gov.uk) [mailto:[Gayle.Holland@scotland.gsi.gov.uk](mailto:Gayle.Holland@scotland.gsi.gov.uk)]  
**Sent:** 23 July 2013 08:57  
**To:** John Woods  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week after reminder 23 July 2013

Dear Mr Woods

### BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK AFTER REMINDER

#### ELECTRICITY ACT 1989

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

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AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT  
2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

Please see below the consultation email on the Addendum for the above application. The consultation ended on **15<sup>th</sup> July 2013**, therefore as you have not responded, I assume that you have no comments to make. Please contact me immediately if you do intend to respond.

Yours sincerely

Gayle Holland

---

**From:** Holland G (Gayle) **On Behalf Of** MS Marine Licensing

**Sent:** 08 July 2013 08:41

**To:** 'jwoods@ithacaenergy.com'

**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Mr Woods

**BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK BEFORE REMINDER**

**ELECTRICITY ACT 1989**

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

*The Electricity (Applications for Consent) Regulations 1990*

**MARINE (SCOTLAND) ACT 2010**

**MARINE AND COASTAL ACCESS ACT 2009**

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Please see below the consultation email on the Addendum for the above application. I would be grateful for any comments you have by **15<sup>th</sup> July 2013**. Please note that extensions to this deadline are unlikely to be agreed. If you have no comments to make please submit a "nil return" response

Yours sincerely

Gayle Holland

---

**From:** Wilson R (Rachael) (Marine) **On Behalf Of** MS Marine Licensing

**Sent:** 04 June 2013 14:00

**To:** 'nmaclean@ithacaenergy.com'

**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Ms Thomson

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

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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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Gayle Holland  
Marine Scotland  
Licensing Operations Team  
375 Victoria Road  
Aberdeen  
AB11 9DB

16 July 2013

Dear Gayle

**BEATRICE ADDENDUM – MSS COMMENTS**

Thank-you for your e-mail dated 04 June 2013 requesting comments from Marine Scotland Science on the above proposal.

**Marine Scotland Science Advice**

Marine Scotland Science (MSS) have provided comments on Marine Fish Ecology and Diadromous Fish. Our comments are as follows.

**Marine Fish Ecology**

**Herring**

With the new evidence from the recent ICES working group on Herring held earlier this year it is believed that the potential risk posed to Herring from these developments (at the individual level) has reduced slightly due to the population increasing. However there is still a potential for impact, the increasing population will be looking for additional grounds to spawn on and therefore may utilise the suitable sediments in the area. Due to the relatively small area that these suitable sediments cover near the developments compared to the wider Orkney/Shetland area the potential risk at the population level could be reduced. In terms of cumulative impact this would still be of medium significance.

There are also new spawning area maps currently being modelled. These should be available in the next month (by August). We would like to use these to confirm the advice from ICES before any final decisions/discussions take place.

As a result we would not be recommending a complete ban on piling activities during the spawning period however we would recommend that the developers reduce the level of noise impact they are having on the marine environment during the spawning period.

This could be done using various methods and some potential options are offered below but this is by no means an exhaustive list.

Complete reduction of blow force energy used during spawning season where physically possible thought the whole site. This would need to be considered with additional contextual information to determine the benefits of reduction in noise compared to increase in duration.

Marine Laboratory, PO Box 101, 375 Victoria Road,  
Aberdeen AB11 9DB

[www.scotland.gov.uk/marinescotland](http://www.scotland.gov.uk/marinescotland)

Reduction in blow force as above but only for the identified peak spawning period. This would be determined with a suitable survey methodology agreed with SNH/MSS. Piling noise would be reduced when spawning activity is identified and would remain at this level until the continual survey showed that the main spawning had tailed off and normal piling levels could be restarted.

This could also be further modified only to take in pile locations that have 90dBht contours that enter the areas of sediment habitat that is suitable for herring spawning.

The surveys could also be carried out and if no spawning is occurring in the 90dBht contour zone then piling would not have to be reduced in intensity.

These reductions in blow force would need to be decided upon by MSLOT and these would need to be consistent across both BOWL and MORL developments. Bearing in mind that BOWL is nearer to the areas of suitable habitat. MSS would welcome continued discussions on this matter with the developer and MSLOT.

#### Cod and sandeels

Due to the lack of certainty MSS would welcome the commitment from the developer to conduct pre-construction surveys for cod and sandeels, keeping methodologies consistent between Beatrice and the Moray Firth Offshore Renewables development. These surveys would provide a good baseline of evidence as to where these species are and whether they are potentially effected post installation of the development. MSS would welcome continued discussions on this matter with the developer and MSLOT.

#### Commercial fisheries

MSS welcomes the commitment to continued engagement with the fishing industry and participation in the commercial fisheries working group within the Moray Firth area. This should help meet and address concerns as they emerge. Especially with regards to cable burial depths (MSS would recommend 1m minimum where possible rather than 0.6m), cable protection and over trawl surveys post installation.

#### Diadromous Fish

MSS comments on previous material remain in place. The uncertainties, including about the extent to which salmon, sea trout and eels from or destined for different rivers use the area, and their behaviour within the area, still remain.

MSS have the following comments on the new material (Vol 1. Section 5 Fish and Shellfish Ecology) and on the SNCB advice on BOWL.

- The selection of rivers for HRA with respect to salmon is still as advised by SNH. We note again that the salmon from or returning to SAC rivers, other than those selected, could also be affected and that FL's thinking was that rivers from further afield, particularly on the Scottish east coast should also be given HRA consideration.
- Although Malcolm et al (2010) and Gill and Bartlett (2010) are referred to in the text and in Appendix 16B, they are key references which we would have expected to be in the Vol 1. Section 5 reference list.
- Any large amounts of dredging and redeposition of sediments need careful consideration and additional consideration will be necessary if the development uses gravity bases. Vol 1. Section 5 page 5-39 may overstate the ability of fish, particularly small fish, to avoid areas with high SSC.
- Other than the choice of rivers selected for HRA, we would fully support the excellent SNCB advice, including the setting up of an expert panel to ensure good monitoring arrangements and adaptive mitigation will be in place, which will be very important.



- MSS would also note that with respect to EMF concerns that in addition to what SNCB states in Appendix C(ii) that BOWL advised that the export cable will also be directionally drilled to 800 m from shore, which in view of its close proximity to the mouth of the River Spey will provide additional protection.
- MSS also note that many good points in relation to diadromous fish issues have also been made at the earlier stages by external consultees.
- My comments on the SNCB advice also apply to the SNCB advice on MORL, as relevant

Hopefully these comments are helpful to you. If you wish to discuss any matters further contact the MSS Renewables in-box [MS\\_Renewables@scotland.gsi.gov.uk](mailto:MS_Renewables@scotland.gsi.gov.uk).

Yours sincerely

Paul Stainer  
Marine Scotland Science

**Innes G (Graeme)**

---

**From:** Stainer P (Paul) (MARLAB)  
**Sent:** 16 July 2013 11:34  
**To:** MS Marine Licensing  
**Cc:** Main RAK (Robert)  
**Subject:** 2013-07-15 - 003-0W-BOWL-8 - SSE Renewables: Beatrice Demonstrator, Moray Firth - Beatrice - MSS Comments on Addendum  
**Attachments:** ObjRef.obr

003-0W-BOWL-8 - SSE Renewables: Beatrice Demonstrator, Moray Firth - Beatrice - MSS Comments on Addendum" from Objective.

Please see attached MSS Comments

**Innes G (Graeme)**

---

**From:** Moray Firth IFG <johncox@morayfirthifg.com>  
**Sent:** 15 July 2013 22:10  
**To:** MS Marine Licensing  
**Cc:** 'Nick Lake'; Sandy Patience  
**Subject:** RE: 003/OW/BOWL-8; Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Gayle

This is out of my area of expertise but having read through the fishing section I found a lack of detail in some of the assessments.

As the Moray Firth hosts a significant range of fish and shellfish species most references were against Cod and Herring. I am not involved in salmon and trout.

There appears there is no evidence obtained regarding impacts on fisheries. Squid, Scallops, Langoustines, Lemon Sole, Plaice and Hake which are all important commercial species, with different habitat and virtually no science regarding stocks and seasonal fisheries.

I could not find any information regarding spawning and breeding grounds and if piling could have a direct impact especially for squid.

The addendum raises even more unanswered questions.

Regards

John

**John Cox**

m: [REDACTED]

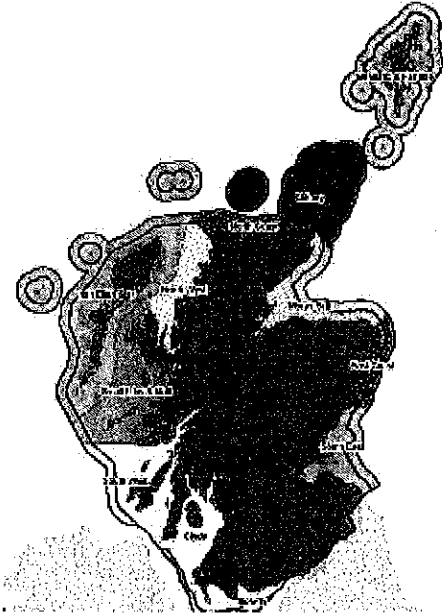
f: [www.facebook.com/MorayFirthIFG](http://www.facebook.com/MorayFirthIFG)

***Moray Firth & North Coast Inshore Fisheries Group***

Inshore Fisheries Groups (IFGs) in Scotland aim to offer an innovative, partnership-led and locally specific approach to fisheries management.

marinescotland





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**From:** Gayle.Holland@scotland.gsi.gov.uk [mailto:Gayle.Holland@scotland.gsi.gov.uk] **On Behalf Of** MS.MarineLicensing@scotland.gsi.gov.uk  
**Sent:** 08 July 2013 08:37  
**To:** johncox@morayfirthifg.com  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Mr Cox

**BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK BEFORE REMINDER**

**ELECTRICITY ACT 1989**

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

*The Electricity (Applications for Consent) Regulations 1990*

**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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

Please see below the consultation email on the Addendum for the above application. I would be grateful for any comments you have by **15<sup>th</sup> July 2013**. Please note that extensions to this deadline are unlikely to be agreed. If you have no comments to make please submit a "nil return" response

Yours sincerely

Gayle Holland

---

**From:** Wilson R (Rachael) (Marine)  
**Sent:** 04 June 2013 14:47  
**To:** 'johncox@morayfirthifg.com'  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Mr Cox

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579  
S/B: +44 (0)1224 876 544  
Fax: +44 (0)1224 295 524*

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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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FAO Gayle Holland  
Marine Scotland Licensing Operations Team  
Marine Laboratory  
PO Box 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

**Your Reference: 003/OW/BOWL - 8**

15 July 2013

Dear Madam,

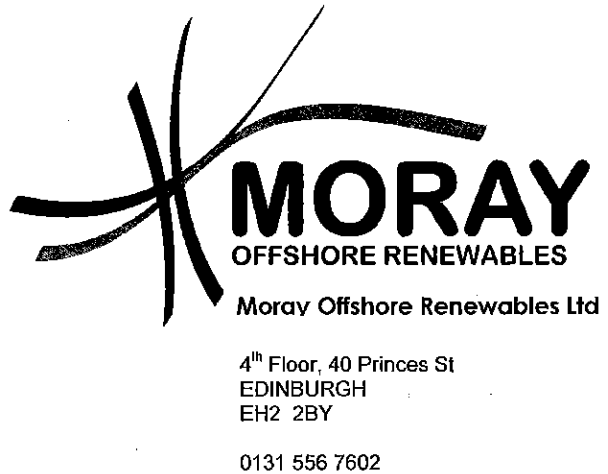
**Application for consent under section 36 and 36A of the Electricity Act 1989 and Marine Licences under Part 4, Section 20 of the Marine (Scotland) Act 2010 and under Part 4, Sections 65 and 66 of the Marine and Coastal Access Act 2009 to construct and operate an offshore wind farm, Outer Moray Firth**

**Response to Addendum on behalf of Moray Offshore Renewables Limited**

Moray Offshore Renewables Ltd (MORL) welcomes the submission by Beatrice Offshore Wind Limited (BOWL) of the Addendum to their Environmental Statement (ES) submitted with its application for the Beatrice Offshore Wind Farm located in the Moray Firth within Scottish Territorial Waters.

