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E: [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot)

## **Conservation (Natural Habitats, &c.) Regulations 1994**

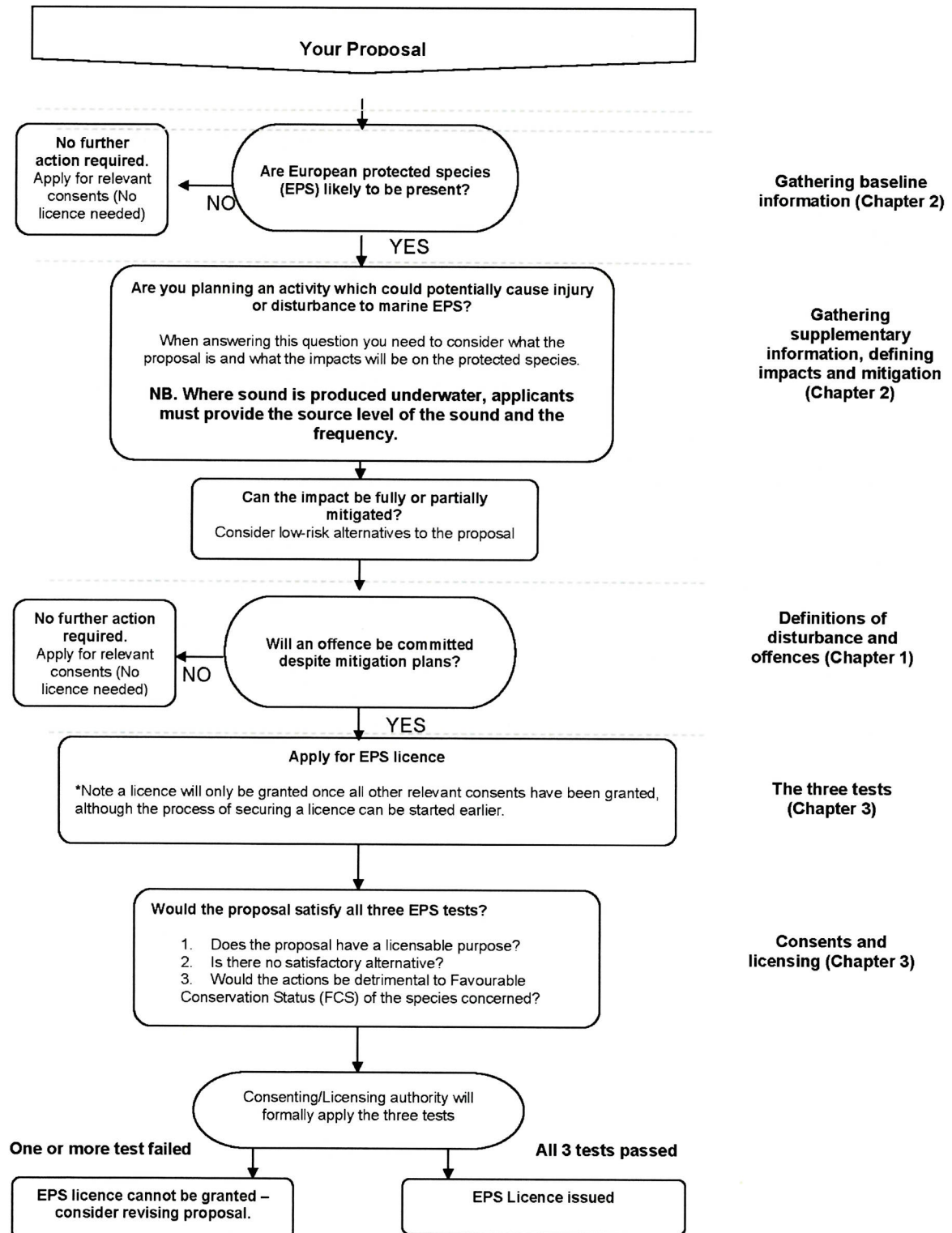
### **Application for a licence to disturb or injure marine European protected species (EPS) for one of the following purposes**

- For preserving public health or public safety or other imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries.

**Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish inshore marine area (0 – 12nm).**

Important : Before completing this form, please read these notes carefully Applicants are advised to read these notes in conjunction with [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#). If further clarification is needed please contact Marine Directorate Licensing Operations Team (MD-LOT) on 0300 244 5046 or email: [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot)

**Flowchart showing the decision-making process**  
Please refer to the relevant chapter of [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#)



Please complete all relevant sections of the form.

Please ensure that you answer questions fully in order to avoid delays.

The completed application should be sent to Marine Directorate Licensing Operations Team (MD-LOT) at the address below or emailed to [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot).

If the activity relates to a renewable energy project, completed applications should be sent to Marine Scotland Licensing Operations Team (MD-LOT) at the address below or emailed to [MD.MarineRenewables@gov.scot](mailto:MD.MarineRenewables@gov.scot)

We will not process unsigned application forms.

**Please ensure that you provide appropriate information to support your application.** Applicants can provide this supporting information in the form of an EPS Risk Assessment. Guidance can be found in [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#). Please contact MD-LOT if you wish to discuss the level of supporting documentation required for your application. Failure to provide sufficient supporting information may delay the consultation and licensing process.

MD-LOT will aim to determine whether a licence should be issued **within 6 to 8 weeks of acceptance of a completed application**. However, please note that for large scale or complex projects, the determination period may be longer.

If you experience any problems filling in this form, please contact MD-LOT.

Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish marine area (0 – 12nm).

Please note that European protected species are also protected in the offshore marine environment (between 12 and 200 nautical miles). Species in this area are protected under The Conservation of Offshore Marine Habitats and Species Regulations 2017.

Do not use this form if your application relates to scientific, research, conservation or educational purposes. Please contact NatureScot, email [licensing@nature.scot](mailto:licensing@nature.scot), Telephone 01463 725364 or visit the [NatureScot website](#) for a licence application for these purposes. NatureScot also issues licences for the purposes of marking animals or plants in relation to conservation or introducing them to particular areas for conserving natural habitats, and for protecting zoological or botanical collections.

Before a licence can be granted, it is essential that other relevant licences or consents have been secured for the proposed activity (eg Marine licence).

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

## **Part A**

### **Section 1 Personal details**

Please provide details of the individual, company or partnership you wish to be named on the licence. The licensee is responsible for ensuring compliance with the licence and its conditions. Under the Conservation (Natural Habitats) Regulations 1994 (as amended) it is an offence to fail to comply with the terms and conditions of a licence.

### **Section 2 Previous applications**

Please provide details of any previous relevant licences.

## **Part B**

### **Section 3**

#### **Species**

Please provide details of the species that will be affected by the work, the number likely to be affected and a description of how this number was determined. The number of animals must be the maximum that could be affected prior to any mitigation measures being applied. This information can be described in detail in your supporting information. You will need to provide detailed proposals (to be included in the 'supporting information') of all the mitigation work that you plan to carry out which will affect European protected species.

#### **Location**

Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the proposed project. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84. In a few cases, (e.g. laying of cables or pipelines) it may only be practicable to supply co-ordinates for the start and end points.

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

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

### **Section 4 Consideration of designated sites**

Please provide details of any designated sites affected by your proposals. You are advised to consult NatureScot, or other appropriate regulator, if the work you propose to do affects a European site, a MPA or a Site of Special Scientific Interest.

### **Section 5 Activities to be licensed**

Please indicate the activities you intend to undertake that would otherwise be unlawful. Provide details of the proposed commencement and completion dates of the activities. The licence start date will not be backdated, since to commence a project for which a licence has not been obtained may constitute an offence resulting in appropriate legal action.

It is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

### **Section 6 Purpose of the licence application**

Please indicate the purpose of the licence application, the first of the legal tests. Please complete the relevant annex to provide justification for the licensing purpose. This is the legal basis of the application.

### **Section 7 Satisfactory alternatives**

Please provide your consideration of why there is no satisfactory alternative. This must include all other options that have been evaluated, the alternative sites that were considered by you and why they were rejected (if no other sites were considered, you must provide the reasons why), as well as all alternative methods of carrying out the work and alternatives dates / timings.

In relation to each alternative considered, please provide an explanation of why you consider it to be satisfactory or unsatisfactory. In respect of any alternative sites please provide the location(s) and details of the alternative site(s), or your views on how the activity/proposal might have been achieved differently, and any other helpful information; e.g., pros and cons of alternative sites, or whether there is likely to be demand for all suitable sites to be used to meet an identified need. Please explain how this conclusion was reached.



## Section 8 Summary of the planning / licensing position

Detail all consents and licences required for the proposed project and indicate those that you have applied for or received.

## Section 9 Noise monitoring

Under the Marine Strategy Regulations (2010), there is now a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. This includes use of seismic airguns, other geophysical surveys (<10kHz), pile driving, explosives and certain acoustic deterrent devices. This monitoring requires completion of a form at the application stage (giving details of the proposed work) as well as completion of a 'close-out' form (giving details of the actual dates and locations where the activities occurred). The close-out form should be returned within 12 weeks of completing the 'noisy' activity or, in the case of prolonged activities such as piling for harbour construction or wind farms, at quarterly intervals or after each phase of foundation installation. These forms are available on the [Marine Noise Registry website](#).

## Section 10 Scotland's National Marine Plan

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

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made with reference to the policies, including but not limited to General Policies 9 and 13 (GEN 9 and GEN 13), that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

## Section 11 Privacy notice

This section briefly describes the Scottish Ministers responsibilities in relation to Data Protection based on the requirements of the data protection laws and the Environmental Information (Scotland) Regulations 2004 and the Freedom of Information (Scotland) Act 2002.

## **Part D**

### **Section 12 Declaration and warning**

It is important to read the declaration and warning sections before signing the application form.

#### **Site visits and compliance checks**

It is possible that the licensing authority may undertake a site visit prior to the issue of a licence. The majority of site visits will be arranged several days in advance and will be conducted in the presence of the licensee (or applicant) however there may be occasions when a site visit will be made at short notice.

Licensees should be aware that they may receive a request for a site visit by the licensing authority, or a person authorised by the licensing authority, to assess site conditions against the conditions of the licence. It is essential that if any of the agreed mitigation measures contained in the application and supporting information are changed for any reason, the licensing authority is informed as soon as possible.

The Licensing authority will monitor compliance with licences issued based on the information included in licence reports.

#### **Where to seek further information**

Further information can be obtained from Licensing Operations Team at the address below.

Marine Directorate - Licensing Operations Team  
Scottish Government  
375 Victoria Road  
Aberdeen  
AB11 9 DB

Tel: 0300 244 5046  
Email: [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot)

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 1994 Regulations and other legislation.

