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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

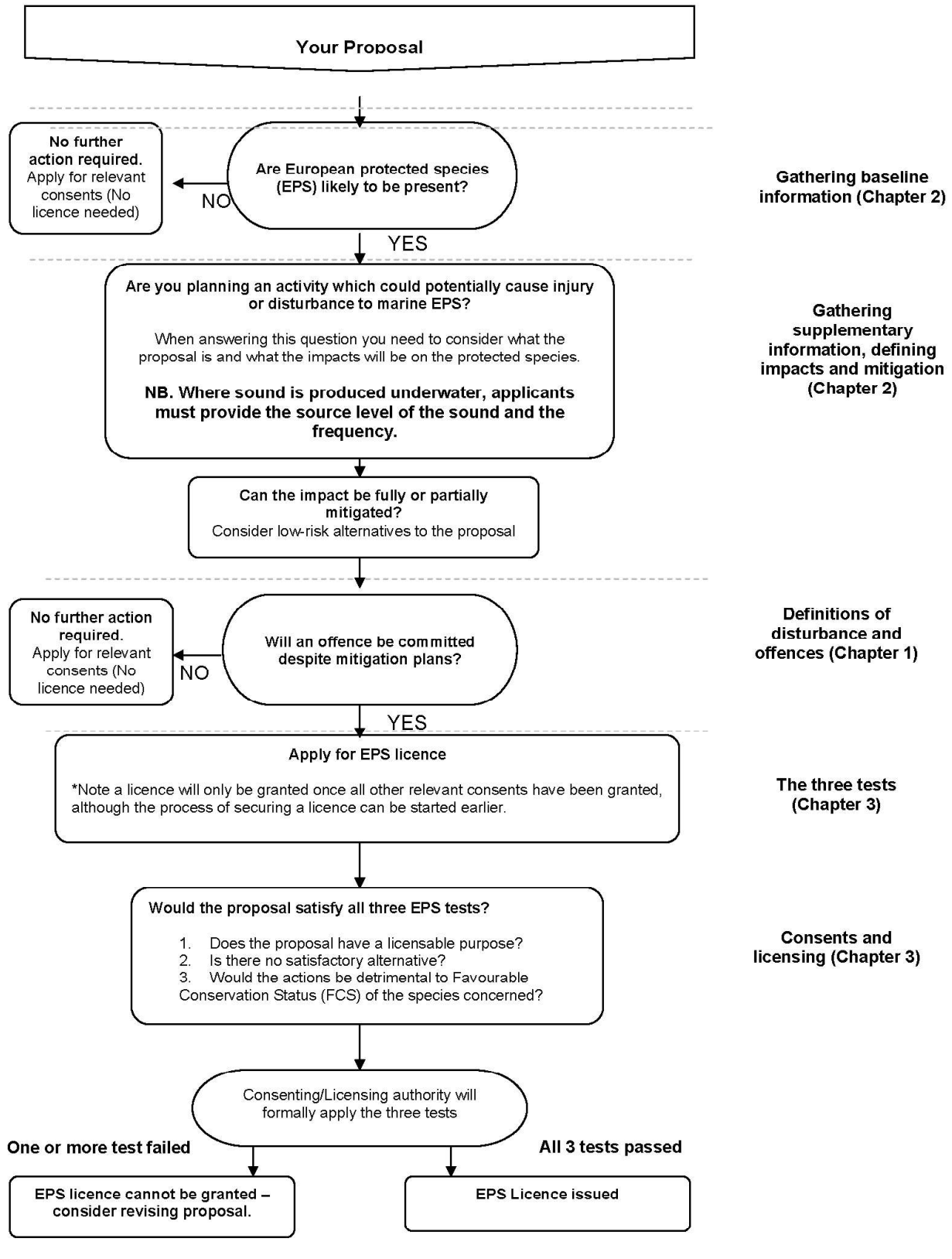
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, 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).

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

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](#)



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.

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 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

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: [REDACTED] Forename(s): [REDACTED] Surname: [REDACTED]

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
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Scientific name(s)	1. Phocoena phocoena 2. Tursiops truncatus 3. Lagenorhynchus albirostris 4. Balaenoptera acutorostrata
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(b) How many individual animals will be affected by licensed work?

Number Individuals within inshore waters : 1. Harbour porpoise (413.4) 2. Bottlenose dolphin (20.6) 3. White-beaked dolphin (951.2) 4. Minke whale (151.5)
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Please provide a description of how this number was calculated / estimated

A nominal 1 km buffer around the Export Cable Corridor (ECC) Search Area has been used as an initial indicative area of effect. The number of overall individuals within 1 km of the Search Area was calculated by multiplying the density by the Search Area. Animal densities (average number of animals per km²) for the survey area were taken from SCANS III density estimates for each species. The percentage of the inshore area was multiplied by this number to give the number of individuals inshore. The numbers of individuals inshore were then divided by the UK portion of the MU to give the percentage of the inshore population. Further detail on this methodology are provided in the accompanying MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report (Doc ID: MAR-GEN-ENV-RSA-SCW-000001).

