

THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994

LICENCE TO DISTURB MARINE SPECIES

Licence Number: EPS/BS-00010159

This licence is granted under regulation 44(e) of the Conservation (Natural Habitats, &c.) Regulations 1994 by the Scottish Ministers who, after consultation with, and having been advised as to the circumstances in which they should grant such licences by NatureScot are satisfied as regards the purpose for which the licence is granted, namely, for (e) preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and that (a) there is no other 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 **01 April, 2023** to **31 March, 2024** and authorises:

Scottish Hydro Electric Power Distribution Plc
Inveralmond House,
200 Dunkeld Road
Perth
Perthshire
PH1 3AQ

Or any person authorised in writing by him / her to disturb the European protected species of *harbour porpoise* (*Phocoena phocoena*); *bottlenose dolphin* (*Tursiops truncatus*); *minke whale* (*Balaenoptera acutorostrata*); *Risso's dolphin* (*Grampus griseus*); *short beaked common dolphin* (*Delphinus delphis*); *killer whale* (*Orcinus orca*); *white-beaked dolphin* (*Lagenorhynchus albirostris*); *humpback whale* (*Megaptera novaeangliae*); *long-finned pilot whale* (*Globicephala melas*) at West Highland marine region, as detailed in the application for a licence to disturb European Protected Species and supporting documents but only subject to the under-noted 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*); *bottlenose dolphin* (*Tursiops truncatus*); *minke whale* (*Balaenoptera acutorostrata*); *Risso's dolphin* (*Grampus griseus*); *short beaked common dolphin* (*Delphinus delphis*); *killer whale* (*Orcinus orca*); *white-beaked dolphin* (*Lagenorhynchus albirostris*); *humpback whale* (*Megaptera novaeangliae*); *long-finned pilot whale* (*Globicephala melas*) at West Highland marine region, for (e) preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment in connection with Cable surveying, with the use of equipment including Sub-bottom profiling "SBP", Multibeam echosounder, and Ultra-short Baseline system "USBL". at the following location(s):

West Highland marine region
Corran Narrows Centre

56° 43.704' N 005° 14.239' W
56° 43.630' N 005° 13.888' W
56° 43.218' N 005° 14.189' W
56° 43.119' N 005° 14.356' W
56° 43.133' N 005° 14.723' W
56° 43.169' N 005° 14.947' W
56° 43.200' N 005° 14.608' W
56° 43.291' N 005° 14.525' W
56° 43.361' N 005° 14.582' W
56° 43.577' N 005° 15.078' W
57° 20.418' N 006° 05.754' W
57° 20.400' N 006° 04.211' W
57° 34.252' N 006° 39.764' W
57° 33.224' N 006° 38.397' W
57° 17.125' N 005° 30.647' W
57° 17.054' N 005° 30.505' W
57° 16.983' N 005° 30.645' W

Skye – South Uist

57° 33.224' N 006° 38.397' W
57° 29.628' N 006° 50.569' W
57° 25.060' N 006° 55.756' W
57° 21.627' N 007° 05.914' W
57° 21.459' N 007° 15.460' W
57° 22.036' N 007° 16.345' W
57° 22.137' N 007° 12.618' W
57° 25.488' N 007° 06.337' W
57° 30.038' N 006° 56.366' W
57° 34.252' N 006° 51.229' W
57° 48.669' N 006° 51.820' W
57° 47.417' N 006° 49.202' W

Lochalsh (Gleneig)

57° 16.485' N 005° 34.214' W
57° 15.420' N 005° 34.693' W
57° 15.323' N 005° 35.043' W
57° 15.317' N 005° 35.501' W
57° 15.544' N 005° 35.660' W
57° 16.388' N 005° 35.271' W
57° 16.509' N 005° 34.813' W
57° 16.485' N 005° 34.214' W
56° 32.058' N 005° 47.930' W
56° 32.009' N 005° 47.856' W

Lochaline - Mull

56° 32.009' N 005° 47.856' W
56° 32.029' N 005° 47.533' W
56° 31.949' N 005° 47.035' W
56° 30.830' N 005° 47.029' W

56° 30.659' N 005° 47.162' W
56° 30.571' N 005° 47.446' W
56° 30.709' N 005° 47.631' W
56° 30.860' N 005° 47.675' W
56° 30.944' N 005° 48.000' W
56° 31.892' N 005° 48.031' W
56° 37.041' N 005° 28.088' W
56° 36.916' N 005° 28.043' W
56° 37.029' N 005° 29.051' W
56° 37.026' N 005° 28.103' W

