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

### 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
- For an imperative reason 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).

**PLEASE NOTE THAT THIS APPLICATION APPLIES TO BOTH INSHORE AND OFFSHORE MARINE AREAS**

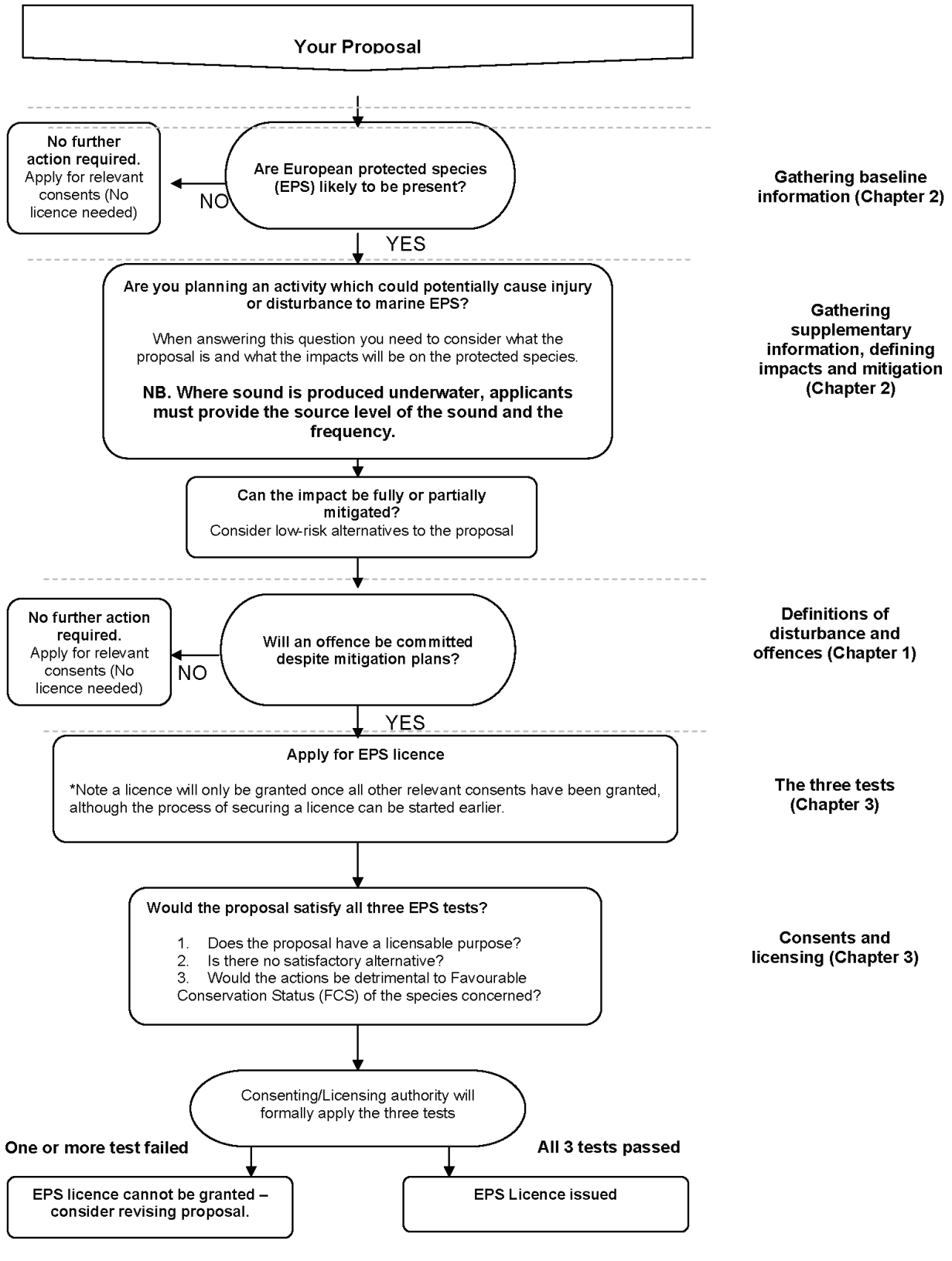
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**IMPORTANT:** Before completing this form, please read these notes carefully

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 Scotland Licensing Operations Team (MS-LOT) on 0300 244 5046 or email: [ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)

**Please note: This application form is intended to cover both the inshore (0-12 nm) and offshore (beyond 12 nm) regions. The Applicant is seeking licences under both the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017.**

**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](#)



**Gathering baseline information (Chapter 2)**

**Gathering supplementary information, defining impacts and mitigation (Chapter 2)**

**Definitions of disturbance and offences (Chapter 1)**

**The three tests (Chapter 3)**

**Consents and licensing (Chapter 3)**



**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 Scotland Licensing Operations Team (MS-LOT) at the address below or emailed to [ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@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 MS-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.

