

LICENCE/CONSENT VARIATION – VALIDATION OF APPROPRIATE ASSESSMENT (“AA”)

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| <u>Licensee/Developer Name:</u> | Inch Cape Offshore Limited (Company Number: SC373173) (“the Licensee”). |
| <u>Site Details:</u> | Site Investigation, Marine Survey Sediment Removal (“the Works”) within Inch Cape Offshore Wind Farm and Export Cable Corridor Area (“the Site”). |
| <u>Date of existing Licence/Consent:</u> | 12 March 2019 |
| <u>Date of existing AA:</u> | 11 March 2019 |

Summary of proposed Variation Application.

To include additional contractors and vessels for the Works and extend the duration of the Marine Licence 06738 from 30 September 2019 to 31 October 2019 (“the Variation Application”).

The Licensee submitted information on the additional contractors and vessels that will be utilised during the survey. In addition, the Licensee stated that they will endeavour to finish site investigations before the end of September. However, there is the possibility that weather delays might extend some of the Works into October. The Licensee confirmed that all other aspects remain unchanged with the exception of the contractor and vessel details provided above.

Summary of consultation responses – in relation to European protected sites.

Scottish Natural Heritage, after reviewing the existing AA and in line with its previous advice, advised in its consultation response that :

- These works are not required for the conservation management of the site.
- That there is likely to be a significant effect.
- That there will not be an adverse effect on site integrity due to the short duration of the survey work, minimum impact to the seabed and supporting processes of the Outer Firth of Forth and St Andrew’s Bay Complex proposed Special Protected Area (“pSPA”) and availability of large-scale alternative areas within the pSPA to support the proposed qualifying interests.

Summary of other information in relation to European protected sites (MSS responses, external reports).

Not applicable – No advice from MSS was sought.

Updated in-combination assessment.

i) *Detail new plans or projects since date of existing AA.*

ii) *List plan or project titles for which licences/consents have expired since date of existing AA.*

i) Edinburgh Marina Granton Harbour Ltd – Installation of marina - Granton West Harbour

The works form part of the Granton Harbour Regeneration Development. They include the reconstruction of a 225m of sloping masonry revetment which will also be extended by the construction of a new 110m long quay wall. The quay wall will be sheet piled and backfilled with material from on site to reclaim land. An existing breakwater will be extended with a 50 metre concrete wall with an inclined slope of rock armour on the seaward side and an additional 25 metres of rock revetment on the end for additional protection. A 340 berth marina will be created with floating berths and pontoons and will extend to approximately 22,879m². Capital dredging will be carried out in the new marina area and also the approach channel. Due to contamination identified in the pre-dredge sediment analysis, all material from below 1.2 metres and all material from around sample locations 8 and 9 will be taken ashore for land based disposal. A small amount of material will be re-used within the land reclamation, 19,322m³. The remainder of the material, 86,980m³, will be taken for sea disposal at a licensed disposal site in the Firth of Forth. Dredging will be carried out using a backhoe dredger. The works are scheduled to start in June 2019 and to be completed by May 2022.

The AA for the Granton project concluded that there would be no adverse effect on the site integrity of the Outer Firth of Forth and St Andrews Bay Complex SPA provided the conditions set out within the AA were implemented and complied with. Given the small scale and duration of the sediment removal works, MS-LOT concludes there will be no adverse effect on the site integrity of the Outer Firth of Forth and St Andrews Bay Complex SPA from the Licensee's proposal in-combination with Granton.

The Coal Authority, Removal of Temporary Pipeline - East Wemyss, Fife

The proposed removal of a temporary sea outfall pipeline at the Former Michael Colliery after the cessation of water pumping trials from within the mine shafts. The entire 130 m pipeline, 86 m³ of rock armour, 17 m³ of concrete and other associated infrastructure will be removed using a land based excavator and crane. Scottish Environment Protection Agency completed the AA for the original installation in 2015 as the works required a licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). The 2015 AA did not include an assessment of the Outer Firth of Forth and St Andrews Bay Complex pSPA as the site was not proposed as an SPA at the time of granting the previous marine licence.

The AA for this project concluded that it will not adversely affect the integrity of the Outer Firth of Forth and St Andrews Bay Complex pSPA, either in isolation or in combination with other plans or projects. Given the distance between the two projects, MS-LOT conclude there will be no adverse cumulative impact on the Outer Firth of Forth and St Andrews Bay Complex pSPA.

Dredging Operations

There is one dredging operation identified as having a likely significant effect on the qualifying features of the Outer Firth of Forth and St Andrews Bay Complex pSPA. The table below summarises these projects.

| Location of Dredge & Applicant | Type of Dredge | Reason for No Adverse Cumulative Effect |
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| Port Babcock, Rosyth - Babcock Marine (Rosyth) Ltd (Per UK Dredging Ltd) | Maintenance Dredging - Port Babcock, Rosyth | The limited duration of the Licensee's works within the pSPA and short-term duration of the Babcock Marine proposal mean there will be no cumulative adverse effect on the site integrity of the Outer Firth of Forth and St Andrews Bay Complex pSPA in combination with the Babcock Marine proposal. |

ii)

- Pittenweem Harbour Maintenance Dredging & Sea Disposal – Dredging

Conclusion - Consideration of whether AA completed for the February 2013 decision for the 2013 consent is still valid.

No consultation responses or representations have been received which would invalidate the conclusions or alter the outcome of the AA dated 11 March 2019 in respect of the Marine Licence 06738/19/1, which was granted 12 March 2019.

| Name | Assessor or Approver | Date |
|-------------------------|-----------------------------|-------------|
| Nikoleta Papanastasouli | Assessor | 08/08/2019 |
| Fiona MacKintosh | Approver | 13/08/2019 |