## Part A. The applicant: personal details

These questions relate to the person who will be the named licensee. The licence can be issued to an individual or a company or a partnership and the licensee will be responsible for ensuring compliance with the licence and the conditions of the licence. Under the Conservation (Natural Habitats) Regulations 1994 (as amended) it is an offence to fail to comply with any condition imposed by a licence.

### 1. Name of applicant

Title: [Redacted] Forename(s): [Redacted] Surname: [Redacted]

Company name: For and on behalf of Scottish Hydro Electric Transmission Plc.

Business title (if appropriate): Marine Consents Manager

Address: Inveralmond House  
200 Dunkeld Road  
Perth  
PH1 3AQ

Tel no. (inc. dialling code): [Redacted]

Email address: [Redacted]

### 2. The applicant: previous applications:

Have you previously held a wildlife licence issued in the UK? (please tick as appropriate)

Yes ☒ No ☐ (If yes, please complete below, if no, please go to Part B)

[Redacted]

Who issued the licence?

Licence number (most recent licence) EPS/BS-00010503

Year in which the licence was issued. 2023

What species were covered by the licence?

harbour porpoise (*Phocoena phocoena*); bottlenose dolphin (*Tursiops truncatus*); minke whale (*Balaenoptera acutorostrata*); Risso's dolphin (*Grampus griseus*); short beaked common dolphin (*Delphinus delphis*); killer whale (*Orcinus orca*); white-beaked dolphin (*Lagenorhynchus albirostris*); humpback whale (*Megaptera novaeangliae*); fin whale (*Balaenoptera physalus*); long-finned pilot whale (*Globicephala melas*)

What activity was covered by the licence e.g. disturb, injure?

This licence is granted for permitting disturbance of the above named species as a result of the following activities: Geophysical surveys including the use of the following: Ultra-short Baseline (USBL) positioning system; "Pinger" Sub-Bottom Profiler (SBP); and "Chirp" SBP



## Part B. The application

### 3. Species

(a) Please indicate which species is / are affected by the proposed works.

Common name(s):

Harbour porpoise; Bottlenose dolphin; Risso's dolphin; Minke whale; Common dolphin; White-beaked dolphin; Atlantic white-sided dolphin; Fin whale; Killer whale; and Humpback whale.
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Scientific name(s):

Phocoena phocoena; Tursiops truncatus; Grampus griseus; Balaenoptera acutorostrata; Delphinus delphis; Lagenorhynchus albirostris; Lagenorhynchus acutus; Balaenoptera physalus; Orcinus orca; and Megaptera novaeangliae.
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(b) How many individual animals will be affected by licensed work? This number must be the maximum number that could be affected before any mitigation measures are applied.

Injury: The maximum range of injury (permanent threshold shift) from the survey activities has been modelled as 559 m, based on unweighted SPL peak criteria (affecting VHF cetaceans), given the estimated abundance of harbour porpoise in the study area (see Table 3-2 of A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment), this equates to <0.5 animal potentially being injured in the absence of mitigation (all other species/scenarios are less than <0.1 animals). With the implementation of mitigation, the number of individuals predicted to experience injury = 0. Please refer to Section 3.4.2 of Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

Disturbance: It is estimated that the total number of individuals disturbed will be minimal due to the transient nature of the animals and brief nature of the survey activities. Please refer to Table 3-9 and Section 3.4.3 of Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

Please provide a description of how this number was calculated / estimated

There is no potential for injury (with the implementation of mitigation) and limited potential for disturbance to cetaceans in the vicinity of the survey activities.

Predicted numbers of animals to be injured or disturbed has been estimated through sound propagation modelling based on source levels of exemplar geophysical survey equipment which operate at frequencies within marine mammal hearing ranges and source pressure levels which may pose a risk of injury or disturbance (i.e., SBP, UHRS and USBL). The number of individuals experiencing disturbance from SBP and UHRS survey activities was estimated using the 5 km Effective Deterrence Range.

The estimated number of individuals potentially injured or disturbed from percussive borehole activities was informed by the results of Huang et al. (2023).

For detailed methodology please refer to Section 3 of Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

(c) Location of proposed licensed action

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project. Please continue on a separate sheet if necessary.

See Appended Table

Latitude						Longitude					
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W
		°			'N			°			'W



- (d) Provide a brief description of the proposed activity and the methods to be used. This should make clear which equipment / activities you consider require an EPS licence and also the equipment / activities you consider do not require an EPS licence.

Detailed information should be included in your supporting information. Please provide details of the source levels and frequencies of underwater noise if relevant.

Scottish and Southern Electricity Networks – Transmission (SSEN Transmission) intend to carry out geophysical, benthic and geotechnical surveys to facilitate the development of subsea cables that will enable transmission of electricity from/to the Western Isles. The survey works will be undertaken between 1 July 2025 and 31 December 2030 across multiple survey campaigns. Further information on the schedule is included in Section 2.2 of Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

SSEN Transmission is seeking an EPS licence to enable them to carry out the following survey activities:

- Ultra-Short Baseline (USBL), Multibeam Echosounder (MBES), Side-Scan Sonar (SSS), Sub-Bottom Profilers (SBP), Ultra High Resolution Seismic (UHS), and Geotechnical boreholes.

Acoustic energy emitted from vessels is strongest at frequencies < 1 kHz. The acoustic source levels from vessels typically increase with size:

- 160 – 175 dB re 1 µPa (rms) from a small vessel (<50 m length); and
- 165 – 185 dB re 1 µPa (rms) for a medium sized vessel (50 m - 100 m length).

