

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

30th March 2021

Dear Ms England

Moray West Offshore Wind Farm Section 36 Consent Variation Request

In June 2019, Scottish Ministers granted Moray Offshore Windfarm (West) Limited “Moray West” consent under Section 36 of the Electricity Act 1989, Part 4 of the Marine (Scotland) Act 2010 and the Marine and Coastal Access Act 2009 to construct and operate the Moray West Offshore Wind Farm and associated Offshore Transmission Infrastructure (OfTI) “the Development”.

Moray West is now seeking to vary the Section 36 Consent for the Moray West Offshore Wind Farm in accordance with Section 36C of the Electricity Act 1989 (as amended).

The proposed amendments included in the variation request are:

- Request to increase the blade width of Wind Turbine Generators (WTGs) specified in the Section 36 Consent – Section 1.5 and Annex 1 under the 72 turbine scenario (maximum tip height of 265 m and maximum rotor diameter of 230 m) from 6 m to 6.6 m;
- Request for removal of reference to Moray West having a ‘maximum generating capacity of around 850 MW’; and
- Consequential changes to Section 1.5, Annex 1: Description of the Development and the definition of the application in Annex 2: Section 36 Consent Conditions – Definitions and Glossary of Terms as presented in Annex A of this letter and the accompanying Section 36 Consent Variation Report (Document Reference: 8460005-DBI01-MWW-CLP-000002 – Appendix A)

Additionally, Moray West requests that should the variation of the Section 36 Consent be granted, the associated Marine Licence for the Offshore Generating Station is also varied by the Licencing Authority under section 72 of the Marine and Coastal Access Act 2009 and section 30 of the Marine (Scotland) Act 2010.

Background

As part of the variation application process, Moray West submitted a Section 36 Consent Variation Screening Report on 25th August 2020 in request for a formal Screening Opinion from Scottish Ministers on whether or not the proposed variation to the Section 36 Consent outlined above comprised EIA Development. The Screening Report explained why the variation was sought and presented detailed information to demonstrate why the proposed variation could appropriately be

authorised under Section 36C of the Electricity Act 1989 and why it was not considered to comprise EIA development.

A formal Screening Opinion from Scottish Ministers was received on 12th November 2020 confirming that the proposed changes to the Section 36 Consent do not comprise EIA Development under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) and the Marine Works (Environmental Impact Assessment)(Scotland) Regulations 2007 (as amended) and that therefore an EIA is not required.

Although the proposed consent variation does not comprise EIA development, Moray West has produced the accompanying Section 36 Consent Variation Report (Document Reference: 8460005-DBI01-MWW-CLP-000002) to support the application to vary the Section 36 Consent (and associated Marine Licence for the Offshore Generating Station). This report describes the Moray West project as consented, including a map of the proposed development location, details the proposed changes to the Section 36 Consent and provides a rationale for the proposed changes. The report also presents relevant environmental information to support the variation application based on information provided in the Moray West Section 36 Consent Variation Screening Report.

In accordance with Regulation 3 of The Electricity Generating Stations (Application for Variation of Consent) (Scotland) Regulations 2013, this letter (Annex A) and the Application Report (Appendix A) also present a draft of the variations that Moray West is proposing should be made to the Section 36 Consent.

Requested Changes as presented in Annex A of this Letter

1. Requirement to increase the blade width of Wind Turbine Generators (WTGs)

Blade width is one of the physical design parameters listed in *Section 1.5 - Application and Description of the Development* and *Annex 1 - Description of the Development* of the Moray West Offshore Wind Farm Section 36 Consent, as well as in the *Section 2.1 Description of works* of the associated Offshore Generating Station Marine Licence (Licence 06763/19/0).

Moray West is seeking to increase the blade width specified for the WTG Model 3 relating to 72 turbine scenario where tip height exceeds 230 m but is no greater than 265 m (measured from HAT) from up to 6 m to up to 6.6 m. Blade width for the smaller, 85 turbine scenario where tip height does not exceed 230 m (measured from HAT) will remain unchanged (6 m). These changes are illustrated in the amendments to the Section 36 Consent presented in Annex A of this letter.

2. Removal of reference to ‘maximum generating capacity of around 850 MW’

As also included in Annex A of this letter Moray West is also requesting removal of the reference to ‘maximum generating capacity of around 850 MW’. As discussed in the accompanying Section 36 Consent Variation Report, at no stage during the application process (including within relevant application documentation) did Moray West refer to the size of the proposed development in terms of a maximum installed MW capacity. There was also no reference to MW capacity when describing the size of the different WTG models. The design envelope was described purely in terms of maximum and minimum physical design parameters of the relevant infrastructure.

The approach to not refer to the project in terms of an installed capacity was adopted specifically to retain maximum flexibility in the choice of WTG to be installed at the Moray West Site (within the extent of the consented physical Design Envelope) in order to ensure that anticipated future

developments in available technology and project economics can be accommodated within the Project design. Moray West therefore requests that all reference to a 'maximum generating capacity of around 850 MW' is removed to enable the project to retain the flexibility required for future development of the Project.

I trust that the information provided in this letter and the accompanying Section 36 Consent Variation Report is sufficient to enable Scottish Ministers and Marine Scotland Licencing and Operations Team (MSLOT) to vary the Moray West Offshore Wind Farm Section 36 Consent and associated offshore generating station Marine Licence, respectively. Should you require any further information please do not hesitate to contact me.