MS-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 MS-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 Scottish Natural Heritage (SNH Licensing, Great Glen House, Leachkin Road, Inverness IV3 8NW, Telephone 01463 725000, email [licensing@snh.gov.uk](mailto:licensing@snh.gov.uk) or visit [their website](#)) for a licence application for these purposes. SNH 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. 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 Scottish Natural Heritage, or other appropriate regulator, if the work you propose to do affects a Natura site, an 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 at: <https://mnr.jncc.gov.uk/>

## **Section 10 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 11 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.

If your proposal relates to one of the purposes for which SNH is the licensing authority, please contact your local office of SNH.

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

Tel: 0300 244 5046  
Email: [MS.marinelicensing@gov.scot](mailto:MS.marinelicensing@gov.scot)

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.

## 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:  Forename(s):  Surname:

Company Name:

Business Title (if Appropriate):

Address:

Tel no. (inc. dialling code):

Email address:

### 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)

Who issued the licence?

Licence number (most recent licence)

Year in which the licence was issued.

What species were covered by the licence?

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

**Part B. The Application**

**3. Species**

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

Common name(s):

(1). Harbour porpoise (2). Bottlenose dolphin (3). White-beaked dolphin (4). Minke whale (5). Common dolphin (6). Risso's dolphin
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Scientific name(s)

(1). Phocoena phocoena (2). Tursiops truncatus (3). Lagenorhynchus albirostris (4). Balaenoptera acutorostrata (5). Delphinus delphis (6). Grampus griseus
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(b) How many individual animals will be affected by licensed work?

Injury: zero individuals. Disturbance (inshore): (1). Harbour porpoise (26.0, 0.02% of the MU population) (2). Bottlenose dolphin (0.34, 0.15% of the MU population)* (3). White-beaked dolphin (12.5, 0.03% of the MU population) (4). Minke whale (1.0, 0.01% of the MU population) (5). Common dolphin (6.9, 0.01% of the MU population) (6). Risso's dolphin (3.5, 0.04% of the MU population) *The bottlenose dolphin population is generally small, so has resulted in the largest % population for inshore waters. Considering the specifications of the vessel and equipment proposed, it is considered that effects are not likely to be significant.
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Please provide a description of how this number was calculated / estimated

For full details of how these numbers were calculated, please refer to the supporting document 'Stromar Offshore Wind Farm. Geophysical and Benthic Survey Campaign 2024. European Protected Species (EPS) and Protected Species Risk Assessment (Inshore and Offshore Regions)'. In summary, the number was calculated using assessment blocks of the SCANS III surveys (Hammond et al. 2021). The inshore area of the offshore export cable corridor (ECC) study area crosses Block S. The assessment of disturbance methodology applied to cetaceans in the inshore area of the offshore ECC study area is the same for harbour porpoise, bottlenose dolphin, white-beaked dolphin, minke whale and common dolphin. This is due to these species all being sampled within Block S of the SCANS III survey and all having a Management Unit (MU) that covers the offshore ECC study area. Risso's dolphin was not sighted in SCANS III Block S, but were sited in project-specific surveys, so sightings from the adjacent SCANS III Block K were used for density estimates to provide an indicative worst-case scenario.  A zone of influence of 5 km from the source has been adopted here that gives a total area of 78.5 km2 in which EPS may be impacted by noise. This is a conservative estimate based on a study by CSA et al. (2020). The potential number of EPS that could be affected by the survey activity was calculated by first multiplying the density for each species (taken from SCANS III density estimates) by the Search Area. The percentage of the inshore area (percentage of total area occupied by inshore region) was multiplied by this number to give the number of individuals inshore. The numbers of individuals inshore was then divided by the UK portion of the MU to give the percentage of the inshore population.
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(c) **Location of proposed licensed action - PLEASE NOTE THAT THIS IS COVERED ON A SEPARATE SHEET AT THE END OF THIS APPLICATION FORM**

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

LATITUDE						LONGITUDE					
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W
		°		.	'N			°		.	'W

Please note: The full list of Latitude and Longitude co-ordinates (WGS84) is included at the end of this document (page 20-22).



(d) Provide a brief description of the proposed activity and the methods to be used.

Detailed information should be included in your Supporting Information

**Please provide details of the source levels and frequencies of underwater noise if relevant**

The proposed geophysical survey relates to the Stromar Offshore Wind Farm (Stromar OWF). This geophysical survey is required in order to gain insight into the bathymetric, geological, and sedimentary characteristics of the seabed within the site. The geophysical survey will commence at the earliest on the 1st of March 2024, and will conclude no later than 30th of September 2024. The survey duration for the site is anticipated to be 24 days, up to a total of 48 days of surveying when including weather/equipment downtime. The survey will comprise the site, and one cable corridor connecting the array area to a landfill in the vicinity of Inverboyndie or the East Fraserburgh coastline. The survey activities are scheduled to be on a 24-hour working basis and vessels are expected to be present throughout the survey period.