The source levels and associated frequency for the equipment use during geophysical surveys are:

- USBL: source level will be maximum of 207 dB re 1 µPa (peak), with a source frequency between 19.5 - 33.5 kHz;
- SSS: source level will range between 190 and 230 dB re 1 µPa (peak), with a source frequency > 200 kHz;
- MBES: source level ranging between 180 and 240 dB re 1 µPa (peak), with a source frequency > 200 kHz;
- SBP: source level of 200 to 235 dB re 1 µPa (peak), with a source frequency of between 0.5 kHz to 100 kHz;
- UHS: source level of 216 - 250 dB re 1 µPa (peak), with a source frequency of between 0.1 kHz to 6 kHz;
- Percussive boreholes (hammering): source levels of 206 - 216 dB re 1 µPa (peak), with a source frequency of between 1 to 64 kHz (dominant frequency below 10 kHz);
- boreholes (vibrating): source level of 162 - 172 dB re 1 µPa (peak), a dominant frequency of 41 Hz; and
- Percussive boreholes (drilling): source level of 162 - 180 dB re 1 µPa (peak), a dominant frequency of 45 Hz.

The only potential survey activities with the potential to result in disturbance to EPS are SBP, UHS and geotechnical boreholes. Therefore, these survey activities require an EPS licence, all other equipment and activities detailed above do not require an EPS licence. See Sections 1 through 3 of Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

- (e) Briefly state how you will minimise the impact of your proposed work on European protected species.

Detailed information should be included in your supporting information.

All vessels will adhere to the provisions of the Scottish Marine Wildlife Watching Code (SNH, 2017), and marine mammal monitoring will be conducted as follows:

- There will be Marine Mammal Observer (MMO) coverage for the SBP and UHS survey activities, with adequately trained and experienced MMO(s) working standard 12 hour shifts. They will have experience of working at sea and will have successfully deployed and used Passive Acoustic Monitoring (PAM) equipment previously;
- MMO: The MMO(s) will carry out visual observations to monitor for the presence of cetaceans before the SBP and UHS equipment is activated and will recommend delays in the commencement of the operation should any cetaceans be detected within the mitigation zone;
- PAM: When SBP and UHS is operated when visibility is poor (i.e. due to fog or during hours of darkness) a PAM system will be operated by a single MMO/PAM operator to conduct a pre-start search prior to commencing SBP and UHS operations;
- Pre-start search: Visual (MMO) (and acoustic (PAM) monitoring if required) will be conducted for a pre-start search of 30 minutes (i.e. prior to the commencement of SBP and UHS survey operations with the potential to affect EPS);
- Mitigation zone: The mitigation zone is defined as the area within 500 m of the SBP and UHS, increasing to 600m if UHS is used at 0.1 kHz. Should any cetaceans be detected within the mitigation zone prior to the commencement of SBP or UHS operations (or after breaks in SBP or UHS survey activity of more than 10 minutes), operations will be delayed until cetaceans are no longer present within the mitigation zone. There will be a 20-minute delay from the time of the last sighting within the mitigation zone to the commencement/recommencement of the SBP and UHS operations; and
- Reporting: During survey campaigns involving SBP and UHS operations, all recordings of cetaceans will be made using JNCC Standard Forms. At the end of the operations, a monitoring report detailing the features of interest recorded, methods used to detect them and details of any problems encountered will be submitted to Marine Directorate and NatureScot.

See Section 5 of the Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

#### 4. Consideration of designated sites

Designated Areas: National Nature Reserves (NNR), Sites of Specific Scientific Interest (SSSI), Special Protection Area (SPA), Special Areas of Conservation (SAC), Ramsar sites, Marine Protected Areas (MPA). Information on designated sites is available on [NatureScot's website](#).

- (a) Will any part of the proposed activity fall within /or adjacent to an area covered by a designated site eg SSSI, SAC, MPA? Yes ☒ No ☐
- (b) Please give the name of the designated site(s) and either the outcome of your consultations or the reason why you have not consulted (see note 4). Please enclose any relevant correspondence.

A protected sites impact assessment has been carried out as part of this EPS Licence Application. Please refer to Section 4 of Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC Link: EPS and Protected Species Risk Assessment.

In summary, the survey corridor is in close proximity to one designated site with birds as qualifying features; The Priest Island (Summer Isles) SPA (and SSSI), which is 2 km from the survey corridor. There is also the potential for disturbance at sea, resulting from the underwater sound emissions associated with the survey activities to cetacean qualifying features for two designated sites which overlap the survey corridor; The Inner Hebrides and Minches SAC, designated for harbour porpoise and the North-east Lewis NCMPA designated for Risso's dolphin.

The survey corridor also overlaps with the Wester Ross NCMPA and North-east Lewis NCMPA (as noted above), which are both protected for geodiversity and benthic qualifying features. The Wester Ross NCMPA is designated for a range of benthic qualifying features including benthic fauna (e.g., northern feather star aggregations), benthic habitats, and geodiversity features while the North-east Lewis NCMPA is designated for geodiversity features and sandeel which are supported by the sandy substrate present within the NCMPA.

Due to the proximity and overlap of designated sites with the survey corridor, SSEN Transmission recognises there is a potential for the proposed survey activities to result in adverse impacts on the qualifying and interest features associated with these sites. However, the assessment found that there is no potential for injury or significant disturbance to the qualifying features of these sites, including cetaceans or other protected species in the vicinity of the proposed surveys and calibration test activities; hence, the conservation status of the protected sites will not be compromised.