Moray Offshore Renewables Limited (MORL) is a joint venture company with 67% owned by EDPR UK and 33% by Repsol Nuevas Energias UK (Repsol UK). The purpose of MORL is to develop, design, finance, construct and operate offshore wind farm projects within the Moray Firth Round 3 Zone. Repsol UK is also a 25% minority shareholder of BOWL. This letter is sent by MORL and reflects EDPR UK's objection as MORL's majority shareholder to the BOWL applications.

MORL's applications for our three proposed wind farms and associated transmission infrastructure were submitted in August 2012 and are presently awaiting determination. In particular, we welcome the updating of BOWL's cumulative assessments taking into account the finalised MORL Rochdale Envelope and the provision of information to support the Habitats Regulations Appraisal (HRA) necessary for the BOWL project. We note that the submission of this information will now allow the Statutory Nature Conservation Bodies to provide formal advice on HRA matters on the MORL applications in-combination with the BOWL project.



At the time of writing in response to the original BOWL applications (MORL letter dated 11 June 2012) MORL stated its strong opposition to the proposed location of the BOWL export cable through part of the MORL Round 3 Zone 1 site (the MORL Zone). Since that time BOWL have not sought to mitigate the impact of their export cable route through discussions with MORL. Instead as part of the current Addendum they have sought to amend the proposed cable route. This route is even more prejudicial than that which was proposed as part of the original application. Accordingly, for the reasons set out in greater detail under the heading "Offshore Transmission Works (OfTW)" below MORL has no option but to object to the current applications both as originally proposed and as further revised in terms of the Addendum.

In addition, MORL have a number of comments on the Addendum to the BOWL ES which we believe would be helpful to Marine Scotland and relevant stakeholders to highlight at this stage to ensure that the assessments for both applications can be reconciled.

#### **Offshore Transmission Works (OfTW)**

MORL objects to the applications based on the proposed location of the BOWL offshore export cable through the MORL Zone. As stated in our original letter MORL recognises that the area in which BOWL have proposed to locate the cable are not the subject of the current MORL applications for section 36 consents (which relate to the Eastern Development Area of the MORL Zone). However, we maintain that it is important to take into account that areas of the western extent of the MORL Zone which would be sterilised from future development in the event that 1.5MW MORL Zone capacity is not achieved in the Eastern Development Area.

Since MORL became aware of the proposed route amendment it has modelled the potential impacts on the future development of this part of the MORL Zone. The amendment to the location of this cable will further reduce the maximum capacity which can be achieved within the MORL Zone by sterilising a substantial area which would otherwise have been available for development. The attached plan shows the potential effects of the introduction of the BOWL cable route bisecting the Western Development Area of the MORL Zone when seen alongside existing constraints such as oil infrastructure and the buffer with the BOWL wind farm itself. This reduction of capacity will in turn reduce the opportunities to meet both Scottish and UK targets for both renewable energy generation and reduction in CO<sub>2</sub> emissions.

In our original letter we also highlighted that the cable route creates a number of risks which the alteration only exacerbates. These included:

- delays in the development of this part of the MORL Zone if the OfTW development programme conflicts with that of MORL;





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- health and safety issues in managing the development of separate infrastructure projects which are co-located; and
- operational constraints for any operational wind farm in the event of works to install/maintain the OFTW.

BOWL has failed to meaningfully engage with MORL on these concerns and has failed to explore alternatives which would both avoid these risks and ensure that the Moray Firth delivers the maximum renewable energy and CO<sub>2</sub> emission reductions for Scotland. As stated in our letter of 11 June 2012 it should be noted that MORL's clear and consistently stated preference is that BOWL works with MORL to ensure any route does not conflict with the development of the MORL Zone. MORL remains of the view that an alternative route which does not inhibit the ability of the MORL Zone to reach its capacity of 1.5GW should be selected. MORL has identified an alternative route which BOWL could adopt to minimise the effects of its cable route and has discussed this alternative with BOWL.

### **BOWL Environmental Impact Assessment**

We welcome the updating of BOWL's cumulative assessments to incorporate MORL's final Rochdale Envelope (as per MORL applications). This will assist stakeholders in being able to meaningfully compare the assessments.

There are a number of key areas in BOWL's assessments which we believe would benefit from further clarification to ensure that Marine Scotland and key stakeholders are able to understand and, where necessary, reconcile the differences between the two assessments. We comment on these below. We would confirm that our comments are restricted to BOWL's Rochdale Envelope for which consent is sought and we do not comment on their likely scenario which is not relevant in making the cumulative assessments for the MORL and BOWL projects since it does not reflect any change to the proposals for which consent is sought.

### *Fish Ecology*

We note that BOWL has updated its baseline assessment to reflect the sand eel surveys that were carried out by MORL in the Moray Firth in 2012 in respect of its own applications. We would note that this will have limited applicability to the BOWL site since a number of environmental differences between the two areas may affect their abundance and distribution.



We note the changes in assessments in terms of the potential effects of the BOWL project on herring and cod have been increased and are consistent with the MORL ES. MORL welcomes this amendment which ensures the assessments are consistent. MORL further welcomes BOWL's commitment to carry out pre-construction surveys for cod which will add to the baseline information available for the Moray Firth when taken together with MORL's results from 2013.

We note with concern that the Addendum reports on consultee responses to BOWL's draft HRA information provided to stakeholders during the Addendum preparation process which record that comments were received in relation to the potential for in-combination likely significant effects with MORL. MORL has not been made aware of these comments. MORL notes that the SNH comments discussed in the Addendum highlight that the potential for likely significant effects arises due to BOWL's closer proximity to shore and the proposed location of the export cable and landfall in proximity to the River Spey SAC. Although these are matters for BOWL to address in light of the location of their works MORL would confirm that it is continuing to work with Marine Scotland Science in the development of the Moray Firth Salmon and Sea Trout Regional Monitoring Strategy together with MORL's own local level strategy to complement the strategic monitoring. We are also engaging with BOWL in this regard to identify areas of potential collaboration.

#### *Ornithology*

Since MORL submitted its applications it has engaged with SNH/JNCC and MSS on the methodologies used in its Population Viability Analysis (PVA) modelling and has provided updated outputs. This consultation process has included a joint meeting with BOWL as part of the continuation of the collaborative approach that has been adopted by the two projects to cumulative assessments. BOWL have now also included in their Addendum PVA modelling for all the key species as agreed with SNH/JNCC. Despite this approach there appear to be some differences in the outputs and the subsequent consideration of the implications for the original assessments in the MORL and BOWL ESs. The additional information provided by MORL shows that there continues to be a significant cumulative effect for Great Black Backed Gulls with the majority of the collisions being attributable to BOWL.

It is likely that the difference between the conclusions reached by BOWL and MORL on this issue are attributable to small differences in the parameters of the PVA models which cumulatively add to make a more significant difference. This, combined with the difference in avoidance rates used for this species (MORL 98.5% and BOWL 99%), is likely to account for the difference in the assessments made by MORL and BOWL.



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### *Marine Mammals*

As we acknowledged in our letter of 11 June 2012 MORL and BOWL have worked collaboratively to develop tools that were used in some of the MORL assessments acknowledging that the effects of both projects need to be assessed cumulatively. In adopting a quantitative approach for marine mammals in the ES MORL has been able to quantify potential effects under a range of construction scenarios while acknowledging that some of the assumptions used are highly conservative. We welcome BOWL's inclusion in the Addendum the following:

- Provision of PVA for Bottlenose Dolphin (BND) (using the same methodology as MORL);
- Revision of harbour seal PVA based on SAFESIMM modelling (using the same methodology as MORL);
- Assessment of minke whale based on noise modelling undertaken using the audiogram of a surrogate baleen species (humpback whale) (using the same methodology as MORL); and
- Provision of an outline of proposed marine mammal monitoring programme (based on Professor Paul Thompson's 2012 proposed Marine Mammal Monitoring Programme which has been developed collaboratively by MORL, BOWL and the University of Aberdeen).

MORL has reviewed the information provided in Table 6.9 of the Addendum and agrees with the information contained therein. We note that the plates which draw from this table are open to misinterpretation due to the scale which has been used and we would observe that in any scenario where the effects of the MORL projects are added to that of BOWL there is no change to the assessment of significance of the effects.

We do note that there is a difference in the assessments in terms of the significant short-term effects on BND as BOWL assesses significant short term effects for BND for BOWL alone and cumulatively. In MORL's assessments no significant short-medium term effects were assessed for BND with the exception of the eight simultaneous piling events cumulative scenario (considered in the MORL ES as highly unlikely). The difference is accounted for difference in EIA methodology in determining the significance of the effect adopted by the BOWL and MORL advisors. We note that BOWL are predicting up to 10% displacement of the BND population during piling from the BOWL wind farm under their worst case scenarios and the Addendum which agrees with the MORL assessment that this constitutes as minor to moderate (referred to in the Addendum as small to medium) magnitude of impact. MORL and its advisors do not accept that there will be a significant short term effect on BND and do not accept that the predicted minor to moderate effect as defined in the BOWL Addendum constitutes a significant effect in terms of the relevant Environmental Impact Assessment Regulations.



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MORL has noted the proposed mitigation measure which BOWL proposes together with a commitment to develop a "piling strategy" to *"to reduce effects on the more sensitive parts of the Moray Firth during certain times of the year"*. The detailed rationale for the proposal that there are more sensitive times of year for marine mammals which would justify the adoption of a different piling strategy is not set out in the Addendum and is not accepted by MORL having taken specific advice on the terms of the Addendum from its team of specialist marine mammal advisors.

### Summary

In light of further prejudicial changes to the BOWL cable route then MORL objects to the current applications and requests that Marine Scotland ensures that the route adopted for the BOWL export cable avoids the MORL Zone altogether unless it reaches a satisfactory agreement with MORL.

