

THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: EPS/BS-00010965

Site	North Sea Renewables Grid, Central North Sea
Company	Cerulean Winds Ltd Cerulean Winds Ltd 24/25 The Shard 32 London Bridge Street London SE1 9SG
Brief Description of Project	Geophysical, geotechnical and benthic surveys
Associated Licences	

Species	harbour porpoise (<i>Phocoena phocoena</i>);bottlenose dolphin (<i>Tursiops truncatus</i>);minke whale (<i>Balaenoptera acutorostrata</i>);white sided dolphin (<i>Lagenorhynchus acutus</i>)
Inshore/Offshore	Inshore

TEST 1	Purpose of licence
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
Comments	
<p>Is a specific need being met? What benefit does the activity provide or what need does it address? Why is the activity essential? What public interest is served? Is the activity in relation to any government targets or policies?</p> <p>The survey activities will inform the design and development of the proposed INTOG project and are necessary to understand the ecology and environment of the Aspen Array Area and ODC corridor. The Proposed Development provides a range of practical ways to support innovation, reduce North Sea carbon emissions, and encourage technical and commercial innovation in the offshore renewables market. These include environmental (reduced greenhouse gas emissions), social (creation of local blue economy jobs) and economic (reduced cost of energy generation and less reliance on energy sources from overseas) benefits.</p> <p>The Proposed Development offers the deployment of proven technologies in a location with a recognised wind</p>	

resource and to deliver a low-cost, low-carbon supply of electricity at a time when the UK urgently needs new generation capacity to maintain a secure, affordable supply of power. The Proposed Development will benefit the public socioeconomically through financial support to the supply chain, significant contribution towards national climate change policies and delivery of multi-billion-pound investments and jobs locally.

A key benefit of the INTOG process is the decarbonisation of existing and new oil and gas producing assets in the Central North Sea. By enabling the assets to operate from electricity rather than burning gas there is a significant carbon reduction benefit to Scotland. The Proposed Development will therefore serve public interest by reducing greenhouse gas emissions by providing a minimum of 600 MW of green electricity generation, in line with the North Sea Transmission Deal.

Public safety is paramount, and it is not possible to safely construct a wind farm without understanding ground conditions to enable appropriate design and installation of foundation structures or subsea cables.

The proposed surveys are also required to understand environmental receptors and enable an effective and proportionate EIA.

Should the survey activities not proceed, the construction of the Proposed Development will not be possible, and the benefits described above would not materialise.

The proposed activities are required to develop the Proposed Development. The Proposed Development supports and is in line with the following policies:

The Scottish Government's Offshore Wind Policy - "the Scottish Government plans to ensure that Scotland's long and positive association with renewables continues to go from strength to strength and is central to our green recovery. Scotland's people will be key to this, which will mean ensuring local communities can participate in, and benefit from Scotland's transition to net zero emissions" (2020).

The NSRG also supports the Scottish Government's 'A Blue Economy Vision for Scotland' (2022: ministerial foreword) that views our seas as critical in the endeavour to "create and maintain economic prosperity for the nation, especially in our remote, coastal and island communities."

As the UK follows policies to meet its national and international commitments to greenhouse gas reduction, the Proposed Development will provide additional support to the UK government's national and international commitments to reduce greenhouse gases, which will bring long-term benefits.

This Proposed Development is also in line with the Scottish National Marine Plan objectives (Section 11), Offshore Wind and Marine Renewable Energy (2015), and supports the targets set in the Scottish Government's "Securing a green recovery on a path to net zero: climate change plan 2018–2032" (3.1 Electricity, 2020) by producing renewable energy to aid the transition to net zero.

The proposal will enact part of the UK Government's North Sea Transition Deal (2023) that recognises that the oil and gas industry will have a critical role in maintaining the UK's energy security through the UK's transition to net zero carbon by 2050.

The Scottish Government's Offshore Wind Policy Statement (2023) aims to generate 11 GW of clean electricity through offshore wind projects by 2030, which is in line with the UK Government's Industrial Strategy and the Offshore Wind Sector Deal (2019) to generate 40 GB, on a UK wide basis, by 2030.

The Proposed Development will also contribute towards the Scottish Government's Sectoral Marine Plan for Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (2022) targets.

While not providing a statutory role, this Proposed Development provides an important infrastructure provision

role to meet UK policy 2050 targets for net zero, and the Scottish Government's Climate Change (Scotland) Act 2009 as well as Scottish Government net zero targets for 2045 and the proposed surveys will facilitate the development of the Proposed Development.

Test 1 satisfied?	YES
--------------------------	-----

TEST 2	Satisfactory alternatives
Comments	

The developer will be conducting geophysical, benthic ecology and geotechnical survey campaigns in 2024/25 to progress the Project's Environmental Impact Assessment (EIA) in addition to providing data for engineering purposes in the case of the geophysical survey. The aim of the survey campaign is to gather Ultra-high resolution site data to feed into environmental assessments of the following EIA topics – Physical Processes, Benthic (and intertidal ecology), Archaeology, Fish Ecology and Marine Mammals. Outputs from surveys will also inform the specification of the benthic survey over the North Sea Renewable Grid sites. Benthic (and intertidal) surveys over the Aspen Survey Area and ODC Corridor Search Area are estimated to be undertaken in autumn 2024/Winter 2025 (detailed in section 3(d)).

