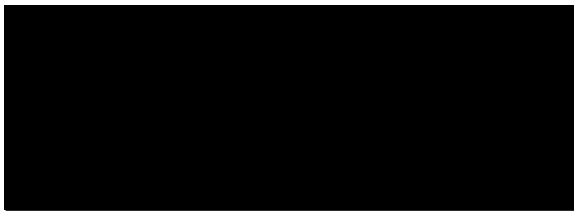




## THE CONSERVATION (NATURAL HABITATS, &c.) REGULATIONS 1994

### LICENCE TO DISTURB MARINE SPECIES

This licence is granted under regulation 44(2)(e) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) by the Scottish Ministers who, after consultation with, and having been advised as to the circumstances in which they should grant such licences by Scottish Natural Heritage are satisfied as regards the purpose for which the licence is granted, (namely, for an imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment); and that (a) there is no satisfactory alternative and (b) that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range; and unless revoked by the Scottish Ministers is valid from 03 November 2017 to 30 September 2018 and authorises:



Or any person authorised in writing by them:

To disturb the European protected species of Harbour porpoise, (*Phocoena phocoena*) Common dolphin (*Delphinus delphis*), Bottlenose dolphin (*Tursiops truncatus*), White-beaked dolphin (*Lagenorhynchus albirostris*), White-sided dolphin (*Lagenorhynchus acutus*), Minke whale (*Balaenoptera acutorostrata*), Risso's dolphin (*Grampus griseus*), Long-finned pilot whale (*Globicephala melas*) and Humpback whale (*Megaptera novaeangliae*) at the location of the proposed European Offshore Wind Deployment Centre, Aberdeen Bay, as detailed in the application for a licence to disturb European protected species and supporting documents but only subject to the undernoted conditions:

### PURPOSE AND CIRCUMSTANCES IN WHICH ACTION IS REQUIRED

This licence is granted for the purpose of permitting the disturbance of Harbour porpoise, (*Phocoena phocoena*) Common dolphin (*Delphinus delphis*), Bottlenose dolphin (*Tursiops truncatus*), White-beaked dolphin (*Lagenorhynchus albirostris*), White-sided dolphin (*Lagenorhynchus acutus*), Minke whale (*Balaenoptera acutorostrata*), Risso's dolphin (*Grampus griseus*), Long-finned pilot whale (*Globicephala melas*) and Humpback whale (*Megaptera novaeangliae*) at the site of the proposed European Offshore Wind Deployment

Centre, Aberdeen Bay, for an imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment in connection with the construction of the European Offshore Wind Deployment Centre at the following locations:-

#### Export Cable Corridor

57° 12.993' N	002° 03.535' W	57° 11.379' N	002° 04.335' W
57° 11.434' N	002° 02.914' W	57° 12.389' N	002° 02.410' W
57° 12.193' N	001° 59.977' W	57° 12.360' N	001° 58.680' W
57° 13.365' N	001° 58.047' W	57° 13.903' N	001° 58.395' W
57° 13.518' N	001° 59.388' W	57° 12.991' N	001° 59.291' W
57° 12.574' N	002° 00.503' W	57° 13.499' N	002° 00.647' W
57° 13.464' N	002° 00.875' W	57° 13.404' N	002° 00.864' W
57° 13.005' N	002° 03.455' W	57° 13.015' N	002° 03.528' W
57° 13.016' N	002° 03.535' W	57° 13.017' N	002° 03.548' W
57° 13.015' N	002° 03.548' W		

#### Lease Boundary

57° 14.723' N	002° 00.911' W	57° 15.240' N	001° 56.865' W
57° 12.360' N	001° 58.680' W	57° 11.842' N	002° 02.721' W

This licence is granted for permitting disturbance of the above named species as a result of the following activities:

Construction activity including vessel movements; and  
Use of geophysical survey and positioning equipment including USBL positioning systems and positioning transponder, Doppler Velocity Log and Object Avoidance Sonar

#### LICENCE CONDITIONS

1. The licensee must ensure that all licensed activities are carried out in strict accordance with the mitigation and working methods proposed in the application for this licence to disturb European protected species together with supporting information including the EPS Risk Assessment: Constuction Phase Works 1148902-1-B4 dated 8<sup>th</sup> August 2017 ("EPS Risk Assessment"). All licensed activities must be carried out within the timescales given within the said application and any subsequent written correspondence between the Scottish Ministers and the licensee, but subject to the following modifications or amendments made within this licence.
2. In the event of the licensee becoming aware that any of the information on which the issue of this licence was based has changed, the Scottish Ministers must be notified as soon as reasonably practicable.
3. The licensee must ensure that, if any aspects of the licensed activities differ from the detail submitted in the online Marine Noise Registry, a new Proposed Activity Form is completed and submitted no later than seven days prior to commencement of the licensed activities.



4. The licensee must ensure that the Joint Nature Conservation Committee ("JNCC") guidelines for minimising the risk of injury and disturbance to marine mammals from geophysical surveys dated August 2017 are followed at all times in connection with the undertaking of such surveys as far as it is practical to do so but subject to the modifications or amendments made within this licence or your EPS risk assessment.
5. When carrying out pre-work searches the licensee must ensure that a mitigation zone with a radius of 200 metres is employed by the Marine Mammal Observer (which role can be undertaken by a suitably briefed member of the ship's crew).
6. Except where it is not relevant to the provisions of this licence, the licensee must ensure that the Scottish Marine Wildlife Watching Code is adhered to at all times.
7. The licensee must ensure that copies of the licence are available for inspection by any person authorised by the Scottish Ministers at the office of the licensee and at all sites where licensed activities are taking place.
8. Any person authorised by the Scottish Ministers must be permitted to inspect the operations relating to the licence at any reasonable time. The licensee must allow appropriate assistance to facilitate inspection.
9. The licensee must, no later than one month after the expiry date of this licence, submit to the Scottish Ministers a written report detailing all actions taken in accordance with the specified terms and conditions of this licence. This report must detail the procedures, visual observations and include the original Marine Mammal Recording Form(s). Any difficulties encountered, or recommendations should also be noted.
10. The licensee must submit a Close-out Report at quarterly intervals during construction stating the actual date(s), location(s) and nature of such activities in the online Marine Noise Registry.

Authorised on behalf of the Scottish Ministers  
By a member of staff of the Scottish Government



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