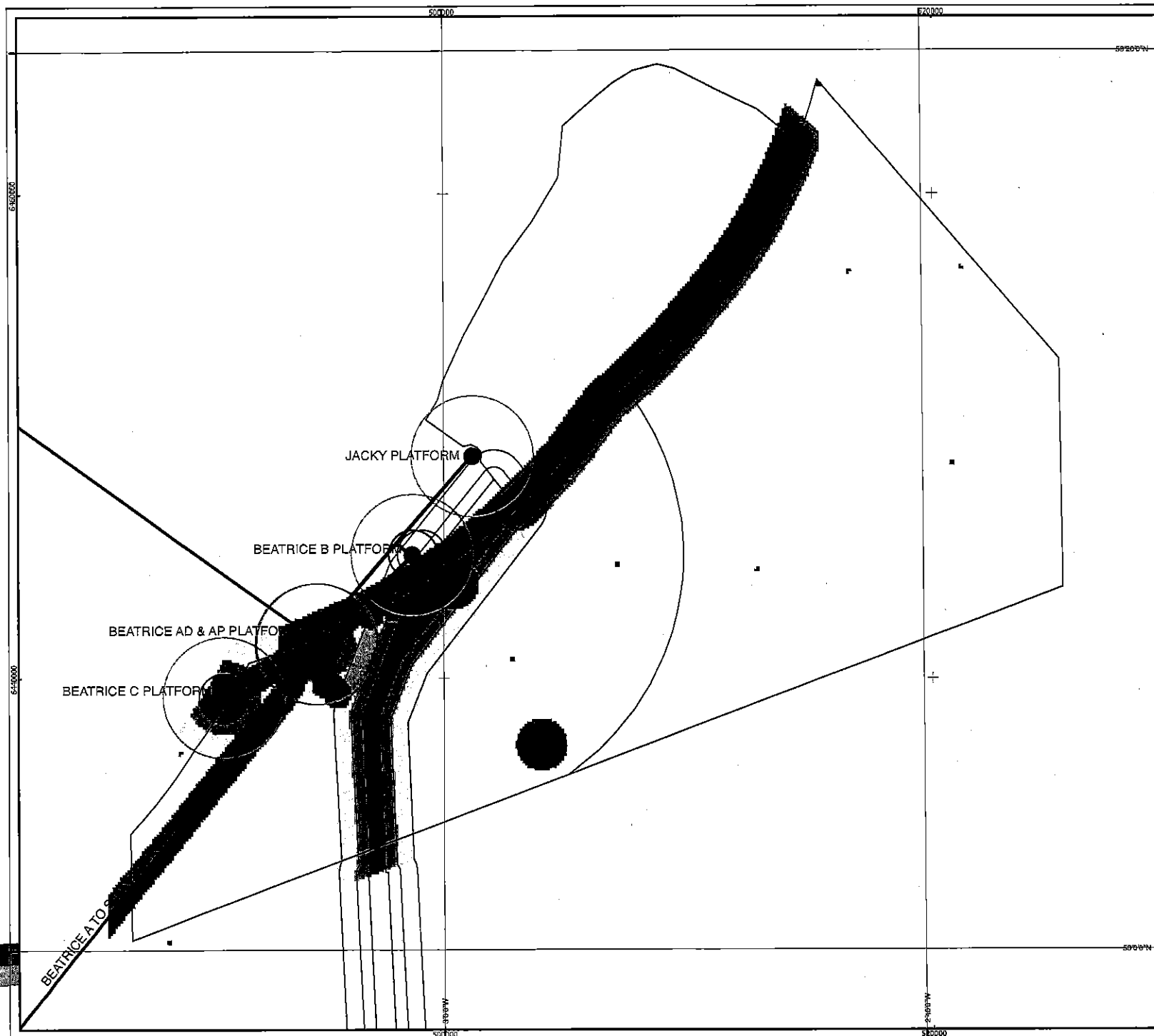
MORL welcomes BOWL's Addendum and in particular the provision of information to support the HRA for the BOWL project which will allow the completion of the in-combination effects and the use of MORL's finalised Rochdale Envelope. We also note the further harmonisation in the assessment approaches through the adoption by BOWL of information, methodologies and analysis contained in the MORL ES which will enable stakeholders and Marine Scotland to meaningfully compare the assessments undertaken by MORL and BOWL. We recognise that there are differences in some of the assessments (in particular for birds and marine mammals), but we are satisfied having reviewed this with our advisors that the MORL ES assessments remain robust.

MORL welcomes the opportunity for ongoing engagement with Marine Scotland, stakeholders and BOWL in the development of offshore wind farms in the Moray Firth. In the event that you wish to discuss in detail any of the above comments then please do not hesitate to contact our Consenting Manager, Sarah Pirie ([sarah.pirie@edpr.com](mailto:sarah.pirie@edpr.com)).

Yours sincerely,

A solid black rectangular box used to redact the signature of Dan Finch.

Dan Finch  
MORL Project Director



**Moray Offshore Renewables Ltd**

**KEY**

- Beatrice Platforms
- Jacky Platform
- Beatrice Demonstrator Turbines
- Beatrice Subsea Cables (500m Buffer)
- Beatrice Field Pipelines (500m Buffer)
- 5 x Rotor Diameter MORL-BOWL Separation
- Beatrice & Jacky Platforms 2.5km Buffer
- Suspended Wellheads 1km Buffer
- BOWL Export Cable Corridor
- BOWL Export Cable Corridor 500m Buffer
- BOWL Export Cable Corridor 1.2km Buffer

Horizontal Scale: 1:150,000 A3 Chart  
 0 2,500 5,000 Meters

Geodetic Parameters: WGS84 UTM Zone 30N

Produced: RH  
 Reviewed: AH  
 Approved: SP

Date: 09/07/2013 Revision: A

REF: 8460001-PPA0020-MOR-MAP-044

**BOWL Export Cable Constraints**

**Moray Offshore Renewables Ltd**

## Innes G (Graeme)

---

**From:** Sarah Pirie <Sarah.Pirie@edpr.com>  
**Sent:** 15 July 2013 17:06  
**To:** MS Marine Licensing  
**Cc:** Dan Finch; Alanna Gillespie  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013  
**Attachments:** BOWL Export Cable Constraints Heat Map - 10072013.pdf; Objection to BOWL application 150713.docx

Gayle

Please see the attached letter on behalf of Moray Offshore Renewables Limited.

I should be grateful if you would acknowledge receipt.

Regards

Sarah



**Sarah Pirie**  
PROJECT DEVELOPMENT  
4th floor 40 Princes Street, EH2 2BY, Edinburgh, United Kingdom  
Phone + 44 (0) 131 556 7602 Ext. 40442 Mobile [REDACTED]

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giving  
nature  
a home

Gayle Holland (Marine Renewables Licensing Advisor)  
Marine Scotland – Renewables Licensing Operations Team  
375 Victoria Road  
Aberdeen  
AB11 9DB

15th July 2012

Dear Ms Holland,

**Beatrice Offshore Windfarm Limited application for Marine Licenses & Section 36 Consent - Addendum**

RSPB Scotland welcomes the opportunity to provide further comment on the application for the Beatrice Offshore Wind Farm, situated some 18km southeast of Wick in the Moray Firth. Additional information has been submitted as an Addendum to the Environmental Statement for this proposal. We appreciate the time taken by Beatrice Offshore Windfarm Ltd (BOWL) to meet with us prior to submission of this documentation in March 2013.

The Addendum seeks to address concerns and to clarify issues previously raised in response to the original application, by statutory agencies and other stakeholders, including RSPB Scotland. Ornithological interests, in particular, have been the focus of intense study and consultation, with input from all stakeholders at the project level and progress has been made. However, consideration of offshore wind farm impacts on birds is set within a wider Scottish and UK context, with some issues still to be addressed by the Scottish Government and its statutory advisors and which are beyond the control of BOWL. Although progress in resolving these issues is being made, drawing on our experience and direct involvement in this process, RSPB Scotland is not yet in a position to fully appraise and have confidence in the outputs and conclusions of BOWL's assessments.

RSPB Scotland **maintains its objection** to BOWL's application until such time as there is sufficient confidence in the robustness of the particular methodologies used in the assessment and certainty in their outputs.

We provide, in the attached detailed response, an account of our current understanding of the issues and our position on the application. We propose next steps for each topic that we consider critical to our ability to make a full appraisal of the application. These topics include:

- **Collision Risk Modelling:** RSPB remain concerned over the suggested use of the more sophisticated extended version of the model (also known as Option 3).
- **Displacement:** publication of Marine Scotland commissioned research into the effects of displacement on seabirds is forthcoming, which will better inform the accuracy of the assessment and its conclusions.

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[www.rspb.org/scotland](http://www.rspb.org/scotland)

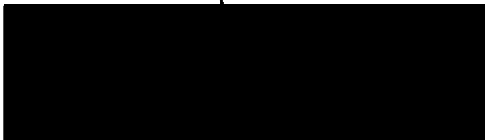


Patron: Her Majesty the Queen    Chairman of Council: Steve Ormerod    President: Kate Humble  
Chairman, Committee for Scotland: Pamela Pumphrey    Director, Scotland: Stuart Housden OBE  
RSPB is a registered Charity: England & Wales no 207076, Scotland no SC037654 640-1704-10-11

- **Colony counts:** results of an SNH-led colony count of East Caithness Cliffs SPA for summer 2013 are forthcoming, which will add greater certainty and robustness to the assessment and its conclusions.
- **Cumulative impacts:** the cumulative impacts of both the Beatrice and MORL offshore wind farms are to be considered and so we will need to return to this issue once we have appraised the MORL addendum.

Aside from the resolution of these issues, it remains apparent that a number of seabirds will be significantly impacted by the proposal either in isolation or cumulatively with MORL's proposals, even when considering the 'most likely' scenarios and least precautionary assessment methods. The scale of these impacts are yet to be defined and agreed but it is clear that there is the potential for adverse impacts on site integrity of Special Protection Areas in the region. There will, therefore, be a need for detailed consideration of further mitigation measures to avoid impacts to internationally important species and habitats. RSPB Scotland recommends further dialogue with all stakeholders to seek resolution of the issues highlighted above and to initiate detailed discussions on appropriate methods of mitigation.

Yours sincerely,



Charles Nathan  
Conservation Planner (Marine)

Cc'd	Colin Palmer	– Beatrice Offshore Windfarm Ltd
	Sophie Allen	– Joint Nature Conservation Committee
	Catriona Gall	– Scottish Natural Heritage



## RSPB Scotland Detailed Response – BOWL Offshore Wind Farm Application (July 2013)

As referred to above there has been discussion and progression in the methods of assessment since the original application and RSPB's original response of July 2012. In broad terms the concerns raised in our 2012 response have either; been resolved by information presented in the Addendum and/or our meeting held in March 2013 with BOWL; or are components of those issues that require further consideration as presented in the following sections. For the avoidance of doubt the following key topics represent our priority concerns in regard to BOWL's application, and they are a progression of comments made in our original response.

- **Collision Risk Modelling:** RSPB remain concerned over the suggested use of the more sophisticated extended version of the model (also known as Option 3). This extended version attempts to incorporate empirical data into the model to increase confidence in the outputs and provide estimates that reflect more realistic seabird behaviour. However, the accuracy of the data on species flight heights and the degree of error and uncertainty in the calculations for this version remain unresolved. These issues are to be addressed and clarified through the Marine Renewables Ornithology Group (MROG). Until such time as these issues are resolved, the conclusions made in BOWL's addendum, based on Option 3, do not give us the certainty we require to inform our appraisal of the application.
- **Avoidance rates:** BOWL has provided justification for use of a higher and less precautionary avoidance rate of 99%. At present in the context of BOWL's justification and available data, we do not believe there is a sufficiently robust case for changing the current 98% default collision avoidance rate. Marine Scotland has commissioned a review of avoidance rates applied to CRM. This review is ongoing and there has been no change to the statutory guidance of using a 98% avoidance rate for all seabird species. RSPB Scotland support this guidance as it stands.

