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2nd October 2025

SSEN-T Reference: LT516-SSEN-XX-XX-CO-MC-003

MD-LOT Reference: EPS-00011077

Dear [Red ,

Eastern Green Link 5 (EGL5): Variation to EPS Licence

Thank you for the recent communication in relation to our existing EPS licence and requirement for a variation inside 12 nautical miles (NM). As you suggested, we have been in touch directly with NatureScot to talk through the exact changes that we are requesting to determine if their response would change and how they would like to proceed. The details around our proposed variation are outlined through this letter, however, I can confirm that NatureScot have reviewed the request and have verbally confirmed that they are content for the licence to be varied on this basis. Malcom Fraser and Fiona Cruickshank from NatureScot are copied into this correspondence by way of confirmation that this is the case.

Background

As you are aware, Scottish Hydro Electric Transmission Plc, trading as Scottish and Southern Electricity Networks – Transmission (SSEN-T), has been granted a European Protected Species (EPS) Licence (EPS-00011077) to undertake geophysical, geotechnical, and benthic surveys within the proposed survey area (hereafter ‘Previous Survey Area’; Figure 1). As a result of subsequent engineering discussions and constraints mapping, SSEN-T has amended the Previous Survey Area outwith the spatial extent for which the EPS Licence was granted. SSEN-T therefore request a variation of the EPS Licence from the Previous Survey Area to a ‘Revised Survey Area’ (Figure 1). We would therefore be grateful if you could consider the below details and confirm if this variation can be made to the current EPS licence.

The indicative survey activities and timings remain as described in the EPS Risk Assessment submitted with the original Licence Application (Document Reference: A-200523-S19-A-REPT-012_A01). Therefore, this letter considers the amendments to the Survey Area only. The mitigation measures proposed within the EPS Risk Assessment will still apply for the variation to the EPS Licence.

There is need to vary the spatial extent of the survey corridor for which the EPS Licence was granted, for the survey activities which may (1) result in injury to any cetacean EPS; and (2) any activity which results in disturbance to any individual cetacean within Scottish territorial waters, or any population of cetaceans in offshore waters.

We have provided information below to consider whether there would be any change to potential effects on the protected sites of relevance to the EPS Licence.

Revised Survey Area

The Previous Survey Area for which the EPS Licence was granted is presented in Figure 1. Changes to the boundary of the Revised Survey Area occur only within Scottish territorial waters i.e., within 12 NM. The Revised Survey Area (Figure 1) extends northwards from the Previous Survey Area within the 12 NM limit.

The Revised Survey Area is approximately 4,444km² and extends from the Scotland/England boundary line to a landfall close to Peterhead, Aberdeenshire. Coordinates defining the extent of the Revised Survey Area are provided in Appendix A – Revised Survey Area Coordinates. This is increased from the original Survey Area of 4,187km².

The amendments have changed the distances to designated sites relevant to the EPS Licence. The Revised Survey Area extends into the Southern Trench Nature Conservation Marine Protected Area (NCMPA) by up to c.11 km, over a total of 236 km², and will be closer to the Loch of Strathbeg Special Protection Area (SPA) and the Moray Firth Special Area of Conservation (SAC). As there are no changes to the rest of the survey corridor, the conclusions reached for all other sites remain unchanged.

To-date the project has worked to identify landfall locations and associated corridors that would avoid designated sites, as per the original EPS licence. However, subsequent engineering studies and constraints mapping have shown that the EGL5 project will need to route through the Southern Trench NCMPA in order to have a constructable route to the optimal landfall.

The project still expects to survey a refined corridor within the Revised Survey Area, rather than the full area shown in figures 1 and 2, but this has not been fully defined at the current time.

European Protected Species (cetaceans)

Harbour Porpoise: The EPS Risk Assessment concluded that the estimated density of harbour porpoise (*Phocoena phocoena*) within the Previous Survey Area with the potential to be disturbed by the survey activities, derived from SCANS-IV survey densities within Block NS-D, is 0.6 individuals per km². Although disturbance might occur in a different area than previously assessed in the EPS Risk Assessment, the Revised Survey Area is within the same SCANS-IV block, therefore the density of harbour porpoise is unchanged. The number of individuals potentially disturbed, based on the same Effective Deterrent Range (EDR¹) used in the application (5km for *other geophysical sources*; i.e., a potential area of disturbance of 78.54 km²) is estimated to be 47.01 individuals or 0.014% of the North Sea Management Unit (MU). Therefore, the conclusions of the original EPS Risk Assessment remain unchanged.