The geophysical survey methods to be used may include ultra-low baseline (USBL) positioning transponders, side-scan sonar (SSS), multibeam echosounder (MBES), sub-bottom profilers (SBPs), and magnetometer (to be used for UXO investigations). Acoustic energy emitted from vessels is strongest at frequencies of <1 kHz. The source levels and frequencies associated with the equipment which may be used during the proposed geophysical surveys are:

- USBL system: frequency range between 19-34kHz, likely signal level of 194 dB (sound pressure level).
- SSS: frequency range between 725-775 kHz, likely source level of 200 dB re 1 Pa at 1m.
- MBES: frequency 400kHz, signal level for model used not currently known.
- SBP: frequency range between 85-115 kHz (primary band) and 2-22 kHz (secondary band), primary band source level of >247 dB Pa re 1m
- Magnetometer: an altimeter of 500 kHz is proposed to be used, which is outwith the hearing range of relevant species.

The magnetometer, MBES, and SSS are not capable of affecting marine mammals, due to the frequencies and levels at which they operate. Further information on the survey equipment and operating parameters are provided in the accompanying 'Stromar Offshore Wind Farm. Geophysical and Benthic Survey Campaign 2024. European Protected Species (EPS) and Protected Species Risk Assessment (Inshore and Offshore Regions)'.

(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.

Stromar OWF has developed a mitigation and monitoring strategy with the intention of reducing the potential for injury or disturbance to an EPS from the proposed survey activities. Measures included within this strategy are based on JNCC guidance for minimising the risk to marine mammals from geophysical surveys (JNCC, 2017). Survey vessels will adhere to the Scottish Marine Wildlife Watching Code provisions (SNH, 2017) and all parties contracted as part of the survey work will be made aware of the presence of an EPS within the area. Proposed mitigation measures will include:

- 500m buffer zone of the survey vessel;
- Inclusion of a marine mammal observer where feasible;
- Marine mammal monitoring;
- Potential to include passive acoustic monitoring where feasible;
- Pre-start search;
- Soft start; and
- Reporting (sightings of relevant species using JNCC marine mammal recording forms).

For further details of the Stromar OWF mitigation strategy please see Section 4 of the supporting document 'Stromar Offshore Wind Farm. Geophysical and Benthic Survey Campaign 2024. European Protected Species (EPS) and Protected Species Risk Assessment (Inshore and Offshore Regions)'.

#### 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 Scottish Natural Heritage website (<http://gateway.snh.gov.uk/sitelink/>) or from your local SNH office.

(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.

There are numerous protected sites with EPS as qualifying features which fall within the vicinity of the proposed survey area, namely:

- (1). The Moray Firth SAC
- (2). The Dornoch Firth and Morrich More SAC
- (3). The Southern Trench NCPMA

The other designated sites in the vicinity of the proposed survey activities are not subject to impacts from this survey, so have been excluded here. These designated sites which have been excluded include SPAs, SSSI, and Ramsar sites.

Due to the close proximity of these designated sites to the proposed survey area, Stromar OWF recognises there is potential for interaction with the features of interest associated with these designated sites. However, as the EPS Risk Assessment concluded there is no potential for injury or significant disturbance to EPS in the vicinity of the proposed survey activities, it is considered that there is no potential for any adverse effects on the integrity of the designated sites in relation to conservation objectives in place for marine mammals. Mitigation measures and best practice that will be applied are set out within the supporting document, 'Stromar Offshore Wind Farm. Geophysical and Benthic Survey Campaign 2024. European Protected Species (EPS) and Protected Species Risk Assessment (Inshore and Offshore Regions)'.

For further information on designated sites in relation to the geophysical and benthic ecology survey works, please see the 'Stromar Offshore Wind Farm. Geophysical and Benthic Survey Campaign 2024. European Protected Species (EPS) and Protected Species Risk Assessment (Inshore and Offshore Regions)'.

**5. Activities to be Licenced**

**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)					Method to be used, (e.g. piling)	Time period	
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass		From	To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBP	15/03/2024	15/03/2025
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	USBL	15/03/2024	15/03/2025
<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"/>			
<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 (as amended)**.

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) 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 AnnexD**

## 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 unsuitable. You must also consider the option of not undertaking the work. **It is not acceptable to state that 'there is no alternative'.**

Stromar Offshore Wind were identified as the successful bidders for the Stromar Offshore Wind farm (OWF) located within the ScotWind Leasing NE3 Plan Option (PO). These POs were identified following an extensive Sectoral Marine Plan process that included a Strategic Environmental Assessment, detailed environmental and social constraints analysis, detailed consultation and completion of a plan level Habitats Regulations Appraisal (HRA). The need for these newly leased OWFs results from the Scottish and UK net zero targets, climate change crisis and more recent energy security requirements. In order to connect, construct and operate the Stromar OWF array area (NE3), a grid connection is required via an offshore ECC connecting to an onshore substation.