To avoid the risk of development going ahead which harms seabirds, and by consequence the reputation of the offshore wind industry, it is critical that the current, and in our view suitably precautionary approach, is adopted.

- **Displacement:** a Marine Scotland commissioned research package into the effects of displacement on seabirds is forthcoming. RSPB Scotland sits on the steering group of this project and will make use of the outputs when making our consideration of the project in isolation and cumulatively. We recommend Marine Scotland utilise this resource when preparing their recommendations to Scottish Ministers.
- **Colony counts:** results of an SNH-led colony count of East Caithness Cliffs (ECC) SPA for summer 2013 are forthcoming. Our original letter of July 2012 noted the risks of underestimating impacts when using historic receptor species population data. Given the timing of the application and reporting of colony counts at ECC SPA, there exists opportunity to refine the impact assessment using up-to-date information for one of the key receptor sites and species affected by the Beatrice and MORL proposals. RSPB will make use of this new data in our appraisal of this application and that of MORLs. We also recommend Marine Scotland include this data when preparing their recommendations to Scottish Ministers.
- **Cumulative impacts:** the cumulative impacts of both the Beatrice and MORL offshore wind farms are to be considered and so we will need to return to this issue once we have appraised the MORL addendum.

We intend to utilise and apply the findings of up-to-date research on cumulative impacts in making our appraisal of the Beatrice and MORL wind farm proposals, which affect the same features of conservation importance in the region.

## Innes G (Graeme)

---

**From:** Nathan, Charles <Charles.Nathan@rspb.org.uk>  
**Sent:** 15 July 2013 16:15  
**To:** MS Marine Licensing; Holland G (Gayle)  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013  
**Attachments:** RSPB\_Response to BOWL Addendum\_FINAL\_15.07.13.docx

Dear Ms Holland,

Further to your request for comment on the Beatrice Offshore Windfarm Addendum, please find attached RSPB Scotland's response.

Kind regards,  
Charles

-----Original Message-----

From: Gayle.Holland@scotland.gsi.gov.uk on behalf of MS.MarineLicensing@scotland.gsi.gov.uk  
Sent: Mon 7/8/2013 9:02 AM  
To: Nathan, Charles  
Subject: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Mr Nathan

BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK BEFORE REMINDER

ELECTRICITY ACT 1989

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

The Electricity (Applications for Consent) Regulations 1990

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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH

Please see below the consultation email on the Addendum for the above application. I would be grateful for any comments you have by 15th July 2013. Please note that extensions to this deadline are unlikely to be agreed. If you have no comments to make please submit a "nil return" response

Yours sincerely

Gayle Holland

---

From: Wilson R (Rachael) (Marine) On Behalf Of MS Marine Licensing  
Sent: 04 June 2013 14:18  
To: 'planning.scotland@rspb.org.uk'  
Subject: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Mr Nathan

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) <<mailto:ms.marinelicensing@scotland.gsi.gov.uk>> by 15th July 2013. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1st statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

Rachael Wilson  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB

Tel: +44 (0)1224 295 579  
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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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HISTORIC SCOTLAND  
ALBA AOSMHOR

Ms Gayle Holland  
Marine Scotland  
Scottish Government  
Marine Laboratory  
Po Box 101  
375 Victoria Road  
ABERDEEN  
AB11 9DB

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Direct Line: 0131 668 8730  
Direct Fax: 0131 668 8722  
Switchboard: 0131 668 8600  
Robin.Campbell@scotland.gsi.gov.uk

Our ref: AMN/16/H  
Our Case ID: 201301533  
Your ref: 003/OW/BOWL-8

15 July 2013

Dear Ms Holland

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000  
The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)  
Section 36 and 36A application to construct and operate an offshore wind farm, Outer  
Moray Firth (Beatrice Offshore Wind Farm)  
Environmental Statement Addendum**

Thank you for letter dated 4 June 2013 and the accompanying Environmental Statement (ES) Addendum requesting comments on the above. For information, this letter covers our comments on the ES Addendum for our role as consultees through the Scottish Ministers under the terms of the above Regulations. The comments in this letter relate to our statutory remit for scheduled monuments and their settings, category A listed buildings and their settings, gardens and designed landscapes appearing in the Inventory and designated wreck sites (Protection of Wrecks Act 1973). In this case, our advice also includes matters relating to marine archaeology out with the scope of the terrestrial planning system.

**The Proposed Development**

I understand that non-material amendments are proposed for the Offshore Transmission Works associated with Beatrice Offshore Wind Farm. The proposed amendments are as follows:

- Alterations to the size of the footprint of the jack-up vessels proposed to be used during construction of the wind farm;
- Alterations to the anticipated timescales for the installation of the Offshore Transmission Works Cable; and
- A minor amendment to the Offshore Transmission Works Corridor.

**Marine Assets**

We can confirm that there are no designated marine cultural heritage assets within the additional area associated with the amendment to the original Offshore Transmission Works Corridor. We are content with the finding in the ES Addendum that no further sites or features of archaeological or cultural heritage interest were identified in the amended cable corridor area.



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We would reiterate our recommendation that a condition be attached to any consent/licence issued, requiring implementation of the Protocol for Archaeological Discoveries (Offshore Renewables Projects).

#### **Conclusion**

Overall, we are content with the proposed amendments to the Offshore Transmission Works and consider there shall be no significant adverse effects on assets within our statutory remit. We are content with the assessment of potential effects on marine archaeology and that the mitigation measures are to remain unchanged from those presented in the original ES. As such, we offer no objection to the application and are content that our previous comments dated 8<sup>th</sup> June 2012 be carried forward.

Please contact me should you wish to discuss the contents of this letter.

Yours sincerely



**Robin Campbell**  
Senior Heritage Management Officer (EIA)

## Innes G (Graeme)

---

**From:** Campbell R (Robin)  
**Sent:** 15 July 2013 10:40  
**To:** MS Marine Licensing  
**Subject:** Beatrice Offshore Wind Farm - ES Addendum

FAO Gayle Holland

Please see attached response in relation to the above application. Please contact me should you wish to discuss.

Kind regards

**Robin Campbell** | Senior Heritage Management Officer (EIA)

---

Historic Scotland | Alba Aosmhor  
Longmore House, Salisbury Place, Edinburgh, EH9 1SH  
t| 0131 668 8730  
m| [REDACTED]  
e| [robin.campbell@scotland.gsi.gov.uk](mailto:robin.campbell@scotland.gsi.gov.uk)

[www.historic-scotland.gov.uk](http://www.historic-scotland.gov.uk)

A Joint Consultation on a Historic Environment Strategy for Scotland and the Merger of Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) is running until 31 July 2013. To view the consultation [click here](#).



CASE\_201301533...

Gayle Holland  
Licensing Operations Team  
Marine Scotland – Marine Planning & Policy Division  
Scottish Government  
Marine Laboratory, PO Box 101  
375, Victoria Road  
Aberdeen AB11 9DB

[ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk)

12<sup>th</sup> July 2013

Dear Gayle

#### WDC comment on Beatrice Offshore Wind Farm Environmental Statement Addendum

WDCS are endeavouring to assist with the environmentally sustainable development of marine renewable energy in Scotland. Whilst welcoming the Scottish Governments' commitment to renewable energy generation, particularly noting the potential consequences of climate change for cetaceans, we have serious concerns about current levels of uncertainty and the possible negative impacts these developments, both individually and cumulatively, may have on cetaceans (whales, dolphins and porpoises) in Scottish waters.

The Moray Firth contains a high diversity of marine mammal species and associated important habitats. This region is in a unique situation in that it is the most comprehensively studied region for cetaceans in Scottish waters, particularly the inner waters. We acknowledge the efforts of the wind developers to work closely with cetacean scientists in developing a suitable framework to understand the potential impacts of key species in the region.

#### In summary

There remains considerable scientific uncertainty surrounding impacts of pile driving during construction on all species, and in this region, particularly for harbour seals and bottlenose dolphins (Tables 4.11-4.14). The requirement for the use of expert judgment in population modelling, and the increases in mortality and disturbance predicted over the short and medium term, including in-combination with other proposed developments, lead us to believe that it is not possible to rule out Likely Significant Effects. As a result, it is necessary to conduct an Appropriate Assessment.

Further, we do not believe that the application of the JNCC guidelines alone go far enough to effectively mitigate any potential impacts. In order to assist in reducing individual and cumulative impacts, noise-reduction techniques should be more fully considered.

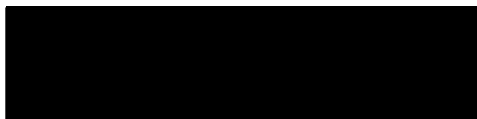
WDC requests involvement in the development of the detailed Marine Mammal Monitoring Programme (MMMP) that is being progressed with MORL, MS, SNH and AU.



*A world where every whale and dolphin is safe and free*



Yours sincerely



Sarah Dolman  
Head of Policy for Scotland  
[Sarah.dolman@whales.org](mailto:Sarah.dolman@whales.org)

#### Detailed comments

We understand that the development includes installation of 277 wind turbines over a 2 or three year period depending on whether 1 or 2 vessels are used concurrently, two AC and one DC Offshore Substation Platform, 3 met masts and up to 350 km of cabling. The most likely scenario is for 140 turbines using pin pile foundations over a 1 year or nine month period depending on whether 1 or 2 vessels are used concurrently.

#### Appropriate Assessment

Annex 3B provides the information to inform Appropriate Assessment. Given the scientific uncertainties surrounding impacts of pile driving during construction on harbour seals and bottlenose dolphins, the requirement for the use of expert judgment in population modelling, and the increases in mortality and disturbance predicted over the short and medium term, including in-combination with other proposed developments, we believe that it is not possible to rule out Likely Significant Effects. As a result, it is necessary to conduct an Appropriate Assessment.

Paragraph 253 states "*Given the large number of vessels already operating in the area against the uplift in vessel numbers due to these developments, the type of vessels, operating speeds and habituation by marine mammals, it is considered unlikely that an increase in vessel activity will have a significant effect*". However, a recent study conducted by Aberdeen University in conjunction with the Moray Firth SAC has found that increasing vessel traffic may lead to significant impacts on the bottlenose dolphin SAC. Annex 3B does not provide adequate consideration of potential impacts.

The potential significance of habituation appears to be misunderstood (see Bedjer et al., 2009).

The use of soft start and distancing between vessels that may be pile driving concurrently are not sufficient mitigation measures to ensure integrity of the site for either species.

We note that Annex 3B considers a wider range of developments for assessment of in-combination effects (paragraph 186) that might be more appropriate for species than use this wider range.

#### Annex 6A

##### Scientifically robust research monitoring

To obtain project consent, developers must provide information that allows regulators to determine whether the proposal is likely to have a significant effect on the conservation objectives of EU Habitats

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Directive Natura designations. Critically, this requires an assessment of whether the development may lead to long-term population change that would compromise the Favourable Conservation Status (FCS) of the wider population.