White-beaked dolphin: The EPS Risk Assessment concluded that the estimated density of white-beaked dolphin (*Lagenorhynchus albirostris*) within the Previous Survey Area with the potential to be disturbed by the survey activities, derived from SCANS-IV survey densities within Block NS-D, is 0.08 individuals per km². Although disturbance might occur in a different area than previously assessed in the EPS Risk Assessment, the Revised Survey Area is within the same SCANS-IV block, therefore the density of white-beaked dolphin is unchanged. The number of individuals potentially disturbed, based on the same EDR used in the application (5 km for *other geophysical sources*; i.e., a potential area of disturbance of 78.54 km²) is estimated to be 6.28 individuals or 0.014% of the Celtic and Greater North Seas (CGNS) MU. Therefore, the conclusions of the original EPS Risk Assessment remain unchanged.

Fin whale: The EPS Risk Assessment concluded that the estimated density of fin whale (*Balaenoptera physalus*) within the Previous Survey Area with the potential to be disturbed by the survey activities, derived from SCANS-IV survey densities within Block NS-D, is <0.001 individuals per km². Although disturbance might occur in a different area than previously assessed in the EPS Risk Assessment, the Revised Survey Area is within the same SCANS-IV block, therefore the density of fin whale is unchanged. The number of individuals potentially disturbed, based on the same EDR used in the application (5 km for *other geophysical sources*; i.e., a potential area of disturbance of 78.54 km²) is estimated to be 0.07 individuals. Therefore, the conclusions of the original EPS Risk Assessment remain unchanged.

¹ EDRs have recently been revised and the EDR for sub-bottom profilers has decreased to 3 km, therefore this is a conservative approach.
[JNCC EDR Review \(2025\)](#)

Bottlenose dolphin: The EPS Risk Assessment concluded that the estimated density of bottlenose dolphin (*Tursiops truncatus*) within the Previous Survey Area with the potential to be disturbed by the survey activities, derived from SCANS-III survey densities within Block R, is 0.03 individuals per km². As per the EPS Risk Assessment, there were no bottlenose dolphin sightings in the SCANS-IV Block NS-D, therefore no density estimates were produced. Although disturbance might occur in a different area than previously assessed in the EPS Risk Assessment, the Revised Survey Area is within the same SCANS-III block, therefore the density of bottlenose dolphin is unchanged. The number of individuals potentially disturbed, based on the same EDR used in the application (5 km for *other geophysical sources*; i.e., a potential area of disturbance of 78.54 km²) is estimated to be 2.34 individuals or 0.96% of the Coastal East Scotland MU. Therefore, the conclusions of the original EPS Risk Assessment remain unchanged.

Minke whale: The EPS Risk Assessment concluded that the estimated density of minke whale (*Balaenoptera acutorostrata*) within the Previous Survey Area with the potential to be disturbed by the survey activities, derived from SCANS-IV survey densities within Block NS-D, is 0.04 individuals per km². Although disturbance might occur in a different area than previously assessed in the EPS Risk Assessment, the Revised Survey Area is within the same SCANS-IV block, therefore the density of minke whale is unchanged. The number of individuals potentially disturbed, based on the same EDR used in the application (5 km for *other geophysical sources*; i.e., a potential area of disturbance of 78.54 km²) is estimated to be 3.29 individuals or 0.016% of the CGNS MU. Therefore, the conclusions of the original EPS Risk Assessment remain unchanged.

Designated Sites

Southern Trench NCMPA: The Revised Survey Area will overlap with the Southern Trench NCMPA (Figure 2), designated for minke whale, burrowed mud, large scale features (fronts and shelf deeps) and geomorphological features (quaternary of Scotland – sub-glacial tunnel valleys; quaternary of Scotland – moraines; and submarine mass movement – slide scars)².