Stromar Offshore Wind consider that Option 1 - Do not undertake the survey is not a satisfactory alternative as detailed in the following discussion: Geophysical surveys are required to provide high-resolution detail of the bathymetry and seabed (and record seabed features or objects) in addition to characterising layers of sediment or rock below the seabed. Without this detailed information, it would be impossible to determine important factors such as seabed substrate, geology, subsurface conditions and bathymetry, which would result in an inability to design a constructable offshore project in terms of application of appropriate infrastructure installation techniques/ construction methodology and identification of appropriate operation and maintenance programmes. Not undertaking this survey campaign would not be an option for reasons of project viability, financial security and consent award. There would also be insufficient site specific information available to inform and support a robust EIA and consent application. As such, although not undertaking the survey would result in no impact on EPS, not undertaking the survey is not considered to be a viable option in terms of determining a project design or in terms of a robust and successful EIA and consent application.

Stromar Offshore Wind consider that Option 2 - Different Equipment is not a satisfactory alternative as detailed in the following discussion: The geophysical survey results will be used to identify any potential hazards that should be avoided by the development. The key areas where the geophysical survey results will be used within the EIA are within the baseline characterisation of multiple technical topics. For example, within the modelling of coastal processes, benthic ecology and marine archaeology. As such, the project design is dependent upon site specific data collation using MBES, SSS, SBP and magnetometer. The project has looked to identify vessels that do not use USBL, however as USBL is always required when using towed equipment, no satisfactory alternative could be identified. Whilst there are potentially different equipment types that can be used, this is often constrained by the specific purpose of the geophysical survey that is being undertaken and in this instance the use of alternative equipment is deemed to not be effective to meet the survey objectives. It is therefore considered that the no satisfactory alternative test has been met and the project cannot be safely developed without the survey.

Stromar Offshore Wind consider that Option 3 - Different Location is not a satisfactory alternative as detailed in the following discussion: The location of the array area has been determined through the SMP process and lease awarding process. As part of detailed feasibility studies during the ScotWind bid preparation, environmental and technical constraints assessment alongside cost analysis was completed to determine the most appropriate area within the plan option that should be developed with minimal impact to the environment and marine users. Subsequently, the array area being developed is defined by a CES lease agreement. The grid connection is driven by the HND process, with National Grid determining where the onshore grid connection will be located. Orsted have therefore undertaken a site selection and route planning exercise based on an onshore connection to New Deer 2. Following detailed landfall analysis and a site visit, Orsted have identified a potential landfall area of search and have used this to inform the identification of one offshore export cable corridor (ECC) (refined from previous three ECCs) between the array area and the landfall area of search. This has been undertaken using a BRAG assessment of environmental and technical considerations as well as through stakeholder engagement and consultation with other interested parties (i.e. commercial fishing). The offshore ECC that has been identified take into consideration environmental aspects such as European and nationally designated sites and the presence of other environmental interests (e.g. marine mammals, ornithology, shipping and navigation, fishing interests, MOD activity, presence of pipelines, cables and O&G infrastructure). As part of this process, the presence of the Southern Trench and qualifying features (including minke whale) have been considered. As many of the marine mammals species and their management units are distributed across the regional area, there is not considered to be any meaningful difference in how EPS will be affected based on whichever corridor option is chosen and so there is not one particular corridor options that would impact EPS in a different manner and so no satisfactory alternative can be identified that would result in less potential effect to EPS.

Stromar Offshore Wind consider that Option 4 - Different Timing is not a satisfactory alternative as detailed in the following discussion: For the geophysical survey campaign within Scottish waters, it is estimated that the works would take, approximately, 24 days in total (up to approximately 48 including weather/equipment downtime). The EPS Risk Assessment document concludes, based on the best available evidence, that within this survey window, the geophysical surveys will create a temporary, localised disturbance to EPS in the area with no potential for injury or significant disturbance to EPS in the vicinity of the survey works. The anticipated survey window period is during the spring/summer months of March to September 2024 thus maximising the good weather availability to allow the survey to be completed with the shortest survey duration. Should the survey be rescheduled to occur after September 2024, there is the likely possibility that the survey window will need to be increased to allow for a greater occurrence of weather downtime during the autumn/ winter months as the Moray Firth is directly exposed to the storms originating from the northern North Sea. Annual significant wave heights within the region are typically within the range of 1.25 to 1.75 m, reaching up to 2.5 m in the winter (Atlas of UK Renewable Energy Resources). During extreme events, wave heights coming from the more exposed offshore sectors may be between 6 and 7 m during relatively frequent (annual) events (Atlas of UK Renewable Energy Resources). Sustained high-energy storm events such as these may ultimately result in survey delay and therefore the vessel being onsite for longer. Either option would result in project delays and ultimately hinder the achievement of meeting the Scottish and UK net zero targets, response to climate change crisis and more recent energy security requirements. Nominal mitigation measures will in place for the geophysical survey (in line with the JNCC guideline) which will further minimise potential impacts to EPS species.