Frameworks for understanding population consequences of (acoustic) disturbance are being developed (from NRC, 2003). Yet empirical data to inform these links will not become available within the timescales required for consenting current rounds of offshore wind farms within the UK and so expert judgement is currently being used.

Given the considerable levels of uncertainty, we agree with the conclusion of Annex 6C "*Research and monitoring programmes should be carefully designed around key consented wind farms to explicitly test these assumptions, and inform the development of this framework to reduce uncertainty and conservatism in future assessments*" (Thompson et al., accepted) and reiterate our call made in previous comments for a scientifically robust research monitoring strategy to understand and recognise potential individual and population level impacts on both nationally and internationally important species. The monitoring strategy must be long-term, with a view to ground-truthing those calculations presented in the Annex 6A of the Addendum.

#### **Monitoring**

Section 6.8 of the Addendum covers monitoring, including photo-ID studies and use of PODs, but does not mention survey methods appropriate to minke whales.

#### **Cumulative assessment**

Section 6.9 does not appear to consider the cumulative impacts of proposed developments along the wider each coast. Bottlenose dolphin, harbour porpoise and minke whale all travel throughout the range of the Aberdeen Bay and Firth of Forth developments and consideration of these sites is required.

#### **Mitigation measures – minke whales**

A 500 metre mitigation zone will not protect minke whales from injury (where the injury zone is estimated to be 1.65 km).

#### **Noise-reduction techniques**

Annex 6C states that BOWL and other developers are "*investigating a number of mitigation measures to reduce the effects of construction noise on marine mammals.*" We note that noise-reduction techniques have advanced considerably since the ES was made available in 2012. Actively reducing the source level of noise generated from pile driving is the most effective way to reduce sound levels. Evidence shows us that the radius at which death and injury, as well as behavioural impacts, occur are also reduced.

World-leading marine mammal experts have recognised an urgent need to develop or improve effective noise mitigation measures and have recommended that wider measures are taken to prevent marine mammals being exposed to high levels of underwater noise. This includes limiting the radiated energy during pile driving and the development of alternative methods for installation (IWC, 2012; ICES, 2010). Approaches include choice of foundation type, installation technique and noise dampening.

In order to comply with the Habitats Directive, Germany operates a precautionary 160dB noise limit

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(SEL) or 190 dB (SPL) at distances greater than 750 metres from the source (IWC, 2012). As a result, the Germany government investigated five different noise mitigation systems during the construction of pile-driven offshore wind farms at the Brodten pile in Lübeck Bay in the Baltic Sea. All noise mitigation systems tested yielded significant reduction effects, achieving reductions in the broad-band SEL of approx 7 – 9 dB (Wilke et al., 2012).

Construction of 120 piles with a diameter of 2.5 m and driven by a hydraulic hammer in water depths of 27-33 m were mitigated using the Big Bubble Curtain at Borkum West II, 40 km north of Borkum Island in Germany (Pehlke et al., 2013). The distance of disturbance of harbour porpoise was reduced from 15 km to 4.8 km and to 6.7 km, depending on the configuration used. Application of the bubble curtain reduced the potential area of disturbance for harbour porpoises by 90 % and assuming an equal distribution of harbour porpoises in the study area the number of disturbed animals should similarly be reduced by 90 %. Lowest porpoise detection rates were recorded with >160 dBSEL, which is assumed to correspond to an almost total expulsion of these animals. The duration of a significant expulsion effect did not correlate with sound level. Even at sound levels close to the detection limit of an effect it took up to 12 hours until detection rates became similar to those before pile driving.

In a separate noise reduction project during construction of the London Array in 2012, the 'Hydro Sound Damper' was used to test sound emissions during the ramming of three monopiles. It could be included into the real offshore construction conditions, with a maximum mobilisation and demobilisation time of 1.5h in total, installation and de-installation was successful, noise was effectively mitigated, in the frequency bands measured between 100 Hz and 2 kHz a reduction of 5 to 17 dB was demonstrated, Broadband SEL over one piling event reduced between 7 and 13 dB (median 8.5), and SPL peak 7 to 15 dB (median 8.8) reduction, depending on measuring position. The Hydro Sound Damper is stated as being secure, practicable, manageable and economically reasonable (Braunschweig, 2013).

It may not be possible to reproduce these noise mitigation rates under different conditions but these projects demonstrate considerable advancement in an effective mitigation of intense noise pollution. Undertaking such effective measures would reduce the radius of injury (which is considerable for minke whales at 1.65 km) and disturbance impacts to marine mammals and reduce the resulting numbers of animals and vulnerable populations that are significantly impacted.

Undertaking such effective mitigation measures would also reduce the key consenting risks identified, including reducing uncertainties in the assessment of environmental impacts and assessment of cumulative impacts (RenewablesUK, 2011).

#### Annex 6C – EPS Licence

We do not agree that affecting 1.73% of the European population of minke whales is insignificant (section 6.23). Section 6.24 does not account for displacement of wider habitats, should cumulative impacts occur as a result of simultaneous pile driving at Aberdeen bay and in the Firth of Forth development zone. The Environmental Monitoring and Mitigation Plan (EMMP) should consider the appropriate methodologies for minke whale monitoring.

#### References

Bejder, L., Samuels, A., Whitehead, H., Finn, H. and Allen, S. 2009. Impact assessment research: use



and misuse of habituation, sensitisation and tolerance to describe wildlife responses to anthropogenic stimuli. *Marine Ecology Progress Series*. 395: 177-185

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*A world where every whale and dolphin is safe and free*

**Innes G (Graeme)**

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**From:** Sarah Dolman <sarah.dolman@whales.org>  
**Sent:** 12 July 2013 09:25  
**To:** MS Marine Licensing  
**Cc:** MARINERENEWABLES@snh.gov.uk; Fiona Read; Sarah Dolman  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013  
**Attachments:** WDC comment on Beatrice addendum.pdf

Dear Gayle

Please find WDC comment on the Beatrice Addendum attached.

Thanks,  
Sarah

**Sarah Dolman**  
Northeast Atlantic programme manager

Telephone: +44 (0)1316 617 722  
Mobile: +  
[whales.org](http://whales.org)

---

**From:** Gayle.Holland@scotland.gsi.gov.uk [mailto:Gayle.Holland@scotland.gsi.gov.uk] **On Behalf Of** MS.MarineLicensing@scotland.gsi.gov.uk  
**Sent:** 08 July 2013 09:13  
**To:** Sarah Dolman; Sarah Dolman  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Ms Dolman

**BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK BEFORE REMINDER**

**ELECTRICITY ACT 1989**

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

*The Electricity (Applications for Consent) Regulations 1990*

**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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

Please see below the consultation email on the Addendum for the above application. I would be grateful for any comments you have by **15<sup>th</sup> July 2013**. Please note that extensions to this deadline are unlikely to be agreed. If you have no comments to make please submit a "nil return" response

Yours sincerely

Gayle Holland

**From:** Wilson R (Rachael) (Marine) **On Behalf Of** MS Marine Licensing  
**Sent:** 04 June 2013 14:43  
**To:** 'sarah.dolman@wdcs.org'  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Ms Dolman

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579  
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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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## Innes G (Graeme)

---

**From:** Barclay MJ (Michael)  
**Sent:** 12 July 2013 11:47  
**To:** MS Marine Licensing  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments

Good Morning

In regards to the above, the response from the Buckie Fishery Office, specifically in the interests of fisheries, is below.

MS Buckie are content with the proposals in so far as there is continued consultation with fisheries interests during the process as mentioned in the original document, a section copied below.

### ***16.5 MITIGATION MEASURES AND RESIDUAL EFFECTS***

#### **16.5.1 CONSTRUCTION AND OPERATION**

191. BOWL will develop an approach in consultation with the fishing industry to ensure that the safety risks posed to fishing vessels as a result of the installation and operation of inter-array cables are within an appropriate and reasonable standard determined in consultation with the fishing industry, and remain within, acceptable limits throughout the construction/decommissioning and operation phases of the development

192. In line with standard industry practice, dialogue will be ongoing with fishermen prior to and during the construction phase to ensure that project information is effectively disseminated to fishermen, as well as allowing for issues to be raised by the fishing community. Working practices will also be agreed to achieve any possible reduction in interference. A construction management plan will be defined in consultation with fishing interests which clearly establishes protocol for engagement between the developer and fishermen throughout the construction period. In order that the various fishing sectors are appropriately represented, as well as the developer and the regulatory body, if a Working Group will be established that facilitates the following:

- Ongoing dialogue between the fishing community and BOWL throughout the pre-construction and construction phase;
- Protocol for the navigation of wind farm construction and works vessels to and from the site (i.e. agreement of transit lanes to minimise interference to fishing activities);
- Established procedures in the event of interactions between wind farm construction and fishing activities (i.e. claims for lost and/or damaged gear);
- and
- Protocol for removal of seabed obstacles post-construction.

If you require any more information or comment, please do not hesitate to contact me.

Regards

**Michael Barclay**



## Marine Scotland - Compliance

Scottish Government, Fishery Office, Suites 3-5, Douglas Centre, March Road, Buckie, AB56 4BT

Tel: +44 (0) 300 244 9262

Fax: +44 (0) 300 244 9265

e: [Michael.Barclay@scotland.gsi.gov.uk](mailto:Michael.Barclay@scotland.gsi.gov.uk)

w: <http://www.scotland.gov.uk/marinescotland>

**Innes G (Graeme)**

---

**From:** Pauline McGrow <Pauline.McGrow@ryascotland.org.uk>  
**Sent:** 11 July 2013 22:13  
**To:** MS Marine Licensing  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Gayle

I write to inform you that we wish to submit a nil return for this application.

Many thanks

Kind Regards

Pauline McGrow  
RYA Scotland

---

**From:** Gayle.Holland@scotland.gsi.gov.uk [Gayle.Holland@scotland.gsi.gov.uk] on behalf of MS.MarineLicensing@scotland.gsi.gov.uk [MS.MarineLicensing@scotland.gsi.gov.uk]  
**Sent:** 08 July 2013 08:59  
**To:** Pauline McGrow  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Ms McGrow

**BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK BEFORE REMINDER**

**ELECTRICITY ACT 1989**

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

*The Electricity (Applications for Consent) Regulations 1990*

**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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

Please see below the consultation email on the Addendum for the above application. I would be grateful for any comments you have by **15<sup>th</sup> July 2013**. Please note that extensions to this deadline are unlikely to be agreed. If you have no comments to make please submit a "nil return" response

Yours sincerely

Gayle Holland

---

**From:** Wilson R (Rachael) (Marine) **On Behalf Of** MS Marine Licensing  
**Sent:** 04 June 2013 14:19  
**To:** Pauline McGrow (Pauline.McGrow@ryascotland.org.uk)  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Ms McGrow

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579  
S/B: +44 (0)1224 876 544  
Fax: +44 (0)1224 295 524*

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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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Our Ref SCT6707B  
Your Ref 003/OW/BOWL-8

18<sup>th</sup> July 2013

Gayle Holland  
Marine Renewables Licensing Advisor  
Marine Scotland  
PO Box 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

Dear Gayle,

**ELECTRICITY ACT 1989  
MARINE (SCOTLAND) ACT 2010  
APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY  
ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE  
(SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE  
AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE  
WINDFARM, OUTER MORAY FIRTH.**

With reference to your recent correspondence to Transport Scotland, we write to inform you of our continued involvement as Term Consultants to Transport Scotland – Trunk Road and Bus Operations Directorate (TS-TRBOD) in relation to the provision of advice on issues affecting the trunk road network.