## 5. Activities to be licensed

### Proposed methods

(a) Please complete all relevant columns in the table below to indicate the methods you propose to use, the activity involved and the time period in which you propose to use each method. This information will be used when preparing the licence to cover activities that would otherwise be unlawful, and failure to give full details may result in an inappropriate licence being issued.

Activity to be licensed (please tick)					Time period	
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass	Method to be used, (e.g. piling)	From To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBP	1 July 2025 31 December 2030
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UHRS	1 July 2025 31 December 2030
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geotechnical Boreholes	1 July 2025 31 December 2030
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

## 6. Purposes of the licence application (tick one box only)

A licence can only be issued if 3 specific legal tests are met. The section below relates to the first of these tests. The options shown are taken from the Conservation (Natural Habitats, &c.) Regulations 1994.

Please indicate which purpose relates to the proposed works

- (a) Preserving public health or public safety (we will require evidence that there is a risk to public health or public safety e.g. an imminent risk of flooding) Regulation 44(2)(e) ☐

Complete annex A

- (b) or other imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment) Regulation 44(2)(e) ☒

Complete annex B

- (c) Preventing the spread of disease Regulation 44(2)(f) ☐

Complete annex C

- (d) Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries. Regulation 44(2)(g). ☐

Complete annex D

In addition

- (e) If you wish to use acoustic deterrent devices to protect fish farm sites in Scottish waters, you must also complete Annex E ☐

## 7. Satisfactory alternatives

This relates to the second of the legal tests which must be satisfied. Please explain why there is no satisfactory alternative to carrying out the proposed work affecting the species. You must describe all possible alternatives which were considered and why they were considered unsatisfactory. Alternatives may include but should not be limited to alternative equipment, methods, location and timing. You must also consider the option of not undertaking the work. It is not acceptable to state that 'there is no alternative'.

SSEN Transmission considered 2 options in relation to the use of survey equipment within the Survey Area.

Option 1: Do not undertake the surveys. This would result in SSEN Transmission being unable to develop the transmission cable engineering for the Western Isles HVDC Link. These surveys are therefore fundamental to SSEN Transmission fulfilling their statutory role to provide an economic and efficient system for the transmission of energy within the north of Scotland, and without them, development would be prevented. SSEN Transmission do not consider this to be an appropriate or responsible option. The risk of not progressing the development of this transmission cable route could hamper the transmission of renewable energy and potentially reduce the ability for the UK to reach net-zero emissions by 2050.

Option 2: Undertake the surveys, with the implementation of appropriate mitigation. This would enable SSEN Transmission to identify subsea conditions to allow project design specification to be finalised, and collect necessary data to support the construction and operation of the Western Isles HVDC Link, whilst minimising environmental impacts. This will facilitate the continued development of transmission links within Scotland and hence contribute to the UK's ambition to reach net-zero emissions by 2050.

SSEN Transmission intend to pursue Option 2.

## 8. Other licences / consents

Please detail below all licences / consents you have applied for or received. Before a licence can be granted, it is essential that other relevant licences or consents have been secured for the proposed activity (eg Marine licence).

Type of licence / consent (e.g. marine licence, local planing authority, local works licence)	Date applied for	Reference no.	Date of issue of licence / consent
Marine Licence	9 October 2018	MS-00008738	9 February 2021
Basking shark derogation licence	17/02/2025	Pending.	Pending.

## 9. Noise monitoring

Please indicate if any of the following noise generating activities will be taking place during the operations:

Use of explosives ☐ Piling ☐ Use of Acoustic Deterrent Devices ☐  
Survey equipment operating in the range 10 Hz – 10kHz ☒

If you have ticked any of the above boxes please complete a proposed activity form on the [Marine Noise Registry website](#).

Please note the form must only be completed once for each activity. If you have already completed a form for this activity (eg through the marine licensing process) please give details.

JNCC Marine Noise Registry Activity Numbers: 3867.

Please note that percussive boreholes have been included under the 'survey equipment operating in the range of 10 Hz - 10 kHz' as the dominant frequencies for this activity are under 10 kHz. See Xodus Document Reference: A-100336-S05-A-REPT-003: Western Isles HVDC

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

## 10. Scotland's National Marine Plan

Provide details of considerations made with reference to the relevant policies that have been considered.

Scottish National Marine Plan (2015) - GEN 9 section of the Plan refers to Natural Heritage and provides that "development and use of the marine environment must:

- Comply with legal requirements for protected areas and protected species;
- Not result in significant impacts on the national status of Priority Marine Features; and
- Protect and, where appropriate, enhance the health of the marine area"

The Plan also references the prohibition of deliberate or reckless disturbance of EPS through the Habitats Regulations, and states that Marine Scotland's guidance on Protection of Marine ~~European Protected Species from Injury or Disturbance must be followed~~



## 11. Privacy notice

The Scottish Government's Marine Directorate - Licensing Operations Team (MD-LOT) has a range of statutory responsibilities including determining applications for licences to disturb or injure marine European protected species (EPS) under the Conservation (Natural Habitats, &c.) Regulations 1994 and The Conservation of Offshore Marine Habitats and Species Regulations 2017 and Basking shark licences under the Wildlife and Countryside Act 1981.

MS-LOT will, where necessary, process personal information including: names, addresses, email addresses and telephone numbers to determine a licence application. Personal information will be stored securely in the Scottish Government's official corporate record.