Loch a'Choire North

56° 37.026' N 005° 28.103' W
56° 36.867' N 005° 28.087' W
56° 36.573' N 005° 28.293' W
56° 36.177' N 005° 28.841' W
56° 36.030' N 005° 29.164' W
56° 35.931' N 005° 29.691' W
56° 35.957' N 005° 29.986' W
56° 36.457' N 005° 29.896' W
56° 36.541' N 005° 29.565' W
56° 36.771' N 005° 29.216' W
57° 16.472' N 005° 41.648' W

Kyle - Skye North (1)

57° 16.472' N 005° 41.648' W
57° 16.180' N 005° 42.012' W
57° 15.943' N 005° 42.468' W
57° 15.930' N 005° 42.742' W
57° 16.021' N 005° 43.029' W
57° 16.352' N 005° 43.053' W
57° 16.640' N 005° 42.612' W
57° 16.774' N 005° 42.610' W
57° 16.850' N 005° 42.467' W
57° 16.904' N 005° 41.638' W
56° 43.704' N 005° 14.618' W

Corran Narrows North

56° 43.813' N 005° 13.664' W
56° 43.622' N 005° 13.899' W
56° 43.298' N 005° 14.521' W
56° 43.258' N 005° 14.582' W
56° 43.361' N 005° 14.096' W
56° 43.622' N 005° 15.169' W
56° 43.766' N 005° 15.324' W
56° 43.828' N 005° 15.015' W
56° 43.794' N 005° 14.703' W
56° 43.851' N 005° 13.906' W
56° 43.687' N 005° 14.773' W
56° 43.704' N 005° 14.239' W

Corran Narrows South

56° 43.704' N 005° 14.618' W
56° 43.589' N 005° 13.909' W
56° 43.296' N 005° 14.093' W
56° 43.091' N 005° 14.376' W
56° 43.169' N 005° 14.947' W
56° 43.200' N 005° 14.608' W
56° 43.291' N 005° 14.525' W
56° 43.361' N 005° 14.582' W
56° 43.578' N 005° 15.079' W
56° 43.672' N 005° 14.884' W
56° 43.813' N 005° 13.664' W

Kyle - Skye South (2)

57° 16.863' N 005° 41.498' W
57° 16.448' N 005° 41.537' W
57° 16.071' N 005° 41.862' W
57° 15.862' N 005° 42.463' W
57° 15.871' N 005° 42.915' W
57° 15.990' N 005° 43.114' W
57° 16.365' N 005° 43.093' W
57° 16.431' N 005° 42.879' W
57° 16.592' N 005° 42.503' W
57° 16.847' N 005° 42.475' W

Loch Sligachan, Skye West

57° 19.143' N 006° 05.823' W
57° 18.799' N 006° 05.850' W
57° 18.894' N 006° 06.294' W
57° 18.792' N 006° 06.781' W
57° 19.183' N 006° 06.796' W
57° 19.222' N 006° 06.508' W
57° 19.120' N 006° 06.317' W
57° 19.322' N 006° 06.012' W
57° 19.143' N 006° 05.823' W
57° 16.948' N 005° 41.584' W
57° 16.863' N 005° 41.498' W

Loch a'Choire South

56° 36.916' N 005° 28.043' W
56° 36.450' N 005° 28.315' W
56° 36.128' N 005° 28.879' W
56° 35.969' N 005° 29.367' W
56° 35.924' N 005° 29.723' W
56° 35.958' N 005° 29.985' W
56° 36.467' N 005° 29.774' W
56° 36.512' N 005° 29.571' W
56° 36.703' N 005° 29.200' W
56° 37.010' N 005° 29.041' W

Loch Eil Narrows

56° 50.692' N 005° 09.830' W
56° 50.513' N 005° 09.432' W

56° 50.418' N 005° 09.705' W
 56° 50.539' N 005° 09.833' W
 56° 50.576' N 005° 10.071' W
 56° 50.673' N 005° 10.290' W
 56° 50.699' N 005° 10.569' W
 56° 50.832' N 005° 10.388' W
 56° 50.946' N 005° 09.967' W
 56° 50.803' N 005° 09.756' W
 56° 50.692' N 005° 09.830' W.