We have received a copy of the ES Addendum for the project and having reviewed the content, we are satisfied that there is no new information that would have any significant affect on the operation of the trunk road network.

We are therefore able to confirm Transport Scotland's previous conclusion that they are satisfied that the proposed offshore element of the development will not have any significant environmental impacts on the trunk road network or its adjacent sensitive receptors.

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 me at our Glasgow office.

Yours faithfully



**George Smith**  
Associate

Tel 0141 226 6936  
Email [george.smith@jmp.co.uk](mailto:george.smith@jmp.co.uk)

Cc Malcolm Forsyth, Transport Scotland Development Management

JMP Consultants Limited  
Mercantile Chambers  
53 Bothwell Street  
Glasgow  
G2 6TS

T 0141 221 4030  
F 0800 066 4367  
E [glasgow@jmp.co.uk](mailto:glasgow@jmp.co.uk)

[www.jmp.co.uk](http://www.jmp.co.uk)

**Innes G (Graeme)**

---

**From:** Breaden, Annie <Annie.Breaden@thecrownestate.co.uk>  
**Sent:** 08 July 2013 09:19  
**To:** MS Marine Licensing  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Hi Gayle,

Thank you for the opportunity to comment on the addendum.

We don't have any comments to make.

Regards,

Annie

---

**Annie Breaden**  
Policy and Consents Manager (Scotland)



6 Bell's Brae, Edinburgh, EH4 3BJ  
Tel: +44 (0) 131 260 6107 | Mob: [REDACTED]

[www.thecrownestate.co.uk](http://www.thecrownestate.co.uk) 

Please think - do you need to print this email?

---

**From:** Gayle.Holland@scotland.gsi.gov.uk [mailto:Gayle.Holland@scotland.gsi.gov.uk] **On Behalf Of** MS.MarineLicensing@scotland.gsi.gov.uk  
**Sent:** Monday, July 08, 2013 8:32 AM  
**To:** Breaden, Annie  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments week before reminder 8 July 2013

Dear Ms Breaden

**BEATRICE OFFSHORE WINDFARM ADDENDUM - ONE WEEK BEFORE REMINDER**

**ELECTRICITY ACT 1989**

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

**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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

Please see below the consultation email on the Addendum for the above application. I would be grateful for any comments you have by **15<sup>th</sup> July 2013**. Please note that extensions to this deadline are unlikely to be agreed. If you have no comments to make please submit a "nil return" response

Yours sincerely

Gayle Holland

---

**From:** Wilson R (Rachael) (Marine)  
**Sent:** 04 June 2013 13:00  
**To:** 'annie.breaden@thecrownestate.co.uk'  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Ms Breaden

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.


Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579  
S/B: +44 (0)1224 876 544  
Fax: +44 (0)1224 295 524*

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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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Moray Firth Sea Trout Project  
(Now Moray Firth Trout Initiative)  
c/o KCS  
Dornoch Road  
Bonar Bridge  
IV24 3EB

Mr Colin Palmer  
The Scottish Government  
Marine Scotland Licensing Operations Team  
Marine Laboratory  
PO BOX 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

05<sup>th</sup> July 2013

Dear Mr Palmer

#### **MFSTP Response to BOWL Addendum to Environmental Statement**

We have welcomed the further detail and clarification provided in the BOWL ES Addendum and the opportunity to meet the developers and discuss the project in more detail. However, we still feel the necessary knowledge and information is lacking to make an adequate assessment of the potential effect on local trout populations. There is frequent reference to a salmon and sea trout monitoring strategy being developed in conjunction with Marine Scotland which we very much welcome. This is an important step in understanding how sea trout use this local area and the wider cumulative implications of other marine renewable projects. However, before we can comment on this strategy we need to know what it is to involve, where and how it is to be deployed and on what time scale.

#### **Specific comments**

We welcome the further work that has been done on suspended sediment.

Construction noise is still a concern for sea trout but we welcome the greater detail provided on construction operations specifically on the time scales and piling energies required. We are encouraged by the potential for mitigation to be built into the construction schedule to minimise the effect on local trout populations. Following the completion of the Geotechnical surveys we would like the opportunity to meet with the developers to discuss the potential for a piling strategy that minimises the potential effect of piling noise. However, for this mitigation to be effective it will require further information on how trout use this site which can only be provided by an adequate Marine Scotland salmon and sea trout monitoring strategy.

Although the Marine Scotland Science work on EMF and Salmonids is not yet complete we welcome the commitment to bury the Transmission cables to 1m depth wherever possible. However, where burial is not possible we would like clarification that cables will be appropriately shielded using an alternative method.

We still have some concerns about how the development will impact upon sea trout prey; specifically sandeels and herring. There is reference made to a sandeel survey and we think it is very

important this is completed before construction commences and is a condition of the consent. Sandeels are a key prey species for sea trout and a very important component of local food chains and their specific sediment requirements leaves them vulnerable to disturbance. The potential effect on herring has been assessed as significant but no mitigation has been proposed.

#### Summary

Although we welcome the further work that has been done in the addendum we maintain our objection to the BOWL project until there is further detail provided on the following:

- The joint Salmonid monitoring Strategy.
- The potential of mitigation to be built into the construction strategy to minimise the effect of piling noise.
- That all transmission cables will be buried to 1m depth and where this is not possible appropriate shielding will be used.
- That an appropriate sandeel survey will be completed before construction and used to inform appropriate mitigation where necessary.

Yours faithfully,

Marcus Walters

MFTI Project Manager

[Marcus@morayfirthtrout.org](mailto:Marcus@morayfirthtrout.org)

Mob: [REDACTED]

**Innes G (Graeme)**

---

**From:** Marcus Walters <walters.mfstp@gmail.com>  
**Sent:** 05 July 2013 11:02  
**To:** MS LOT Beatrice Representations  
**Subject:** MFSTP Response toBOWL ES Addendum  
**Attachments:** MFSTP Response to BOWL Addendum to Environmental Statement.pdf

Marine Scotland Licensing Operations Team

Please find attached the Moray Firth Sea Trout Project's response to the BOWL ES Addendum.

Kind Regards,

Marcus Walters

MFTI Project Manager  
Mob: [REDACTED]  
Email: [Marcus@morayfirthtrout.org](mailto:Marcus@morayfirthtrout.org)  
Web: [www.morayfirthtrout.org](http://www.morayfirthtrout.org)

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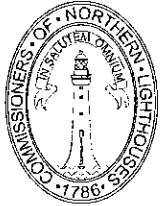
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# Northern Lighthouse Board

**CAPTAIN PHILLIP DAY**  
**DIRECTOR OF MARINE OPERATIONS**

Your Ref: 003/OW/BOWL - 8  
Our Ref: AJ/OPS/CPA/O6\_01\_178

84 George Street  
Edinburgh EH2 3DA  
Switchboard: 0131 473 3100  
Fax: 0131 220 2093  
Website: [www.nlb.org.uk](http://www.nlb.org.uk)  
Email: [enquiries@nlb.org.uk](mailto:enquiries@nlb.org.uk)



Ms Rachael Wilson  
Marine Scotland – Licensing Operations Team  
Marine Laboratory  
PO Box 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

01 July 2013

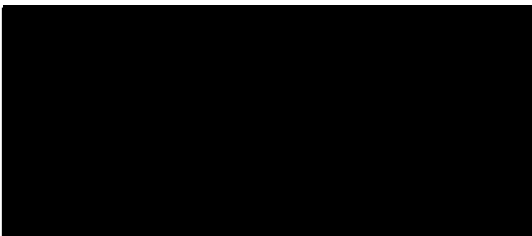
Dear Ms Wilson,

**CONSENT UNDER SECTION 36 and 36A of the ELECTRICITY ACT 1989 AND  
MARINE LICENCES UNDER PART 4, SECTION 20 of the MARINE (SCOTLAND)  
ACT 2010 and UNDER PART 4, SECTIONS 65 and 66 of the MARINE AND  
COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE  
WINDFARM, OUTER MORAY FIRTH.**

Thank you for your correspondence dated 04 June 2013 regarding the submission of Addendum to the Environmental Statement supporting the application by **Beatrice Offshore Windfarm Limited** to install and operate wind turbines, offshore sub-stations and the associated electrical interconnecting and export cables at their wind farm site in the outer Moray Firth.

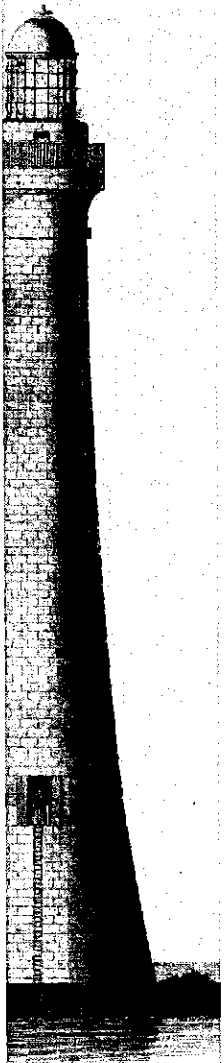
We can confirm that we have no additional comment or requirement to those previously stated in our correspondence dated 11 May 2012 (Our Ref: O6\_01\_120, Your Ref: 003/OW/BOWL-8)

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



*For the safety of all*

Certified to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS 18001



## Innes G (Graeme)

---

**From:** Archie Johnstone <ArchieJ@nlb.org.uk>  
**Sent:** 02 July 2013 14:50  
**To:** Wilson R (Rachael) (Marine)  
**Cc:** MS Marine Licensing  
**Subject:** NLB Response  
**Attachments:** Archie Johnstone.vcf; O6\_01\_178.doc

Rachael, please find the attached response from NLB for your records and info.

Regards, Archie.



---

Northern Lighthouse Board  
84 George Street  
Edinburgh  
EH2 3DA

Email: [Enquiries@nlb.org.uk](mailto:Enquiries@nlb.org.uk)  
Web: [www.nlb.org.uk](http://www.nlb.org.uk)  
Phone: 0131 473 3100  
Fax: 0131 220 2093

Northern Lighthouse Board (Oban)  
Gallanach Road  
Oban, Argyll  
PA34 4LS

Email: [ObanBase@nlb.org.uk](mailto:ObanBase@nlb.org.uk)  
Phone: 01631 562146  
Fax: 01631 565871

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**NATS LTD**  
**Safeguarding Office**  
4000 Parkway  
Whiteley  
Fareham  
Hampshire  
PO15 7FL

**Rachael Wilson - Marine Licensing Officer**  
**Licensing Operations Team**  
**Marine Scotland**  
**Scottish Government**  
**Marine Laboratory**  
**PO Box 101**  
**375, Victoria Road**  
**Aberdeen**  
**AB11 9DB**

☎: 01489 444687  
✉: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)  
🌐: <http://www.nats.co.uk/windfarms>

Sent via email: [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk)

Your Ref: **003/OW/BOWL - 8**  
Our Ref: **W(F)08575 Beatrice**

**28<sup>th</sup> June 2013**

Dear Sir/Madam,

**APPLICATION FOR CONSENT UNDER SECTION 36 and 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

I refer to the above wind-farm being developed by BOWL, and to the addendum to the application.