Minke whale: The highest densities of minke whale are believed to occur within the central and western section of this NCMPA, with predicted densities dropping significantly once beyond the western boundary³, although it should be noted that the fronts which attract minke whale do extend beyond this boundary. The EPS Risk Assessment concluded that the estimated density of minke whale within the survey area with the potential to be disturbed by the survey activities, derived from SCANS-IV survey densities within Block NS-D, is 0.04 individuals per km². Although disturbance might occur in a different area than previously assessed in the EPS Risk Assessment, the Revised Survey Area is within the same SCANS-IV block, therefore the density of minke whale is unchanged. The number of individuals potentially disturbed, based on the same EDR used in the application (5 km for *other geophysical sources*; i.e., a potential area of disturbance of 78.54 km²) is estimated to be 3.29 individuals, or 0.016% of the CGNS MU. Therefore, the conclusions of the original EPS Risk Assessment remain unchanged. As assessed within the EPS Risk Assessment, when considering the small percentage of the CGNS MU potentially disturbed, the transient and temporary nature of the survey activities, and the measures to mitigate the risk of auditory injury outlined in the EPS Risk Assessment, only minor effects are expected on the minke whale qualifying features of the Southern Trench NCMPA.

As such, conducting the proposed geophysical survey activities in the Revised Survey Area is not capable of affecting, other than insignificantly, the minke whale qualifying features of the Southern Trench NCMPA.

Benthic and geomorphological features: With regards to the benthic and geomorphological qualifying features of the Southern Trench NCMPA the EPS Risk Assessment concluded that given the original Survey Area did not overlap with the site, there would not have been any direct interaction with the protected habitats and features of the Southern Trench NCMPA. As such, no adverse effects were expected on the benthic and geomorphological features designated as part of the Southern Trench NCMPA. However, as the Revised Survey Area overlaps with the NCMPA, there is the need to reassess potential interactions interaction with the benthic and geomorphological qualifying features.

² <https://sitelink.nature.scot/site/10477>.

³ <https://www.nature.scot/sites/default/files/nature-conservation-mpa/10477/conservation-and-management-advice.pdf>

The benthic and geomorphological qualifying features are predominantly located to the north of the site³, with only quaternary of Scotland – sub-glacial tunnel valleys and quaternary of Scotland – moraines identified within the southern extent of the NCMPA, which is overlapped by the Revised Survey Area. Sub-glacial tunnel valleys are considered to be highly resistant to human activities are not considered to be sensitive to pressures arising from human activities. Therefore, no adverse effect is expected on the quaternary of Scotland – sub-glacial tunnel valleys feature designated as part of the Southern Trench NCMPA. Moraines are considered to have a medium sensitivity to sub-surface abrasion and changes in tidal flow and a high sensitivity to physical removal. The proposed survey activities will not have an effect on water flow characteristics, and do not involve significant abrasion or disruption of the seabed sediments. Considering the small spatial scale of the proposed activities, impacts are unlikely to cause any significant and/or lasting damage. Therefore, no adverse effect is expected on the quaternary of Scotland – moraines features designated as part of the Southern Trench NCMPA.

As such, conducting the proposed geophysical survey activities in the Revised Survey Area is not capable of affecting, other than insignificantly, the benthic and geomorphological qualifying features of the Southern Trench NCMPA.

Loch of Strathbeg SPA: The Revised Survey Area will be closer to the Loch of Strathbeg SPA (4.6 km from the SPA), designated for goldeneye (*Bucephala clangula*), greylag goose (*Anser anser*), pink-footed goose (*Anser brachyrhynchus*), and sandwich tern (*Sterna sandvicensis*) (Figure 2). Vessel presence can disturb and/or displace birds, and the presence of vessel lighting also has the potential to disorientate birds, leading to increased collision rates with vessels at night, which may be fatal. Given the distance between the Revised Survey Area and the Loch of Strathbeg SPA, it is not anticipated that the presence of survey vessels, and the temporary and localised nature of the proposed surveys, will materially change the conclusions of the Protected Sites Assessment conclusions.