## 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 Planning Authority, Local Works Licence)	Date Applied for	Reference no.	Date of issue of licence / consent
Licence to disturb or injure marine European protected species - for offshore area (beyond 12 nm).	19/01/2024	TBC	Pending
Marine Licence Exemption Notification (Benthic Ecology Surveys)	19/01/2024	TBC	Pending
Licence to disturb or injure Basking shark	19/01/2024	TBC	Pending
2023 Licence to disturb or injure marine European protected species.	28/04/2023	00010492	27/07/2023
2023 Licence to disturb Basking Sharks.	28/04/2023	28/04/2023	28/04/2023

## 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 in the Marine Noise Registry at: <https://mnr.jncc.gov.uk/>.

**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 application number AAN: 3656.

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

11. **Privacy notice**

The Scottish Government's Marine Scotland Licensing Operations Team (MS-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 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 and Basking shark licences under the Wildlife and Countryside Act 1981 (as amended).

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 at: <http://www.gov.scot/Topics/marine/Licensing/marine/PrivacyNotice>. 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: [ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)

**Have you remembered to enclose Supporting Information with your application, as described in the accompanying guidance? Please check**

- |   |                                     |
|---|-------------------------------------|
| <b>Completed Application form</b>                   | <input checked="" type="checkbox"/> |
| <b>Completed Annex</b>                              | <input checked="" type="checkbox"/> |
| <b>Map / Chart</b>                                  | <input checked="" type="checkbox"/> |
| <b>Correct co-ordinates</b>                         | <input checked="" type="checkbox"/> |
| <b>Additional information / EPS risk assessment</b> | <input checked="" type="checkbox"/> |

## Part C. Declarations

11. 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.

Signature of the Applicant

Redacted  
Redacted  
Date: 2024.01.22 14:32:36 Z

Date 22/01/2024

(The person named at part 1)

Name in BLOCK LETTERS

Redacted on behalf of Stromar Offshore Wind Farm Limited.

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 Scotland Licensing Operations Team (MS-LOT) at the address below or emailed to [MS.Marinelicensing@gov.scot](mailto:MS.Marinelicensing@gov.scot)**

**Please remember to include all supporting information.**

Licensing Operations Team  
Marine Scotland  
EPS Division  
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 Laboratory, 375 Victoria Road,  
Aberdeen AB11 9DB  
<http://www.gov.scot/Topics/marine/Licensing/marine>



**Annex A**

Only to be completed if you selected for *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

N/A

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

N/A

How will the proposed activity address the identified risk

N/A

## **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 Stromar OWF geophysical survey presents a temporary disturbance to the marine environment and to EPS in the area. However, the survey will allow the project to progress which in turn will add to the growing contributions to the UK's renewable energy sector in the long term. The offshore wind industry provides the UK with the opportunity to reduce reliance on fossil fuels, as well as on importing fuels from international sources which is of vital importance given the UK's current energy crisis. These are significant environmental and economic benefits.

The project offers a wide variety of other social, economic and environmental benefits through the use of a local supply chain and employment / training opportunities to the local Scottish communities. The project promotes many of the aims and objectives presented within National Planning Framework 4.

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

The Stromar OWF will contribute to the delivery of a low-cost and low-carbon supply of electricity at a fundamental time when the UK needs a secure and affordable supply of power. The subsequent development of the Stromar OWF, following the proposed geophysical survey works covered in this licence application, will help to contribute to growing socioeconomic strength within Scotland and will place financial support in the Scottish supply chain and will contribute to delivering national targets.

The Stromar OWF is uniquely placed, through project and financial support to the supply chain, to contribute significantly towards national climate change policies, deliver multi-billion pound investments and significant numbers of jobs locally. We aim to position the country as a world leader in exportable innovation, and address wider sector opportunities around skills and diversity for current and future generations.

Please see the accompanying 'Stromar Offshore Wind Farm. Geophysical and Benthic Survey Campaign 2024. European Protected Species (EPS) and Protected Species Risk Assessment (Inshore and Offshore Regions)' for further details.

Why is it imperative the proposed activity goes ahead?

The geophysical survey contributes to multiple work streams within the EIA, as well as contributing to the health and safety of those that will construct the Stromar OWF. It is fundamental to understand the seabed conditions so that subsea structures can safely be installed, as well as understand if there are submerged objects present within the offshore ECC study area. If this geophysical survey work did not take place, construction of Stromar OWF could not continue.

The 2023 geophysical survey campaign for the Stromar OWF collected data from the array area and limited sections of Offshore ECC. This 2024 survey campaign is necessary to obtain additional geophysical data in the array area and Offshore ECC, aiding to determine the seabed characteristics and inform the future project design.

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

The proposed geophysical survey activity is required to develop the Stromar OWF. Building the Stromar OWF supports the Scottish Government's Offshore Wind Policy Statement - "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" (Scottish Government, 2020).

The UK has policies in place to meet national and international commitments to greenhouse gas reduction, and this will increase the demand for electricity supply in day to day life e.g. through electrical vehicles.