NATS's position is currently that of objecting to the development. However we are actively engaged with BOWL in order to address and mitigate the impact of this development upon our infrastructure.

We will keep you informed of the progress as we discuss the way forward with BOWL. Should you have any queries, do not hesitate to contact me using the details above.

Yours faithfully



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

## Innes G (Graeme)

---

**From:** ROSSI, Sacha <Sacha.Rossi@nats.co.uk>  
**Sent:** 28 June 2013 16:16  
**To:** MS Marine Licensing  
**Cc:** NATS Safeguarding; Wilson R (Rachael) (Marine)  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013  
**Attachments:** Beatrice Offshore.pdf

Dear Sir/Madam, please find attached correspondence on the above development.

Regards  
S. Rossi  
NATS Safeguarding Office

# NATS

**Mr Sacha Rossi**  
ATC Systems Safeguarding Engineer

☎: 01489 444 205  
✉: [sacha.rossi@nats.co.uk](mailto:sacha.rossi@nats.co.uk)

NATS Safeguarding  
4000 Parkway,  
Whiteley, PO15 7FL

<http://www.nats.co.uk/windfarms>

---

**From:** [Rachael.Wilson2@scotland.gsi.gov.uk](mailto:Rachael.Wilson2@scotland.gsi.gov.uk) [<mailto:Rachael.Wilson2@scotland.gsi.gov.uk>] **On Behalf Of**  
[MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)  
**Sent:** 04 June 2013 14:14  
**To:** NATS Safeguarding  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Ms Allen

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team



Marine Scotland

Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB

Tel: +44 (0)1224 295 579

S/B: +44 (0)1224 876 544

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Our Ref: MM/IL13-079

Your Ref:

26<sup>th</sup> June 2013

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

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

[www.sff.co.uk](http://www.sff.co.uk)

Rachel Wilson  
Marine Licencing Operations Team  
Marine Laboratory  
PO Box 101  
375 Victoria Road  
Aberdeen  
AB11 9DB

Email: [rachael.wilson2@scotland.gsi.gov.uk](mailto:rachael.wilson2@scotland.gsi.gov.uk)

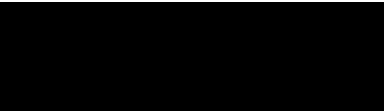
Dear Ms Wilson,

**003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum**

With regards to the request for comments on the above, the Scottish Fishermen's Federation is content that the amended cable export route will pose no additional burden imposed on our members.

The SFF is therefore content to continue with our previous response to the original consents application our ref: MM/IL12-070 sent on 6 June 2012.

Yours sincerely,



Bertie Armstrong  
Chief Executive  
Scottish Fishermen's Federation

**Members:**

Anglo Scottish Fishermen's Association  
Clyde Fishermen's Association  
Fishsalesmen's Association (Scotland) Ltd

Mallaig & North-West Fishermen's Association  
Orkney Fisheries Association  
Scallop Association

Scottish Pelagic Fishermen's Association Ltd  
Scottish Whitefish Producers' Association Ltd  
Shelland Fishermen's Association

VAT Reg. No: 605 096 748

**Innes G (Graeme)**

---

**From:** Fiona Lord <F.Lord@sff.co.uk>  
**Sent:** 27 June 2013 14:57  
**To:** Wilson R (Rachael) (Marine)  
**Cc:** Malcolm Morrison  
**Subject:** SFF Response: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum  
**Attachments:** 2013-06-26 L13-079 003-OW-BOWL-8 Beatrice Offshore Eindfarm Addendum.pdf

Rachel,

Please find attached SFF response to 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum.

The original is bein posted this evening.

regards,

**Fiona**

**Fiona Lord**  
**PA to Bertie Armstrong**  
Chief Executive Officer  
**Scottish Fishermen's Federation**  
24 Rubislaw Terrace  
Aberdeen  
AB10 1XE

Tel: 01224 646944  
Fax: 01224 647058  
Website: [www.sff.co.uk](http://www.sff.co.uk)

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Gayle Holland  
Marine Scotland Licensing Operations Team  
Scottish Government  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

e-mail: david.mudie@highland.gov.uk  
Direct dial: (01463) 702255  
Our Ref: 12/01659/S36  
Your Ref: 003/OW/BOWL - 08  
Date: 25 June 2013

Dear Gayle

**ELECTRICITY ACT 1989**

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

**MARINE (SCOTLAND) ACT 2010**

**MARINE AND COASTAL ACCESS ACT 2009**

The Marine Works (Environmental Impact Assessment) Regulations 2007

**APPLICATION FOR CONSENT UNDER SECTION 36 AND 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH.**

Thank you for your consultations of 25 April 2012 and 04 June 2012 in respect of the above proposal and its addendum. Thank you for allowing an extension of time to respond.

At its meeting on 18 June 2013, following considerable debate on matters relating to the residual visual impact of the proposal as well as the potential economic benefits to Highland, the Council's North Planning Applications Committee decided that it wished to Raise No Objection to the proposals subject to the following:

- A: That the Council wishes to support the comments made by WDCCS on the scheme and asks that Marine Scotland take into account the issue raised into account before providing its advice to Ministers.
- B: That the Council expects the following matters to be conditioned or appropriately addressed within any consent that the Minister may grant:
  - 1. No development shall commence on any Phase until the Council has been consulted, and given its considered opinion, on the design and layout options for that Phase having taken into consideration the design and layout of the neighbouring Phases and/or MORL wind farm.
  - 2. No development shall commence on any Phase until the Council has been consulted, and given its considered opinion, on the lighting requirements for the chosen design and

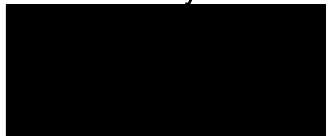
layout options for that Phase having taken into consideration the design and layout of the neighbouring Phases and/or MORL wind farm.

3. No development shall commence on any Phase until a TV and radio reception mitigation plan has been submitted to, and approved in writing by, the Planning Authority. The plan shall provide for a baseline TV reception survey to be carried out prior to the commencement of turbine installation, the results of which shall be submitted to the Planning Authority. Within 12 months of the Final Commissioning of the development on each Phase, any claim by any individual person regarding TV picture loss or interference at their house, business premises or other building, shall be investigated by a qualified engineer appointed by the developer and the results shall be submitted to the Planning Authority. Should any impairment to the TV signal be attributable to any development Phase, the developer shall remedy such impairment so that the standard of reception at the affected property is equivalent to the baseline TV reception.
4. The applicant shall maximise the amount of GVA in terms of employment and associated economic activities that comes to the Highlands, as a result of the construction phase of the project.
5. The applicant shall continue dialogue with the Highland's renewable energy supply chain and its ports and harbours, including Wick as a potential operation and maintenance facility.
6. The applicant shall continue to work with the relevant public and private sector bodies in the Highlands to ensure that the area achieves maximum socio-economic returns from the development.
7. The applicant shall continue to examine the potential for a turbine manufacturer to locate in the Highlands.
8. The applicant pursues opportunities for a visitor centre within Caithness and/or visitor interpretation facilities along the East Caithness/ Sutherland coastal route.
9. The applicant ensures that the liaison group to be established by way of mitigation with the fishing industry shall specifically include representatives of the Highland fishing community.

Full details of the Report to Committee can be obtained from our website at <http://www.highland.gov.uk/yourcouncil/committees/npac-comms/2013-06-18-npac-ag.htm> Minutes once available can be found at <http://www.highland.gov.uk/yourcouncil/committees/npac-comms/>

Should you require further advice or require any clarification on any aspect of the above please do not hesitate to contact me.

Yours sincerely



David Mudie  
Team Leader – Development Management  
Planning and Development Service

## Innes G (Graeme)

---

**From:** David Mudie <david.mudie@highland.gsx.gov.uk>  
**Sent:** 25 June 2013 21:19  
**To:** MS Marine Licensing  
**Subject:** The Highland Council response to Beatrice Offshore - FAO Gayle Holland  
**Attachments:** Marine Scotland - Council's Response.pdf

Dear Gayle

Please find attached a copy of the Council's response to Beatrice Offshore Wind Farm. Any queries please let me know.

I would point out that we have still not fully resolved the issue of visualisations – despite our concerted effort. I would advise you to seek further clarification on this as we still feel that the BOWL turbines are not of the scale that one would expect given that the development is closer to shore. You may wish to confer with your colleague dealing with MORL – the visuals for which we have verified as being realistic. Happy to have a further chat about this.

David

David Mudie  
Team Leader - Development Management  
Planning and Development Service, The Highland Council, Glenurquhart Road, Inverness, IV3 5NX  
(01463) 702255

This advice is given without prejudice to the future consideration of and decision on any application received by The Highland Council.

Thathar a' toirt seachad na comhairle seo gun chlaon-bhreith do bheachdachadh air agus co-dhùnadh a thaobh tagradh sam bith a tha Comhairle na Gàidhealtachd a' faighinn san àm ri teachd.

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**Innes G (Graeme)**

---

**From:** Graeme Proctor <Graeme.Proctor@mcga.gov.uk>  
**Sent:** 21 June 2013 12:04  
**To:** MS Marine Licensing  
**Cc:** Mark Munts; Nicholas Salter  
**Subject:** BOWL ES Addendum

Gayle

Many thanks for your letter of 4th June seeking comment on the Beatrice OWL ES addendum.

The additional information has been reviewed, there are no revisions that have adversely impacted the navigation risk assessment as presented in the original application. It is therefore confirmed that MCA are happy to carry forward our previously issued consultation comments as they remain unchanged against the revised proposal.

Regards

Graeme

Graeme Proctor  
Offshore Renewables Lead  
MCA Navigation Safety  
Bay 2/04 Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

T 02380 329191

---

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Our ref: PCS/127027  
Your ref: Beatrice

Rachel Wilson  
Marine Scotland  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

If telephoning ask for:  
Susan Haslam

10 June 2013

By email only to: [MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)

Dear Ms Wilson

**Marine (Scotland) Act 2010**

**The Electricity Act 1989**

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

**Application for consent under Section 36 and 36A of the Electricity Act 1989 and Marine Licences under Part 4, Section 20 of the Marine (Scotland) Act 2010 and under Part 4, Sections 65 and 66 of the Marine and Coastal Access Act 2009 to construct and operate an offshore windfarm (including transmission element)**

**ES Addendum**

**Outer Moray Firth (Beatrice)**

Thank you for your consultation email which SEPA received on 4 June 2013. We received the revised applications and Addendum direct from the applicant on 3 June 2013

We can confirm that the information provided in the Addendum does not change our position on the applications. We ask that the **condition** in Section 1 of our previous response of 28 May 2012 (our reference PCS119961) be attached to the consents. If it will not be applied, then please consider this representation as an **objection**. Please also note the advice provided below.

**Advice for the determining authority**

**1. Water Framework Directive**

- 1.1 Based on the information provided, we can confirm that we do not consider that the amendments proposed will result in the development causing a downgrade in any water bodies.