Discussion with NatureScot acknowledged that sandwich terns may be present in the Revised Survey Area (given their foraging range) and as such, there is the potential for disturbance of this qualifying feature of the SPA as a result of presence of survey vessels. However, the number of slow-moving survey vessels proposed (a maximum of two vessels operating at any one time) is not considered to be a material change to baseline vessel traffic activity in the area. Given there is no material change to the baseline vessel activity, it is concluded that the proposed survey activities will not result in increased disturbance to the sandwich tern qualifying feature of the SPA. Further discussion with NatureScot for this variation has confirmed agreement with this conclusion.

SSEN-T will ensure that the survey vessels adhere to the Scottish Marine Wildlife Watching Code⁴ to reduce the likelihood of disturbance of birds and marine mammals at sea; vessels will be slow moving and will avoid bird rafts where operationally possible and safe to do so; and vessels will minimise external lighting and ensure that where possible, deck lights are directional and operated at minimal levels required for safe working. With consideration of these mitigation measures, conducting the proposed geophysical survey activities in the Revised Survey Area are not expected to result in Likely Significant Effects (LSE) for the qualifying features of the Loch of Strathbeg SPA.

Moray Firth SAC: The distance between the Revised Survey Area and the Moray Firth SAC is now marginally reduced by ~9 km but remains >100 km from the SAC. The Moray Firth SAC is designated for bottlenose dolphin, and whilst there is no overlap between the SAC and the Revised Survey Area, the resident bottlenose dolphin population of this SAC are known to utilise the coastal waters around the Aberdeenshire coast⁵. As such, this site was taken into consideration for the potential presence of the bottlenose dolphin qualifying features within the original Survey Area. The conclusions of the EPS risk assessment are not considered to materially change with the Revised Survey Area. The original conclusion was that there would be no LSE on the

⁴ <https://www.nature.scot/doc/scottish-marine-wildlife-watching-code-smwwc>.

⁵ Arso Civil, M., Quick, N.J., Cheney, B., Pirota, E., Thompson, P.M. and Hammond, P.S., (2019). Changing distribution of the east coast of Scotland bottlenose dolphin population and the challenges of area-based management. *Aquatic Conservation: Marine and Freshwater Ecosystems*, 29, pp.178-196. doi: 10.1002/aqc.3102.

Cheney, B.J., Arso Civil, M., Hammond, P.S. and Thompson, P.M. (2024). Site Condition Monitoring of bottlenose dolphins within the Moray Firth Special Area of Conservation 2017-2022. NatureScot Research Report 1360.

bottlenose dolphin qualifying features (or any other qualifying feature) of the Moray Firth SAC, and therefore no effect on the conservation objectives of the site will occur.

Following discussion with NatureScot for both the original EPS application and for this variation, it was recognised that LSE on the bottlenose dolphin qualifying feature of the SAC cannot be ruled out, given the likely presence of individuals within the Survey Area as they transit through/utilise the Aberdeenshire coastal waters within the 20m depth contour. NatureScot have confirmed that whilst there will be LSE, there will be no Adverse Effect on Site Integrity (AEoSI) if the proposed mitigation measures are implemented, as per the original EPS application, which remains the case.

Conclusion

We have provided the Revised Survey Area, together with an assessment of the potential impacts that may result from proposed change to the Previous Survey Area regarding the EPS and three relevant protected sites which will be within or closer to the Revised Survey Area. We present justification that there would be no change to the conclusions of the original EPS Risk Assessment for harbour porpoise, white-beaked dolphin, bottlenose dolphin, minke whale or fin whale; and despite the new overlap with the Southern Trench NCMPS, any effects would remain insignificant on the features of that site.

Furthermore, we have considered the proximity of the Revised Survey Area to Loch of Strathbeg SPA and the Moray Firth SAC, and conclude that there would be no change to the conclusions of no LSE for the Loch of Strathbeg SPA, and no AEoSI on the for the Moray Firth SAC.