The Stromar OWF project will contribute to the UK government's national and international commitments to reduce greenhouse gas production. The project also fits with the Scottish National Marine Plan Section 11. Offshore Wind and Marine Renewable Energy (2015) objectives, 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' (Section 3.1 Electricity) (Scottish Government, 2020) by producing renewable energy to aid the transition to net zero. It also meets the ambitions and policies set out within NPF4 (Energy) (Scottish Government, 2023) and the Blue Economy Vision (2022).

Given in the lead-in time for the full consenting and deployment of offshore wind developments, rapid progress is required over the 2024 - 2025 period to allow Stromar to deploy on time and contribute to the climate targets mentioned above.



**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.

N/A

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

N/A

**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.

N/A







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

N/A

# Stromar

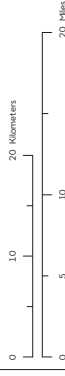
## EPS and Protected Species Licence Area

### Figure 1.1

-  Stromar Site Boundary
-  Stromar Site Boundary Minimum Bounding Geometry (1km Buffer)
- Electrical Infrastructure Study Area**
-  Nearshore EISA Area (1.2nm)
-  Offshore EISA Area
-  Marine Protected Areas
-  SSSIs
-  SACs
-  SPAs
-  Shelf Banks and Mounds
-  Shelf Deepes
-  Submarine Structures Made by Leaking Cases (Range)
-  Burrowed Mud



Coordinate System: ETRS1989 UTM Zone 30N  
Vertical Datum: MLLW Scale @ A3: 1:530,000

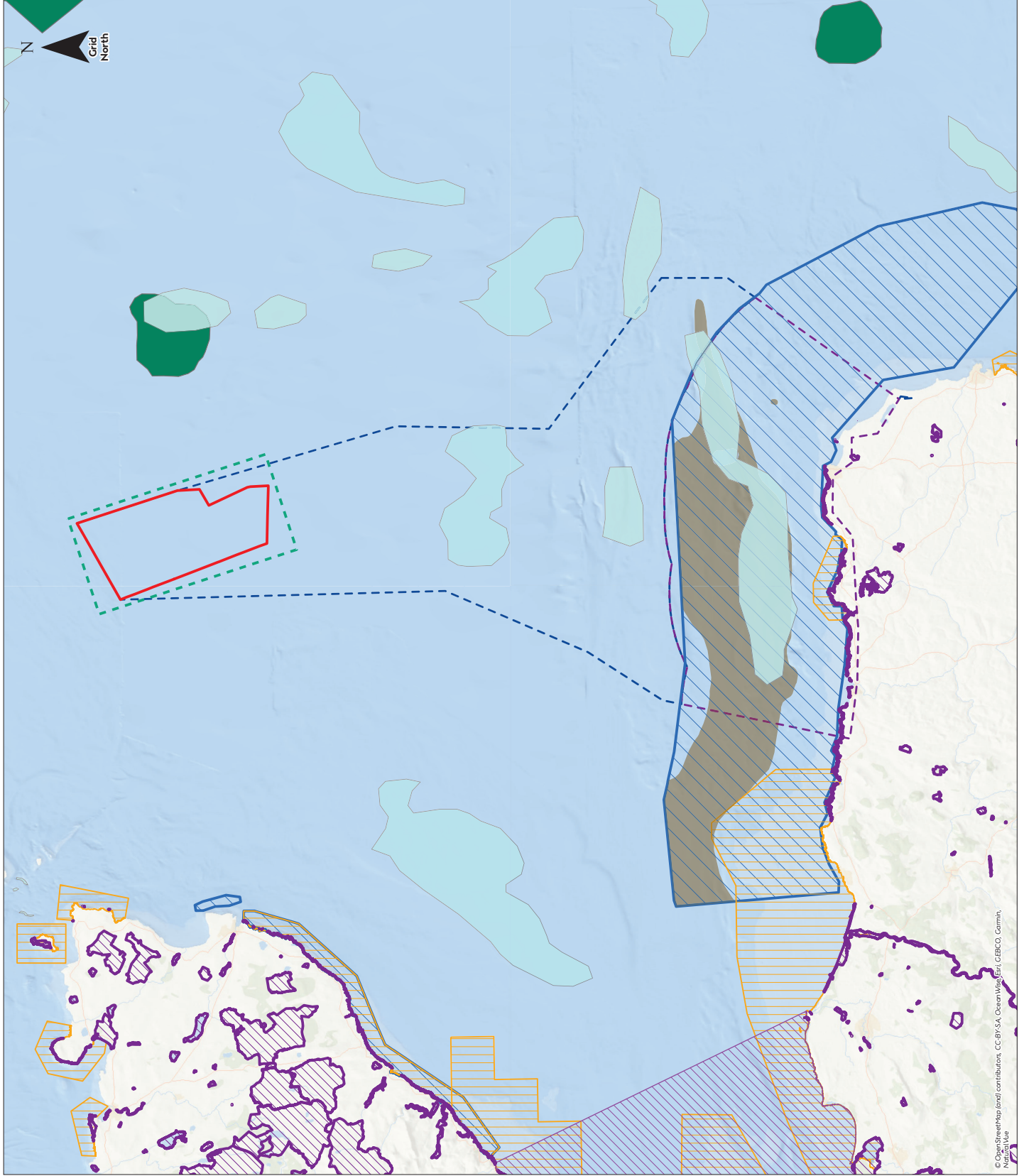


Rev	Description	Date
00	FIRST DRAFT	12/01/2024
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Doc. Title : Scoping Area Boundary  
Doc. No : 0001  
Created by : GJB  
Checked by : AC  
Approved by : GB

**Gobe**  
APEN Group

**STROMAR**



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# Appendix 1

The location co-ordinates (WGS84) of the Stromar OWF study area are presented below in **Table A.1**.