**2. Pollution prevention and environmental management**

- 2.1 We maintain our request that a site specific Environmental Management Plan be a condition of permission. A draft Plan has now been provided but it essentially only consists of a table of contents.



Chairman  
David Sigsworth  
Chief Executive  
James Curran

Dingwall Office  
Graesser House, Fodderty Way,  
Dingwall Business Park, Dingwall, IV15 9XB  
tel 01349 862021 fax 01349 863987  
[www.sepa.org.uk](http://www.sepa.org.uk)

- 2.2 We draw the developers' attention to the guidance we previously provided on Environmental Management Plans and emphasise the need for the finalised Plan to be both detailed and site specific.

### **Regulatory advice**

#### **3. Regulatory requirements**

- 3.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA offices at:

SEPA North Highland Team - Strathbeg House, Clarence Street, Thurso, KW14 7JS.  
Tel: 01847 894422

SEPA North Grampian and Speyside Team - 28 Perimeter Road, Pinefield, Elgin IV30 6AF  
Tel: 01343 547663

Should you wish to discuss this consultation, please do not hesitate to contact me on 01349 860359 or [planning.dingwall@sepa.org.uk](mailto:planning.dingwall@sepa.org.uk).

Yours sincerely

Susan Haslam  
Senior Planning Officer  
Planning Service

Copy to: [Colin.Palmer@sserenewables.com](mailto:Colin.Palmer@sserenewables.com)

#### *Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. If you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found in How and when to consult SEPA, and on flood risk specifically in the SEPA-Planning Authority Protocol.*

**Innes G (Graeme)**

---

**From:** planning.dingwall@sepa.org.uk  
**Sent:** 10 June 2013 16:08  
**To:** MS Marine Licensing; Colin.Palmer@sserenewables.com;  
planning.dingwall@sepa.org.uk  
**Subject:** SEPA Response to Consultation Reference 003/OW/BOWL-8  
**Attachments:** PCS127027Response.doc

Thank you for consulting SEPA on the above proposal. Please find our response attached.

Where applicable this email has been copied to the agent and/or applicant.

This is an auto-generated email sent on behalf of SEPA's Planning Service. Information on our planning service along with guidance for planning authorities, developers and any other interested party is available on our website at <http://www.sepa.org.uk/planning.aspx>.

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Ms Val Ferguson  
Ports & Harbours Area 2G Dockside  
Victoria Quay  
Edinburgh  
EH9 1SH

Our ref: 003/OW/BOWL - 8  
4<sup>th</sup> June 2013

Dear Ms Ferguson

**ELECTRICITY ACT 1989**

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

**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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

On 30th May 2013 Beatrice Offshore Windfarm Limited (the applicant) submitted an addendum in support of the application previously submitted to the Scottish Ministers on 23<sup>rd</sup> April 2012 for consent under Section 36 and 36A of the Electricity Act 1989 and a Marine Licence under Part 4 Section 20 of the Marine (Scotland) Act 2010 and under Part 4 Sections 65 and 66 of the Marine and Coastal Access Act 2009 to construct and operate the Beatrice Offshore Windfarm in the Moray Firth.

Details of the further information are to be published for two consecutive weeks in the The Edinburgh Gazette, The Scotsman, John O Groats Journal (including Caithness Courier), Northern Times, Inverness Courier, Northern Scot & Banffshire Journal and Press & Journal.

The above regulations allow for representations to be made to Scottish Ministers. The closing date for representations is **15<sup>th</sup> July 2013**.

I would be grateful for your consultation response on the submitted addendum which you should, by now, have received directly from the applicant. I 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 new addendum; and**

**Present all recommendations/conditions in a separate Annex to your response.**

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments by this date we will assume you have no comments to make.  
Yours faithfully,

Gayle Holland

**Innes G (Graeme)**

---

**From:** Ferguson V (Val)  
**Sent:** 04 June 2013 16:03  
**To:** MS Marine Licensing  
**Cc:** Wilson R (Rachael) (Marine)  
**Subject:** FW: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Rachel,

I have no comments on this addendum.

*Val Ferguson  
Ports and Harbours Branch  
Area 2G North  
Victoria Quay  
Edinburgh  
EH6 6QQ  
0131 244 7878  
[val.ferguson@transportscotland.gsi.gov.uk](mailto:val.ferguson@transportscotland.gsi.gov.uk)*

---

**From:** Wilson R (Rachael) (Marine)  
**Sent:** 04 June 2013 14:15  
**To:** Ferguson V (Val)  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013



Ports and  
Harbours.doc

Dear Ms Ferguson

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer

Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579*

*S/B: +44 (0)1224 876 544*

*Fax: +44 (0)1224 295 524*

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**Innes G (Graeme)**

---

**From:** Windfarms <Windfarms@caa.co.uk>  
**Sent:** 11 June 2013 15:21  
**To:** Wilson R (Rachael) (Marine)  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Good afternoon Sir/Madam,

Having reviewed the Addendum for the proposed Beatrice Offshore Windfarm, there are no amendments to the aviation chapters and therefore the Civil Aviation Authority would not wish to make any new comments.

I would reiterate the need, if the proposed development is approved, to inform the Defence Geographic Centre [icgdgc-aero@mod.uk](mailto:icgdgc-aero@mod.uk) of the locations, heights and lighting status of the turbines, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, prior to the start of construction, to allow for the appropriate inclusion on Aviation Charts, for safety purposes.

Should you have any further questions please feel free to contact me, details below.

Kind regards,

*Kelly*

K LIGHTOWLER  
Squadron Leader (RAF)

Surveillance and Spectrum Management  
Directorate of Airspace Policy  
Civil Aviation Authority  
45-59 Kingsway London WC2B 6TE  
Tel: 020 7453 6534 Fax: 020 7453 6565  
[windfarms@caa.co.uk](mailto:windfarms@caa.co.uk)

---

**From:** Rachael.Wilson2@scotland.gsi.gov.uk [<mailto:Rachael.Wilson2@scotland.gsi.gov.uk>]  
**Sent:** 04 June 2013 12:59  
**To:** Windfarms  
**Subject:** FW: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Sir/Madam

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.

Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.


Kind Regards



**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB

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HSE  
Belford House  
Edinburgh  
AB45 2XT

Our ref: 003/OW/BOWL - 8  
4<sup>th</sup> June 2013

Dear Sir/Madam

**ELECTRICITY ACT 1989**

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

*The Electricity (Applications for Consent) Regulations 1990*

**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 36A OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4, SECTION 20 OF THE MARINE (SCOTLAND) ACT 2010 AND UNDER PART 4, SECTIONS 65 AND 66 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE AN OFFSHORE WINDFARM, OUTER MORAY FIRTH**

On 30th May 2013 Beatrice Offshore Windfarm Limited (the applicant) submitted an addendum in support of the application previously submitted to the Scottish Ministers on 23<sup>rd</sup> April 2012 for consent under Section 36 and 36A of the Electricity Act 1989 and a Marine Licence under Part 4 Section 20 of the Marine (Scotland) Act 2010 and under Part 4 Sections 65 and 66 of the Marine and Coastal Access Act 2009 to construct and operate the Beatrice Offshore Windfarm in the Moray Firth.

Details of the further information are to be published for two consecutive weeks in the The Edinburgh Gazette, The Scotsman, John O Groats Journal (including Caithness Courier), Northern Times, Inverness Courier, Northern Scot & Banffshire Journal and Press & Journal.

The above regulations allow for representations to be made to Scottish Ministers. The closing date for representations is **15<sup>th</sup> July 2013**.

I would be grateful for your consultation response on the submitted addendum which you should, by now, have received directly from the applicant. I 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 new addendum; and**

**Present all recommendations/conditions in a separate Annex to your response.**

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments by this date we will assume you have no comments to make.  
Yours faithfully,

Gayle Holland

## Innes G (Graeme)

---

**From:** Luke.Frissung@hse.gsi.gov.uk on behalf of  
Landuseplanning.Scotland@hse.gsi.gov.uk  
**Sent:** 06 June 2013 15:53  
**To:** MS Marine Licensing  
**Subject:** FW: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for  
Comments 4 June 2013  
**Attachments:** HSE.doc

Hi,

Following previous correspondence with the Marine Licensing team at the Scottish Government, HSE do not require to be consulted on EIAs for offshore windfarms / wavefarms, and therefore has no comments to make on this addendum.

Regards,

Luke Frissung

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**From:** Rachael.Wilson2@scotland.gsi.gov.uk [mailto:[Rachael.Wilson2@scotland.gsi.gov.uk](mailto:Rachael.Wilson2@scotland.gsi.gov.uk)]  
**Sent:** 04 June 2013 13:58  
**To:** Landuseplanning Scotland  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Sir/Madam

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.


Under Section 14A (5) of The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008 I am also required to send you a copy of the notice which was placed by the applicant after the 1<sup>st</sup> statutory consultee response was received last year. Apologies for the delay in sending this notice.

Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579  
S/B: +44 (0)1224 876 544  
Fax: +44 (0)1224 295 524*

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**Innes G (Graeme)**

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**From:** Holland G (Gayle)  
**Sent:** 06 February 2014 10:42  
**To:** Innes G (Graeme)  
**Subject:** FW: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

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**From:** [dale.aitkenhead@openreach.co.uk](mailto:dale.aitkenhead@openreach.co.uk) [<mailto:dale.aitkenhead@openreach.co.uk>] **On Behalf Of** [radionetworkprotection@bt.com](mailto:radionetworkprotection@bt.com)  
**Sent:** 04 June 2013 13:04  
**To:** Wilson R (Rachael) (Marine); MS Marine Licensing  
**Subject:** RE: 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Sir/Madam

Thank you for your letter dated 04/06/2013.

We have studied this Offshore wind farm proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, the Project indicated should not cause interference to BT's current and presently planned radio networks.

Thanks

*Regards*

**Radio Frequency Allocation & Network Protection**

**Tel** 0191 2696372

**mobile :** [dale.aitkenhead@bt.com](mailto:dale.aitkenhead@bt.com)

**Web:** <http://operate.intra.bt.com/operate>

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**From:** [Rachael.Wilson2@scotland.gsi.gov.uk](mailto:Rachael.Wilson2@scotland.gsi.gov.uk) [<mailto:Rachael.Wilson2@scotland.gsi.gov.uk>]  
**Sent:** 04 June 2013 12:57  
**To:** radionetworkprotection G  
**Subject:** 003/OW/BOWL-8: Beatrice Offshore Windfarm Addendum Request for Comments 4 June 2013

Dear Mr Aitkenhead

Please find attached a consultation letter from Marine Scotland Licensing Operations Team (MS LOT) requesting comments on the addendum for the proposed Beatrice Offshore Windfarm.

I would be grateful if you could submit your addendum response electronically to [ms.marinelicensing@scotland.gsi.gov.uk](mailto:ms.marinelicensing@scotland.gsi.gov.uk) by **15<sup>th</sup> July 2013**. If we have not received your comments, by this date we will assume you have no comments to make.



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Kind Regards

**Rachael Wilson**  
Marine Licensing Officer  
Licensing Operations Team  
Marine Scotland

*Scottish Government | Marine Laboratory, PO Box 101 | 375, Victoria Road | Aberdeen AB11 9DB*

*Tel: +44 (0)1224 295 579  
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