Loch Sligachan, Skye East

57° 19.133' N 006° 05.824' W
 57° 18.800' N 006° 05.829' W
 57° 18.894' N 006° 06.294' W
 57° 18.797' N 006° 06.760' W
 57° 19.183' N 006° 06.796' W
 57° 19.222' N 006° 06.508' W
 57° 19.120' N 006° 06.317' W
 57° 19.313' N 006° 06.021' W
 57° 19.133' N 006° 05.824' W

56° 32.304' N 005° 45.824' W

Lochaline (Ardtornish)

56° 32.304' N 005° 45.824' W
 56° 32.227' N 005° 45.892' W
 56° 32.276' N 005° 46.264' W
 56° 32.155' N 005° 46.356' W
 56° 31.960' N 005° 46.288' W
 56° 32.019' N 005° 46.635' W
 56° 32.085' N 005° 46.528' W
 56° 32.254' N 005° 46.561' W
 56° 32.547' N 005° 46.411' W
 56° 32.444' N 005° 45.997' W

Skye - Harris

57° 47.417' N 006° 49.202' W
 57° 45.143' N 006° 49.334' W
 57° 40.511' N 006° 47.780' W
 57° 34.150' N 006° 39.104' W
 57° 33.449' N 006° 38.630' W
 57° 32.992' N 006° 39.212' W
 57° 40.300' N 006° 48.718' W
 57° 45.124' N 006° 50.349' W
 57° 47.077' N 006° 50.208' W
 57° 47.860' N 006° 51.666' W
 57° 16.568' N 005° 59.107' W

Skye - Scalpay

57° 16.568' N 005° 59.107' W
 57° 16.433' N 005° 58.822' W
 57° 16.490' N 005° 58.671' W
 57° 16.503' N 005° 58.379' W

57° 16.335' N 005° 58.403' W
 57° 16.041' N 005° 58.734' W
 57° 16.076' N 005° 58.974' W
 57° 16.226' N 005° 59.572' W
 57° 16.545' N 005° 59.365' W
 57° 16.646' N 005° 59.181' W
 Skye Raasay
 57° 20.400' N 006° 04.211' W
 57° 19.911' N 006° 03.784' W
 57° 19.837' N 006° 04.407' W
 57° 19.883' N 006° 05.556' W
 57° 19.849' N 006° 05.912' W
 57° 19.884' N 006° 06.172' W
 57° 19.971' N 006° 06.373' W
 57° 20.086' N 006° 06.425' W
 57° 20.159' N 006° 06.385' W
 57° 20.319' N 006° 06.042' W
 Loch Long (Dornie)
 57° 16.983' N 005° 30.645' W
 57° 16.917' N 005° 30.886' W
 57° 16.851' N 005° 30.943' W
 57° 16.727' N 005° 30.965' W
 57° 16.634' N 005° 30.896' W
 57° 16.656' N 005° 31.185' W
 57° 16.716' N 005° 31.158' W
 57° 16.939' N 005° 31.190' W
 57° 17.015' N 005° 31.158' W
 57° 17.186' N 005° 30.929' W

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

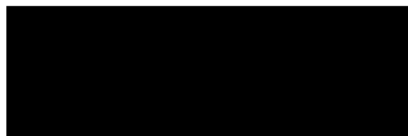
Cable surveying, with the use of equipment including Sub-bottom profiling "SBP", Multibeam Echosounder, and Ultra-short Baseline system "USBL".

LICENCE CONDITIONS

1. The licensee must ensure that all works are carried out in strict accordance with the mitigation and working methods proposed in the application for this licence, together with supporting information and all works must be carried out within the timescale given within the application and any subsequent written correspondence between Marine Scotland – Licensing Operations Team (MS-LOT) and the applicant, but subject to the following modifications or amendments made within this licence.
2. The licensee must ensure that all works are carried out in strict accordance with the EPS and Protected Sites and Species Risk Assessment – West Highlands (version A02) submitted to the licensing authority on 30 August 2019.
3. 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 licensing authority must be notified as soon as reasonably practicable.

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 (“JNCC Guidance”) is followed at all times in connection with the undertaking of such surveys as far as it is practical to do so. These are available from the JNCC website http://jncc.defra.gov.uk/pdf/jncc_guidelines_seismicsurvey_apr2017.pdf
5. The licensee must ensure that, if any aspects of the proposed activities differ from the detail submitted in the online Marine Noise Registry, a new Proposed Activity Form is completed and submitted no later than one week prior to commencement of the licensed activities.
6. The licensee must ensure that where survey equipment has the capability to undergo a soft start procedure, this is implemented on every occasion survey equipment is switched on.
7. 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.
8. 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.
9. 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.
10. 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 the 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.
11. The licence holder must, no later than 12 weeks after completion of the noisy activity, complete and submit a Close-out Report the online Marine Noise Registry.
12. The Licensee must ensure that all mitigation measures included in the EPS and Protected Sites and Species Risk Assessment – West Highlands (version A02) for Ultra-short Baseline system are applied when using multibeam echosounder (MBES) equipment operating below 200kHz.

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



Signed:
 Gerry Millar

Marine Scotland
Marine Planning and Policy
Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB
31 March, 2023