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**Table A.1: The WGS84 latitude and longitude co-ordinates for the survey area boundary.**

WGS84 Longitude-Latitude Co-ordinates				
No.	Long (DDM)	Lat (DDM)	Long (DD)	Lat (DD)
<b>Array Area</b>				
1	2° 1.775' W	58° 25.157' N	-2.02959	58.4193
2	2° 1.677' W	58° 23.806' N	-2.02794	58.3968
3	2° 1.918' W	58° 23.810' N	-2.03196	58.3968
4	2° 2.143' W	58° 23.814' N	-2.03571	58.3969
5	2° 2.829' W	58° 23.830' N	-2.04714	58.3972
6	2° 3.749' W	58° 23.849' N	-2.06248	58.3975
7	2° 5.372' W	58° 23.885' N	-2.08953	58.3981
8	2° 5.410' W	58° 23.886' N	-2.09017	58.3981
9	2° 5.454' W	58° 23.887' N	-2.0909	58.3981
10	2° 7.135' W	58° 23.919' N	-2.11892	58.3987
11	2° 8.830' W	58° 23.947' N	-2.14717	58.3991
12	2° 9.149' W	58° 23.953' N	-2.15249	58.3992
13	2° 9.929' W	58° 23.965' N	-2.16548	58.3994
14	2° 9.930' W	58° 23.966' N	-2.16549	58.3994
15	2° 9.937' W	58° 23.976' N	-2.16562	58.3996
16	2° 9.947' W	58° 23.992' N	-2.16579	58.3999
17	2° 9.978' W	58° 24.035' N	-2.1663	58.4006
18	2° 10.313' W	58° 24.536' N	-2.17188	58.4089
19	2° 10.722' W	58° 25.098' N	-2.17869	58.4183
20	2° 11.151' W	58° 25.727' N	-2.18585	58.4288
21	2° 11.519' W	58° 26.252' N	-2.19199	58.4375
22	2° 12.492' W	58° 27.595' N	-2.2082	58.4599
23	2° 12.551' W	58° 27.683' N	-2.20918	58.4614
24	2° 12.595' W	58° 27.744' N	-2.20992	58.4624
25	2° 12.636' W	58° 27.804' N	-2.2106	58.4634
26	2° 13.595' W	58° 29.152' N	-2.22658	58.4859
27	2° 13.744' W	58° 29.364' N	-2.22906	58.4894
28	2° 14.008' W	58° 29.735' N	-2.23346	58.4956
29	2° 14.853' W	58° 30.928' N	-2.24756	58.5155
30	2° 14.879' W	58° 30.963' N	-2.24798	58.5161
31	2° 14.884' W	58° 30.971' N	-2.24807	58.5162
32	2° 14.885' W	58° 30.972' N	-2.24808	58.5162
33	2° 14.886' W	58° 30.973' N	-2.2481	58.5162
34	2° 14.895' W	58° 30.986' N	-2.24825	58.5164
35	2° 14.908' W	58° 31.004' N	-2.24846	58.5167
36	2° 14.911' W	58° 31.008' N	-2.24852	58.5168
37	2° 14.914' W	58° 31.012' N	-2.24856	58.5169
38	2° 15.253' W	58° 31.489' N	-2.25421	58.5248
39	2° 16.008' W	58° 32.588' N	-2.2668	58.5431
40	2° 16.327' W	58° 33.014' N	-2.27211	58.5502