We trust that this letter is sufficient for the purpose of providing evidence that the proposed survey activities within the Revised Survey Area will not have an AEoSI on any European site within Scottish territorial waters (i.e. within 12 NM), and that the activities are not capable of affecting (other than insignificantly) the protected features of an NCMPS. The relevant NatureScot representatives are copied on this communication by way of confirming prior engagement and discussions, and agreement with the conclusions presented here.

We would be grateful if MD-LOT could confirm that the information provided here is sufficient to vary the EPS Licence for the Revised Survey Area based on the fact that the conclusions of the EPS Risk Assessment remain unchanged.

Please get in touch anytime if clarification is required and otherwise, I look forward to hearing from you in due course.

Yours sincerely

[Redacted]

[Redacted]

Senior Marine Consents and Environment Manager

E: [Redacted]

P: [Redacted]



Figure 1 The previous and revised survey area

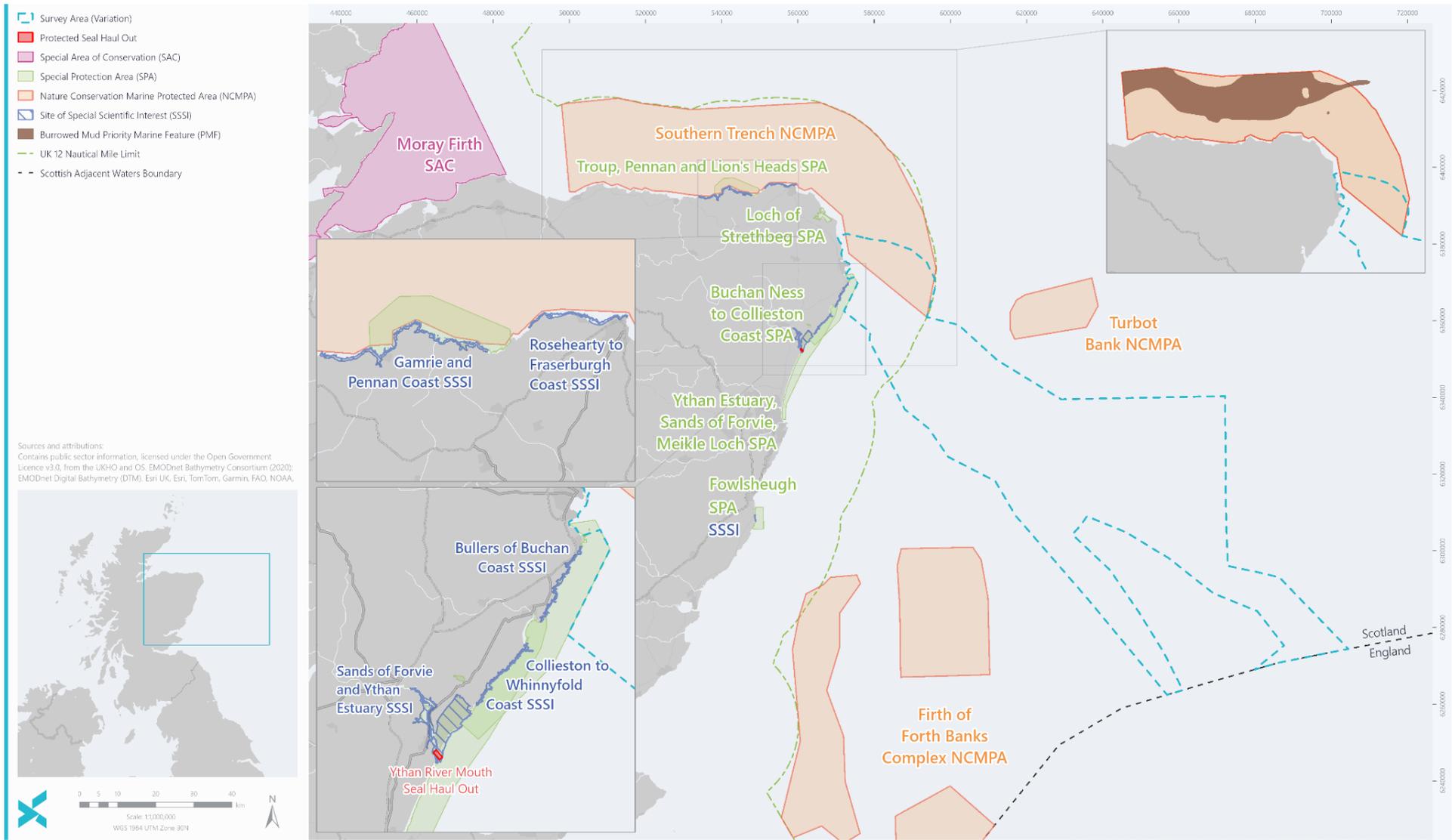


Figure 2 Designated sites within 12 nautical miles

Appendix A – Revised Survey Area Coordinates

Table 1 Survey corridor Coordinates (WGS84) in Degrees, Minutes and Seconds, Degrees and Decimal Minutes and Decimal Degrees

DEGREES, MINUTES AND SECONDS		DEGREES AND DECIMAL MINUTES		DECIMAL DEGREES	
LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE
Coordinates are in WGS 84. Landward boundaries of the Survey Corridor are defined by Mean High Water Springs (MHWS).					
57° 27' 15.40 N	1° 44' 52.76 W	57° 27.256' N	1° 44.879' W	57.454279	-1.747991
57° 27' 50.00 N	1° 44' 19.42 W	57° 27.833' N	1° 44.323' W	57.46389	-1.738729
57° 28' 43.70 N	1° 45' 7.87 W	57° 28.728' N	1° 45.131' W	57.478805	-1.752187
57° 28' 29.20 N	1° 46' 36.05 W	57° 28.486' N	1° 46.600' W	57.474779	-1.776681