Four options are discussed below; this includes do-nothing, alternative location, equipment alternatives, and alternative coverage scenarios:

Consideration of Do-Nothing Approach: The first option is to not perform the proposed survey activity. However, there is a strong need for the offshore array areas and transmission pathways to be developed. To safely install the development, there is a requirement for data collection on physical and biological properties of the array areas and seabed along the proposed cabling routes. This data collection allows design of the pathways and array areas to consider impacts on biological receptors determined to be present, validates desk-based assessments, and informs the routes so that physical presence can be minimised. Doing nothing is not a feasible option if the project is to be progressed. The surveys are required to understand the seabed ecosystem. This is therefore not considered to be a viable alternative.

Consideration of Alternative Location: The second option is a shift in location of the proposed survey activity. The current proposed survey area takes a precautionary approach, encompassing a significantly broader area than will be required in the construction of the development. This design follows conversations with MD-LOT and follows the broad lease area set out in the Sectoral Marine Plan – Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (2022), and therefore aims to reduce the number and frequency of survey applications or variations. The proposed area therefore accounts for possible variations in landfall sites. The final landfall sites are still under consideration, with surveys required before a final decision can be made. The surveys therefore cover a broad area and allow for the surveying of multiple potential landfall areas. Once survey data has been collected, it will be possible to select the corridor that has the lowest geotechnical risk, minimises disruption to local communities, and that has the lowest impact on land and marine protected areas. While this approach results in a greater area being surveyed, it also allows more comprehensive data collection prior to any construction, which in turn reduces the potential for impact or disruption to human and environmental receptors in future stages, including marine mammals, basking sharks, leatherback turtles and pinnipeds – harbour and grey seals (please see the EPS risk assessment for more information).

Consideration of Alternatives to equipment: The best viable option is to carry out geophysical and benthic surveys to map the seabed (and record features such as boulders and unexploded ordnance), measure water depth and characterise layers of sediment or rock below the seabed. These surveys are essential for developing offshore wind projects and the proposed equipment has been selected in order to produce the specific data required to inform on consent (e.g. A USBL system would be used to transmit acoustic pulses to a transponder

with the return pulse then being detected by the shipboard transceiver which could cause disturbance to marine mammals.) While there are potentially different types of equipment that can be used, this is often constrained by the specific purpose of the survey that is being undertaken and in this instance the use of alternative equipment for all proposed equipment is deemed not to be effective to meet the objectives of the survey. Therefore, there are no alternative options to the use of the equipment.

Consideration of Alternative coverage scenarios: For full coverage of the site and for a minimum detectable target size of 0.3 m, 150 m line spacing is proposed as part of the geophysical surveys. Alternative coverage scenarios have been considered (e.g. 200 m line spacing), with increased line spacing and therefore lower resolution. However, these scenarios are not considered to be a satisfactory alternative as they do not allow sufficient potential archaeological searches. While the lower resolution scenarios would have a shorter survey duration than the current proposed scope, additional higher resolution surveys would be required at a later stage of the project to examine potential archaeological impacts, thus increasing the overall number of days when the geophysical equipment is in use (and therefore involving more survey days when there could be a potential

impact on marine mammals). Public safety is paramount, and it is not possible to safely construct a wind farm without understanding ground conditions to enable appropriate design and installation of foundation structures or subsea cables therefore these higher resolution surveys are required.

Test 2 satisfied?	YES
--------------------------	-----

TEST 3	Favourable conservation status
Comments	
NatureScot confirmed in its advice dated 29/10/24 that the activity is unlikely to result in a detrimental effect on favourable conservation status of any of the EPS concerned, due to the scale of the activity.	
Test 3 satisfied?	YES

Date application received: 27/09/2024

Consultation start date: 01/10/2024

Consultation end date: 29/10/2024

Notes

Date	title	Text
------	-------	------

National Marine Plan considerations:

The decision is: In accordance and no further action required
<p>Comments: In accordance with Scotland's National Marine Plan (2015), in particular the policies and objectives contained within Chapter 11, 'Offshore Wind and Marine Renewable Energy'. Also in line with general policies:</p> <p>GEN 1: this is the presumption in favour of sustainable development. This is supported by this proposal as this it to support the development of an offshore wind farm which will provide a sustainable source of power to Scottish communities.</p> <p>GEN 2 - Economic Benefit The proposal will ensure the safe and effective planning of an offshore wind farm to supply energy to the grid. Renewable energy has been identified as a growth sector the Scotland specialises in.</p> <p>GEN 3 - Social Benefit The purpose of the proposal is to ensure a clean source of power to Scotland reducing reliance on fossil fuels and their environmental effects.</p> <p>GEN 5- Climate Change This policy states that marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change. The proposed surveys are to support the development of an offshore wind farm. By doing this the extraction and use of fossil fuels will be reduced thereby mitigating the effects on climate.</p>

GEN 13 Noise

The purpose of this licence is to ensure that as far as possible the impacts of noise, emanating from the proposed surveys, on sensitive species are mitigated and all possible precautions are take to ensure that disturbance is kept to a minimum and no greater harm is done.

Date document generated: 11/11/2024