(c) **Location of proposed licensed action**

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

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

- (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 geotechnical, geophysical and environmental surveys for the selected ECC survey route (including a 1.5km buffer) are currently scheduled to occur between March and September 2023. Within this survey window, noise-generating geophysical survey activity (i.e. any day which any duration of geophysical survey occurs) is expected to occur for a maximum of 14.3 weeks (100 days). The majority (78.63%) of the ECC Search Area is located in offshore waters (outside the 12 nm limit of territorial waters), so it is assumed that the majority of days subject to noise-generating survey activities will also be outside the 12 nm limit, with fewer noisy days occurring in inshore waters (within the 12 nm limit). One (or a maximum of two) coastal survey vessel working 12/24 hr on the nearshore part of the route only (<20m water depth). If needed, the survey vessels may interchange with other survey vessels of similar vessel specifications throughout the survey duration to allow for crew changes. The vessels are expected to mobilise from Aberdeen or Peterhead.

The geophysical survey activities are outlined below:

- Multi-beam echo sounding (MBES)
- Side Scan Sonar (SSS)
- Sub-bottom profiling (SBP)
- Underwater acoustic positioning (Ultra Short Base Line - USBL)
- Ultra-High Resolution (UHR) Seismic Sparker or Multi Channel Seismic
- Magnetometer

Magnetometer, MBES and SSS are not capable of affecting marine mammals, due to the frequencies and noise levels at which they operate.

Further information on the survey equipment and the operating parameters are provided in the accompanying MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report (Doc ID: MAR-GEN-ENV-RSA-SCW-000001).

- (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.

The operations will be undertaken using the lowest practicable power levels throughout the survey. Soft start will be employed for acoustic sound sources.

Operations will be undertaken whilst adhering to the JNCC 2017 guidance for minimising the risk of injury to marine mammals from geophysical surveys. As standard this includes:

- Undertaking visual monitoring by a Marine Mammal Observer during daylight hours;
- Undertaking passive acoustic monitoring (PAM) during hours of darkness and reduced visibility.

For further information please see supporting MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report, Section 7 (Doc ID: MAR-GEN-ENV-RSA-SCW-000001).

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.

The nearshore areas of the survey overlap with the Southern Trench MPA, which is designated for minke whale. Approximately 535.2 km² of the ECC Search Area overlaps with Southern Trench MPA. Despite the overlap with the Southern Trench MPA, this species generally only occurs at low densities (0.0387 individuals/km²). The implementation of the 500 m MMO mitigation zone far exceeds the behavioural response area of 6 m for low frequency cetaceans. The chance of TTS/ significant disturbance to this species is therefore considered to be low.

Please see accompanying MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report, Section 6 (Doc ID: MAR-GEN-ENV-RSA-SCW-000001) for more information.

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)					Time period	
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass	Method to be used, (e.g. piling)	From To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geophysical survey sources	01/03/2023 30/09/2023
<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"/>		
<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'.**

It is concluded that the proposed methodology for the survey works outlined in the MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report (Doc ID: MAR-GEN-ENV-RSA-SCW-000001) represents the only viable way through which data required for the design, consenting and installation of the export cable for the Offshore Wind Farm (OWF) can be collected, and therefore the only viable means through which the project can be developed. Thus, the applicant considers that the 'no satisfactory alternative test' has been met.

Please see accompanying MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report, Section 3.7 (Doc ID: MAR-GEN-ENV-RSA-SCW-000001) for more information.

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
EPS Licence Offshore	12/12/2022	MAR-GEN-CON-PER-SCW-000005	
Basking Shark Licence	12/12/2022	MAR-GEN-CON-PER-SCW-000006	

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.

Proposed activity forms have been completed on the JNCC Noise Registry for the geophysical survey (Activity Application Numbers: 3171-3176, six in total)

Please note that an individual activity form has been submitted for each available survey equipment operating in the range 10 Hz – 10kHz.

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

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

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

Date 13th December 2022

(The person named at part 1)

Name in BLOCK
LETTERS

[Redacted Name]

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

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

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

How will the proposed activity address the identified risk

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 proposed surveys are directly linked with the development of the MarramWind OWF Project. MarramWind is a long-term development that will contribute to ensuring the security of Scotland's energy supply, with long-term environmental benefits.

The Project will have a direct national and international environmental benefit by significantly reducing carbon emissions to the atmosphere compared to other sources of non-renewable energy generation. The UK and Scotland have an urgent need for new electricity generation capacity due to the closure of coal fired stations, the aging of thermal power stations and the closure of nuclear power programmes. Offshore wind provides the opportunity to deliver this new capacity, not only from a renewable, low carbon resource, but a resource which is indigenous and does not depend upon the geo-economic and geo-political risks attendant with importing fuels.