A full privacy notice can be found on the [Scottish Government website](#). If you are unable to access this, or you have any queries or concerns about how your personal information will be handled, contact MS-LOT at: Marine Scotland - Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Email: [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot)

Have you remembered to enclose supporting information with your application, as described in the accompanying guidance? Please check

Completed application form	<input checked="" type="checkbox"/>
Completed annex	<input checked="" type="checkbox"/>
Map or chart	<input checked="" type="checkbox"/>
Correct co-ordinates	<input checked="" type="checkbox"/>
EPS risk assessment or supporting information	<input checked="" type="checkbox"/>

## Part C. Declarations

12. I have read and understand the guidance provided in this application form. I declare that the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with these particulars.

I authorise employees or representatives of the Scottish Ministers to enter the site which is subject to this application for the purpose of monitoring and inspecting the permitted works.

### Warning

Under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) it is an offence to fail to comply with the conditions imposed by a licence. The licensee is responsible for ensuring compliance with the licence.

The Scottish Ministers can modify or revoke a licence at any time, provided there are good reasons. Any licence that may be issued is likely to be revoked immediately if it is discovered that false information was provided and resulted in the issue of a licence.

Under the Conservation (Natural Habitats, &c.) Regulations 1994, any person who in order to obtain a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such offences is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale (currently £5,000), or to both imprisonment and a fine.

Note: Previous convictions for wildlife offences will be taken into account and in some cases may mean that the Scottish Ministers do not consider it appropriate to grant a licence.

[Redacted]

Signature of the  
Applicant

(The person named at part 1)

Name in block letters

Note – If signing on behalf of a company, please append your signature with “on behalf of company name”.

The completed application should be signed and sent to Marine Directorate Licensing Operations Team (MD-LOT) at the address below or emailed to [MD.MarineLicensing@gov.scot](mailto:MD.MarineLicensing@gov.scot) or [MD.MarineRenewables@gov.scot](mailto:MD.MarineRenewables@gov.scot)

Please remember to include all supporting information.

Marine Directorate - Licensing Operations Team  
Scottish Government  
375 Victoria Road  
Aberdeen  
AB11 9DB

### Disclaimer

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 1994 Regulations and other legislation.

Marine Directorate - Licensing Operations Team  
Scottish Government  
375 Victoria Road  
Aberdeen  
AB11 9DB



## Annex A

Only to be completed if you selected preserving public health or public safety in question 6 of the application form

Please complete all questions

Give details of the risk to public health or safety

How has the risk been identified? Please give details of any expert advice received.

How will the proposed activity address the identified risk?

## Annex B

Only to be completed if you selected for imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment) in question 6 of the application form

Please complete all questions

What benefits will be provided by the proposed activity? Give details and indicate if they are social, economic or environmental. Please indicate if the benefits are short or long term.

The geophysical, benthic and geotechnical surveys are required to further investigate the seabed and geological conditions within the survey corridor in order to inform design development and to enable the construction and operation of the Western Isles HVDC Link. This will facilitate the transmission of energy in the north of Scotland, in accordance with SSEN Transmission's statutory role. The transmission of renewable energy will contribute to national and international targets to significantly reduce carbon emissions. Therefore, the benefits are considered long-term.

What public interest will be served? Who will benefit from the proposed activity? Does the proposed activity address a need?

The surveys are required to determine the seabed conditions of the survey corridor. Without acquiring this information, SSEN Transmission's project cannot be progressed. As such the proposed surveys will have a direct national and international environmental benefit by facilitating the transmission of renewable energy, thus significantly contributing to the reduction in carbon emissions to the atmosphere compared to other sources of non-renewable energy generation.

Why is it imperative the proposed activity goes ahead?

Geophysical, benthic and geotechnical surveys are essential to inform the project design specifications and to inform environmental assessment for reasons including but not limited to:

- Avoidance of challenging seabed features or sediments which would impede installation;
- Identification of any protected benthic habitats and/or species to ensure correct mitigations are in place;
- To allow for the design development to avoid environmental constraints identified, such as reefs or Unexploded Ordnance (UXO);
- Informing cable burial and protection requirements in order to provide a reliable transmission system, whilst ensuring the safety of other legitimate users of the sea; and
- Undertake post-installation surveys and condition monitoring.

Does the proposed activity support any local regional or national policies? Please give details. Are you fulfilling a statutory role?

SSEN Transmission holds a licence under the Electricity Act 1989, for the transmission of electricity in the north of Scotland.

SSEN Transmission has a duty to provide an economic and efficient system for the transmission of energy, and to ensure that its assets are installed and maintained to enable a safe, secure and reliable transmission of power.



## Annex C

Only to be completed if you selected for preventing the spread of disease in question 6 of the application form

Please complete all questions

What disease(s) is / are at risk of being spread if the proposed activity does not go ahead? Please give details of any expert advice received.

How will the proposed activity prevent the spread of disease? Please give details of any expert advice received.

## Annex D

Only to be completed if you selected for preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries in question 6 of the application form.

Please complete all questions

What serious damage has occurred or will occur if the proposed activity does not go ahead? Please give details of any expert advice received.

How will the proposed activity prevent serious damage? Please give details of any expert advice received.

## Annex E

Only to be completed if you intend to operate ADDs at marine fish farm sites in Scotland Please complete a copy of this annex for each individual site included on your application Please complete all questions

Site name and ID (FS number)

--

### Device Type 1

Device Details

Device name (and version if applicable)

--

Number of devices proposed

--

Source level of device (rms and SPLpeak)

--

Typical frequency content

--

Please give details of the proposed duty cycle (or available settings) including the system duty cycle

Duration of use of device (e.g. hours per 24 hour period)

Time of use (e.g. particular time of day or time of year)

If multiple devices of this type are to be used, please give details of numbers to be deployed and locations in relation to the site.