57° 29' 0.82 N	1° 47' 45.95 W	57° 29.013' N	1° 47.765' W	57.483562	-1.796098
57° 29' 19.10 N	1° 47' 0.86 W	57° 29.318' N	1° 47.014' W	57.488639	-1.783574
57° 30' 10.04 N	1° 45' 58.94 W	57° 30.167' N	1° 45.982' W	57.502791	-1.766374
57° 30' 41.15 N	1° 46' 33.19 W	57° 30.685' N	1° 46.553' W	57.511431	-1.775886
57° 30' 58.23 N	1° 47' 50.19 W	57° 30.970' N	1° 47.836' W	57.516177	-1.797276
57° 31' 51.90 N	1° 48' 24.78 W	57° 31.865' N	1° 48.413' W	57.531084	-1.806885
57° 32' 41.62 N	1° 48' 6.88 W	57° 32.693' N	1° 48.114' W	57.544895	-1.801913
57° 33' 23.00 N	1° 48' 14.89 W	57° 33.383' N	1° 48.248' W	57.556391	-1.804137
57° 34' 21.64 N	1° 49' 23.54 W	57° 34.360' N	1° 49.392' W	57.572681	-1.823207
57° 34' 44.78 N	1° 47' 39.82 W	57° 34.746' N	1° 47.663' W	57.579108	-1.794395
57° 34' 48.15 N	1° 46' 46.46 W	57° 34.802' N	1° 46.774' W	57.580042	-1.779574
57° 33' 58.85 N	1° 40' 28.20 W	57° 33.980' N	1° 40.470' W	57.566348	-1.674501
57° 33' 39.86 N	1° 36' 22.15 W	57° 33.664' N	1° 36.369' W	57.561073	-1.606156
57° 32' 27.04 N	1° 30' 13.22 W	57° 32.450' N	1° 30.220' W	57.540846	-1.503675
57° 30' 39.34 N	1° 26' 7.57 W	57° 30.655' N	1° 26.126' W	57.51093	-1.435438
57° 28' 16.68 N	1° 24' 5.19 W	57° 28.278' N	1° 24.086' W	57.471302	-1.401444
57° 26' 47.84 N	1° 24' 5.65 W	57° 26.797' N	1° 24.094' W	57.446623	-1.40157
57° 22' 54.11 N	1° 26' 22.04 W	57° 22.901' N	1° 26.367' W	57.381699	-1.439458
57° 21' 42.93 N	1° 18' 10.21 W	57° 21.715' N	1° 18.170' W	57.361927	-1.302837
57° 16' 34.18 N	1° 8' 10.51 W	57° 16.569' N	1° 8.175' W	57.276163	-1.136253
57° 10' 49.49 N	0° 51' 50.80 W	57° 10.824' N	0° 51.846' W	57.180414	-0.864112
57° 10' 25.50 N	0° 9' 8.57 W	57° 10.425' N	0° 9.142' W	57.17375	-0.152381
56° 55' 53.94 N	0° 10' 7.20 W	56° 55.899' N	0° 10.120' W	56.931653	-0.168669
56° 46' 34.52 N	0° 10' 16.67 W	56° 46.575' N	0° 10.277' W	56.776257	-0.171298
56° 44' 39.59 N	0° 2' 52.52 E	56° 44.659' N	0° 2.875' E	56.744332	0.047922