WGS84 Longitude-Latitude Co-ordinates				
No.	Long (DDM)	Lat (DDM)	Long (DD)	Lat (DD)
41	2° 16.629' W	58° 33.440' N	-2.27715	58.5573
42	2° 16.969' W	58° 33.906' N	-2.28281	58.5651
43	2° 17.228' W	58° 34.287' N	-2.28714	58.5714
44	2° 17.430' W	58° 34.567' N	-2.29049	58.5761
45	2° 17.773' W	58° 35.042' N	-2.29622	58.584
46	2° 14.484' W	58° 35.998' N	-2.24141	58.6
47	2° 10.653' W	58° 37.103' N	-2.17756	58.6184
48	2° 7.952' W	58° 37.881' N	-2.13253	58.6314
49	2° 6.706' W	58° 38.239' N	-2.11176	58.6373
50	2° 2.174' W	58° 30.643' N	-2.03624	58.5107
51	2° 2.168' W	58° 30.632' N	-2.03613	58.5105
52	2° 2.167' W	58° 30.614' N	-2.03611	58.5102
53	2° 2.048' W	58° 28.989' N	-2.03413	58.4831
54	2° 2.048' W	58° 28.989' N	-2.03414	58.4831
55	2° 4.365' W	58° 28.304' N	-2.07274	58.4717
56	2° 1.864' W	58° 25.388' N	-2.03107	58.4231
57	2° 1.775' W	58° 25.157' N	-2.02959	58.4193
<b>Note:</b> co-ordinates no 53 and 54 are, approximately, 30 cm apart in the Stromar Lease Area dataset received from Crown Estate Scotland. DDM co-ordinates are not precise enough to reflect this and as such appear as duplicates in the table above.				
Array Area Buffer for Vessel Turning (1km Buffer)				
58	2° 6.027' W	58° 38.914' N	-2.10045	58.6486
59	1° 57.153' W	58° 23.979' N	-1.95254	58.3997
60	2° 10.868' W	58° 21.735' N	-2.18113	58.3623
61	2° 19.830' W	58° 36.655' N	-2.3305	58.6109
62	2° 6.027' W	58° 38.914' N	-2.10045	58.6486
Offshore ECC Study Area (no 1km buffer)				
63	1° 36.519' W	57° 46.642' N	-1.608655	57.777362
64	1° 33.293' W	57° 48.973' N	-1.554886	57.816225
65	1° 33.105' W	57° 53.954' N	-1.551742	57.899227
66	1° 54.168' W	58° 2.636' N	-1.902799	58.043926
67	1° 53.455' W	58° 14.137' N	-1.890915	58.23561
68	2° 2.168' W	58° 30.630' N	-2.036129	58.510501
69	2° 2.048' W	58° 28.989' N	-2.034137	58.483147
70	2° 4.365' W	58° 28.304' N	-2.072744	58.471726
71	2° 1.864' W	58° 25.388' N	-2.031069	58.42314
72	2° 1.775' W	58° 25.157' N	-2.029585	58.419282
73	2° 1.677' W	58° 23.806' N	-2.027943	58.396774
74	2° 9.929' W	58° 23.965' N	-2.165476	58.399414
75	2° 17.773' W	58° 35.042' N	-2.29622	58.58403
76	2° 17.019' W	58° 10.598' N	-2.283649	58.176639
77	2° 25.918' W	57° 59.900' N	-2.431975	57.998339
78	2° 32.807' W	57° 54.296' N	-2.546788	57.904941

<b>WGS84 Longitude-Latitude Co-ordinates</b>				
<b>No.</b>	<b>Long (DDM)</b>	<b>Lat (DDM)</b>	<b>Long (DD)</b>	<b>Lat (DD)</b>
79	2° 33.525' W	57° 52.491' N	-2.558753	57.874845
80	2° 28.221' W	57° 52.183' N	-2.470347	57.869719
81	2° 13.516' W	57° 53.254' N	-2.225262	57.887565
82	1° 58.311' W	57° 53.539' N	-1.97185	57.892324
83	1° 48.460' W	57° 51.898' N	-1.807667	57.864961
<b>Nearshore ECC study Area (no 1km buffer)</b>				
84	1° 49.682' W	57° 37.069' N	-1.82803	57.617822
85	1° 53.595' W	57° 39.635' N	-1.893247	57.660586
86	1° 55.926' W	57° 40.981' N	-1.932098	57.683018
87	1° 58.523' W	57° 40.700' N	-1.975385	57.678325
88	2° 0.085' W	57° 42.064' N	-2.001409	57.701063
89	2° 7.289' W	57° 42.226' N	-2.121477	57.703758
90	2° 11.107' W	57° 40.699' N	-2.185123	57.67832
91	2° 17.860' W	57° 41.913' N	-2.297672	57.698554
92	2° 21.927' W	57° 40.625' N	-2.365442	57.677077
93	2° 29.724' W	57° 40.498' N	-2.495405	57.674973
94	2° 31.399' W	57° 40.377' N	-2.523311	57.672957
95	2° 34.462' W	57° 41.049' N	-2.574368	57.684153
96	2° 38.082' W	57° 40.973' N	-2.634696	57.682884
97	2° 33.412' W	57° 52.777' N	-2.556867	57.879621
98	2° 28.139' W	57° 52.302' N	-2.468988	57.871693
99	2° 21.670' W	57° 53.427' N	-2.361161	57.890447
100	2° 13.564' W	57° 53.410' N	-2.226058	57.890171
101	2° 5.023' W	57° 53.878' N	-2.083722	57.897958
102	1° 56.402' W	57° 53.568' N	-1.940028	57.8928
103	1° 48.580' W	57° 52.012' N	-1.809666	57.866867
104	1° 41.152' W	57° 49.675' N	-1.685868	57.827914
105	1° 36.262' W	57° 46.829' N	-1.604371	57.780487