As the UK and Scotland follow policies to meet national and international commitments to greenhouse gas reduction, additional demands will be placed on domestic electricity supply as use of, for example, electric vehicles, increases. The project will provide additional support to the UK and Scottish government's national and international commitments to reduce greenhouse gases, which will bring long-term benefits.

Please see accompanying MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report (Doc ID: MAR-GEN-ENV-RSA-SCW-000001) for more information.

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

The need for the Project can be traced directly back to both national and international policies to meet the need for energy generation and combat anthropogenic climate change. Recognising the importance of reducing carbon emissions, the EU, UK and Scottish Government have all committed to reduce emissions and increase the use of renewable energy. The Project will have a direct national and international environmental benefit by significantly reducing carbon emissions to the atmosphere compared to other sources of non-renewable energy generation. In addition to the delivery of long term, affordable low carbon energy, the Project will deliver public benefits such as employment, educational enhancement and infrastructure improvements.

The proposed activity is required to identify environmental and engineering constraints to inform optimal ECC routing, which will also take account of the presence of existing infrastructure, marine activities and other socio-economic considerations.

Please see accompanying MarramWind ECC European Protected Species (EPS) and Basking Shark Risk Assessment Report (Doc ID: MAR-GEN-ENV-RSA-SCW-000001) for more information.

Why is it imperative the proposed activity goes ahead?

The proposed activity (geophysical surveys) is required at this stage to inform siting, design and future development of an ECC for MarramWind. The ECC is needed to transfer renewable electricity generated by the proposed MarramWind OWF array to a landfall location, which is to be confirmed, for onward transmission, conversion and integration into the UK national electricity grid. The proposed surveys therefore represent an essential enabling activity to underpin the design and deployment of MarramWind.

Public safety is imperative. It is not possible to safely construct a OWF without understanding ground conditions to enable appropriate design and installation of foundation structures or subsea cables, or ensuring there is no UXO present within the area. It is therefore imperative that the geophysical survey works go ahead.

Should the works not proceed, the completion of the MarramWind OWF Development would not be possible. There is an urgent need to reduce greenhouse gas emissions in the UK to reduce the rate of anthropogenic climate change. MarramWind OWF demonstrates a direct environmental benefit on a national and international scale and complies with international and national environmental policies. Furthermore, the project will contribute to ensuring the security of Scotland's energy supply, with long-term environmental benefits. There is therefore an imperative need for the Project to go ahead so that it can contribute to UK climate change and energy targets and help deliver net zero greenhouse gas emissions.

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

The development of MarramWind, including the ECC which the proposed activities are required at this stage to enable, is supported by several national policies:

- Scotland's Revised Draft National Planning Framework 4 (NPF4) (Scottish Government, 2022) recognises the need for further renewable energy deployment at pace and scale to help reduce GHG emissions by 75% reduction by 2030 and meet Scotland's legally binding target of reaching net zero emissions by 2045. In doing so, the National Strategy for Economic Transformation (Scottish Government, 2022) identifies the significant economic potential of Scotland's offshore wind sector, including through deployment of projects being developed through the ScotWind leasing round.
- The Offshore Wind Policy Statement (Scottish Government, 2020) recognises that in 2020, the UK offshore wind deployment target for 2030 increased from 30 GW (as per UK Sector Deal for Offshore Wind, 2019) to 40GW. This UK target has recently been further increased to an ambition for 50GW deployment by 2030 through the British Energy Security Strategy. The Offshore Wind Policy Statement also set a target for 11GW offshore wind installed capacity in Scotland by 2030.
- MarramWind is located within Plan Option NE7, as designated by the Scottish Government within the Sectoral Marine Plan for Offshore Wind Energy (SMP-OWE) (Marine Scotland, 2020). The SMP-OWE underpinned the ScotWind leasing round and now provides the strategically planned spatial footprint for offshore wind development in Scotland. An option for a lease agreement within NE7 has now been signed between MarramWind and Crown Estate Scotland.
- Revised Draft NPF4 includes National Development 3 which identifies a national need for strategic-scale (>50MW) renewable electricity generation and transmission infrastructure, including offshore wind farms and associated grid connection infrastructure, as a core part of implementing Scotland's national spatial strategy.

Given the lead-in period for the full consenting and deployment of offshore wind projects, rapid progress on environmental surveys and assessments is therefore required over 2022 – 2023 to allow MarramWind to deploy on time and thereby contribute to the achievement of these time-limited Scottish and UK deployment targets.

The proposed surveys also accord with relevant general policies set out within Scotland's National Marine Plan (2015), including GEN1, GEN2 and GEN5, by virtue of incorporating all necessary environmental mitigation measures and being an essential enabling activity for MarramWind, which will contribute towards climate change mitigation.

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.

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

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.

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