## Management of ADD Use

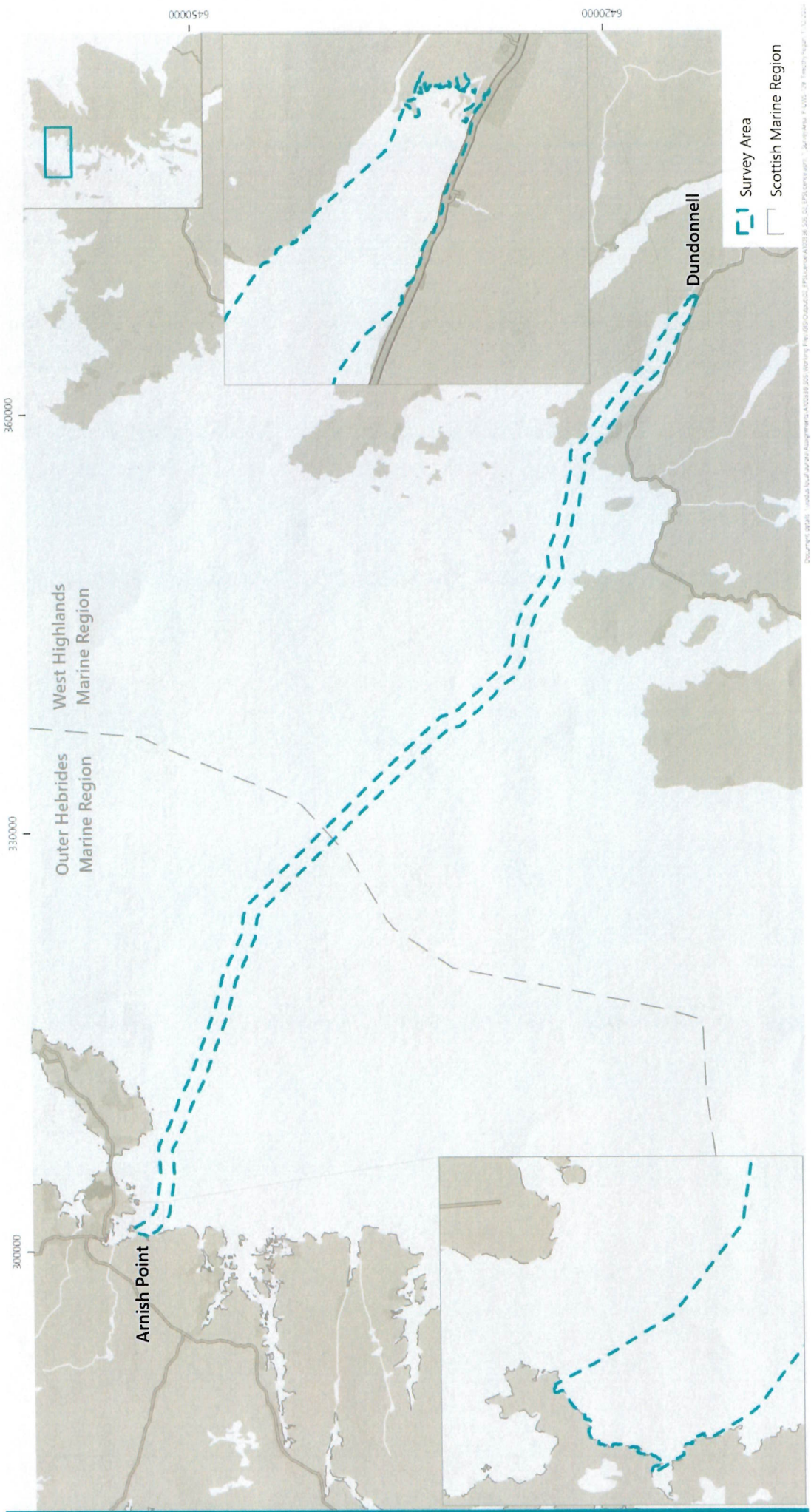
Please give details of the cues/triggers and the decision process to activate ADDs. These cues / triggers should be specific and measurable and should relate to predation events by seals rather than presence of seals in the area.

Give details of how ADD use is to be reviewed

Give details of criteria for deactivation or removal of ADDs (including if they appear to be ineffective)

Give details of ADD deployment plans and any relevant planning conditions relating to ADD use