DEGREES, MINUTES AND SECONDS		DEGREES AND DECIMAL MINUTES		DECIMAL DEGREES	
56° 34' 9.07 N	0° 19' 43.40 E	56° 34.151' N	0° 19.723' E	56.569186	0.328723
56° 32' 40.70 N	0° 1' 44.19 E	56° 32.678' N	0° 1.736' E	56.544639	0.028944
56° 31' 52.37 N	0° 4' 28.26 W	56° 31.872' N	0° 4.471' W	56.531214	-0.074517
56° 35' 2.45 N	0° 3' 16.92 E	56° 35.040' N	0° 3.282' E	56.584015	0.054701
56° 40' 2.64 N	0° 3' 11.08 W	56° 40.044' N	0° 3.184' W	56.667402	-0.05308
56° 42' 46.76 N	0° 14' 10.03 W	56° 42.779' N	0° 14.167' W	56.712989	-0.23612
56° 48' 1.15 N	0° 25' 26.93 W	56° 48.019' N	0° 25.448' W	56.80032	-0.42415
56° 51' 50.28 N	0° 36' 9.84 W	56° 51.838' N	0° 36.164' W	56.863969	-0.602734
56° 54' 17.00 N	0° 46' 6.11 W	56° 54.283' N	0° 46.101' W	56.904724	-0.768364
56° 51' 48.06 N	0° 50' 3.82 W	56° 51.801' N	0° 50.063' W	56.863351	-0.834396
56° 46' 36.20 N	0° 40' 37.18 W	56° 46.603' N	0° 40.619' W	56.776724	-0.676995
56° 40' 34.06 N	0° 33' 36.19 W	56° 40.567' N	0° 33.603' W	56.676129	-0.560055
56° 34' 46.79 N	0° 27' 35.53 W	56° 34.779' N	0° 27.592' W	56.579665	-0.459871
56° 29' 22.79 N	0° 23' 3.90 W	56° 29.379' N	0° 23.065' W	56.489664	-0.384419
56° 28' 48.49 N	0° 27' 8.01 W	56° 28.808' N	0° 27.133' W	56.480138	-0.452223
56° 42' 34.10 N	0° 46' 28.76 W	56° 42.568' N	0° 46.479' W	56.709473	-0.774657
56° 54' 43.10 N	1° 4' 38.26 W	56° 54.718' N	1° 4.637' W	56.911973	-1.077296
56° 59' 35.33 N	1° 9' 34.40 W	56° 59.588' N	1° 9.573' W	56.993149	-1.159556
57° 3' 10.52 N	1° 21' 37.72 W	57° 3.175' N	1° 21.628' W	57.052924	-1.36048
57° 7' 13.91 N	1° 26' 32.52 W	57° 7.231' N	1° 26.542' W	57.120531	-1.442368
57° 9' 59.47 N	1° 32' 37.25 W	57° 9.991' N	1° 32.620' W	57.166522	-1.543683
57° 19' 40.45 N	1° 41' 28.35 W	57° 19.674' N	1° 41.472' W	57.327904	-1.69121
57° 20' 56.54 N	1° 41' 16.03 W	57° 20.942' N	1° 41.267' W	57.34904	-1.687788
57° 23' 58.24 N	1° 48' 2.40 W	57° 23.970' N	1° 48.040' W	57.399513	-1.800669