Please use additional sheets if you propose to use more than one device type











Coordinates for the Survey Area (WGS 84) <sup>1</sup>					
Degrees, Minutes and Seconds		Degrees and Decimal Minutes		Decimal Degrees	
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude
58° 11' 18.653903" N	6° 22' 23.717906" W	58° 11.310898' N	6° 22.395298' W	58.18851497	-6.373254974
58° 10' 31.207998" N	6° 20' 58.040214" W	58° 10.520133' N	6° 20.967337' W	58.17533556	-6.349455615
58° 10' 28.794324" N	6° 16' 6.475609" W	58° 10.479905' N	6° 16.107927' W	58.17466509	-6.268465447
58° 9' 21.427715" N	6° 11' 2.802595" W	58° 9.357129' N	6° 11.04671' W	58.15595214	-6.184111832
58° 8' 16.494662" N	6° 3' 44.745178" W	58° 8.274911' N	6° 3.745753' W	58.13791518	-6.062429216
58° 7' 35.393984" N	6° 0' 37.617296" W	58° 7.5899' N	6° 0.626955' W	58.12649833	-6.010449249
58° 7' 21.570359" N	5° 58' 23.440973" W	58° 7.359506' N	5° 58.390683' W	58.12265843	-5.973178048
58° 0' 5.878512" N	5° 44' 12.233879" W	58° 0.097975' N	5° 44.203898' W	58.00163292	-5.736731633
57° 59' 33.397591" N	5° 43' 50.600215" W	57° 59.556627' N	5° 43.843337' W	57.99261044	-5.730722282
57° 57' 38.47298" N	5° 40' 22.257034" W	57° 57.641216' N	5° 40.370951' W	57.96068694	-5.672849176
57° 57' 23.372888" N	5° 39' 31.07389" W	57° 57.389548' N	5° 39.517898' W	57.95649247	-5.658631636
57° 56' 55.969742" N	5° 35' 55.558198" W	57° 56.932829' N	5° 35.92597' W	57.94888048	-5.598766166
57° 55' 59.360038" N	5° 33' 6.538442" W	57° 55.989334' N	5° 33.108974' W	57.93315557	-5.551816234
57° 56' 3.114222" N	5° 32' 6.995058" W	57° 56.051904' N	5° 32.116584' W	57.9341984	-5.535276405
57° 55' 25.417769" N	5° 28' 10.444876" W	57° 55.423629' N	5° 28.174081' W	57.92372716	-5.469568021
57° 55' 14.493382" N	5° 24' 27.693497" W	57° 55.241556' N	5° 24.461558' W	57.92069261	-5.407692638
57° 52' 5.125102" N	5° 17' 18.015176" W	57° 52.085418' N	5° 17.300253' W	57.86809031	-5.288337549
57° 51' 25.849528" N	5° 14' 31.505057" W	57° 51.430825' N	5° 14.525084' W	57.85718042	-5.242084738
57° 50' 45.068528" N	5° 12' 55.914696" W	57° 50.751142' N	5° 12.931912' W	57.84585237	-5.21553186
57° 50' 27.62173" N	5° 13' 1.820561" W	57° 50.460362' N	5° 13.030343' W	57.84100604	-5.217172378
57° 51' 37.151413" N	5° 17' 48.937258" W	57° 51.61919' N	5° 17.815621' W	57.86031984	-5.296927016
57° 53' 9.396121" N	5° 20' 58.103182" W	57° 53.156602' N	5° 20.968386' W	57.88594337	-5.349473106
57° 54' 21.859211" N	5° 24' 21.055406" W	57° 54.36432' N	5° 24.350923' W	57.906072	-5.405848724
57° 54' 44.043779" N	5° 24' 55.954123" W	57° 54.734063' N	5° 24.932569' W	57.91223438	-5.415542812
57° 54' 53.804952" N	5° 28' 25.559904" W	57° 54.896749' N	5° 28.425998' W	57.91494582	-5.47376664
57° 55' 30.697306" N	5° 32' 13.275467" W	57° 55.511622' N	5° 32.221258' W	57.9251937	-5.537020963
57° 55' 27.093043" N	5° 33' 20.815078" W	57° 55.451551' N	5° 33.346918' W	57.92419251	-5.555781966
57° 56' 26.54524" N	5° 36' 21.396701" W	57° 56.442421' N	5° 36.356612' W	57.94070701	-5.605943528
57° 56' 52.24929" N	5° 39' 49.613814" W	57° 56.870822' N	5° 39.826897' W	57.94784703	-5.663781615
57° 57' 12.565865" N	5° 40' 59.534134" W	57° 57.209431' N	5° 40.992236' W	57.95349052	-5.683203926
57° 59' 14.683517" N	5° 44' 41.028947" W	57° 59.244725' N	5° 44.683816' W	57.98741209	-5.744730263
57° 59' 45.962102" N	5° 45' 0.964883" W	57° 59.766035' N	5° 45.016081' W	57.99610058	-5.750268023
58° 6' 53.776656" N	5° 58' 55.691641" W	58° 6.896278' N	5° 58.928194' W	58.11493796	-5.982136567
58° 7' 3.907322" N	6° 0' 53.12245" W	58° 7.065122' N	6° 0.885374' W	58.11775203	-6.014756236
58° 7' 45.542636" N	6° 4' 2.886344" W	58° 7.759044' N	6° 4.048106' W	58.1293174	-6.067468429
58° 8' 50.93506" N	6° 11' 23.144086" W	58° 8.848918' N	6° 11.385735' W	58.14748196	-6.189762246

<sup>1</sup> Landward boundaries of the survey corridor are defined by Mean High Water Springs (MHWS).



Coordinates for the Survey Area (WGS 84) <sup>1</sup>					
Degrees, Minutes and Seconds		Degrees and Decimal Minutes		Decimal Degrees	
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude
58° 9' 57.932737" N	6° 16' 25.333478" W	58° 9.965546' N	6° 16.422225' W	58.16609243	-6.273703744
58° 9' 51.403993" N	6° 18' 31.848066" W	58° 9.856733' N	6° 18.530801' W	58.16427889	-6.308846685
58° 10' 0.339895" N	6° 21' 19.45004" W	58° 10.005665' N	6° 21.324167' W	58.16676108	-6.355402789
58° 10' 25.288954" N	6° 22' 27.993227" W	58° 10.421483' N	6° 22.466554' W	58.17369138	-6.374442563
58° 10' 52.394903" N	6° 23' 3.410703" W	58° 10.873248' N	6° 23.056845' W	58.18122081	-6.384280751