Yours sincerely
[Redacted]

Adam Morrison

Moray West Project Director

Email: Adam.Morrison@oceanwinds.com

Mob: [Redacted]

Tel: +44 (0) 1315567602

Annex A – Marked Up Amendments to the Section 36 Consent

Mr Daniel H. Finch
Moray Offshore Windfarm (West) Limited
C/O Shepherd And Wedderburn LLP
Condor House
10 St. Paul's Churchyard
London
EC4M 8AL

Our Reference: 012/OW/MORLW – 8

14 June 2019

Dear Mr Finch

THE ELECTRICITY ACT 1989 (AS AMENDED)

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017 (AS AMENDED)**

**DECISION NOTICE FOR THE SECTION 36 CONSENT FOR THE CONSTRUCTION
AND OPERATION OF THE MORAY WEST OFFSHORE WIND FARM,
APPROXIMATELY 22.5KM SOUTHEAST FROM THE CAITHNESS COASTLINE**

1 Application and description of the Development

- 1.1 On 5 July 2018, Moray Offshore Windfarm (West) Ltd (Company Number 10515140) having its registered office at Condor House, 10 St. Paul's Churchyard, London EC4M 8AL ("Moray West" or "the Company"), submitted to the Scottish Ministers applications under the Electricity Act 1989 (as amended) ("the Electricity Act 1989") for:
- A consent under section 36 ("s.36") of the Electricity Act 1989 for the construction and operation of the Moray West Offshore Wind Farm, approximately 22.5km southeast off the Caithness coastline ("the Application").
- 1.2 The Application was accompanied by an Environmental Impact Assessment Report ("EIA Report") as required under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) ("the 2017 EW regulations") and a Habitats Regulations Appraisal ("HRA") as required under the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended) and the Conservation of Habitats and Species Regulations 2017

(collectively hereinafter referred to as “the Habitats Regulations”). An addendum of additional information (“EIA Addendum Report”) concerning ornithology and seascape and landscape visual impacts was submitted by the Company on 23 November 2018. A Report to Inform the Appropriate Assessment (“RIAA”) was submitted on 5 July 2018. A Population Viability Analysis Report (“PVA Report”) to amend and update the RIAA was submitted on 31 August 2018. On 18 March 2019, the Company also submitted an “Information to Inform HRA– Great Black-Backed Gull” Report (“GBBG Report”) in addition to the RIAA. The EIA Addendum Report, PVA Report and the GBBG Report are also referred to as part of the Application.

1.3 The Scottish Ministers carried out four consultation exercises:

- 1) A consultation on the Application (“the Original Consultation”);
- 2) A consultation on the PVA Report; this consultation was carried out at the same time as the Original Consultation. Responses were included within the Original Consultation. Therefore the PVA consultation is considered part of the Original Consultation;
- 3) A consultation on the EIA Addendum Report (“the EIA Addendum Consultation”); and
- 4) A consultation on the GBBG Report (“the GBBG Report Consultation”).

1.4 In addition to the Application, the Company has also applied for two marine licences (under the Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010) to construct the offshore renewable energy works and offshore transmission infrastructure (“OfTI”). Separate decision notices will be issued in respect of any marine licences granted.

1.5 The Application is for the construction and operation of an offshore energy generating station. ~~within a maximum generating capacity of around 850 megawatts (“MW”).~~ The offshore generating station shall comprise either:

1. No more than 85 three-bladed horizontal axis Wind Turbine Generators (“WTG”) each with:
 - a. a maximum rotor tip height of 230 metres (measured from Highest Astronomical Tide (“HAT”));
 - b. a maximum rotor diameter of 195 metres;
 - c. a maximum hub height of 132.5 metres (measured from HAT);
 - d. a minimum blade tip clearance of 35 metres (measured from HAT);
 - e. blade width of up to 6 metres; and
 - f. a minimum spacing of 1,050 metres crosswind and 1,200 metres downwind.

or

If the rotor tip height of the WTGs exceeds 230 metres (measured from HAT), no more than 72 WTGs each with:

- a. a maximum rotor tip height of 265 metres (measured from HAT);
- b. a maximum rotor diameter of 230 metres;
- c. a maximum hub height of 150 metres (measured from HAT);
- d. a minimum blade tip clearance of 35 metres (measured from HAT);
- e. ~~blade width of up to 6 metres~~ *blade width of up to 6.6 metres*; and
- f. a minimum spacing of 1,050 metres crosswind and 1,200 metres downwind;

2. No more than 275km of inter-array cable;
3. Monitoring equipment, such as metocean buoys;
4. Up to 85 foundations and substructures, and associated fixtures, fittings and protections;
5. Scour and inter-array cable protection;
6. The design of the WTG substructure will be chosen from the following options:
 - i. Gravity base;
 - ii. Monopile;
 - iii. Jacket Foundation;
 - iv. Suction Caisson;

All as described in the Application *and except to the extent modified by the foregoing.*

- 1.6 The total area within the Moray West Offshore Wind Farm ("the Development"), site boundary is 225km². The location and boundary of the Development site is shown in Figure 1.

This decision notice contains the Scottish Ministers' decision to grant consent for the Development detailed above, in accordance with regulation 21 of the 2017 EW regulations.

Sections 2 to 10 of the Section 36 Consent Document have not been reproduced here as no changes are required to these sections.

Annex 1 – DESCRIPTION OF THE DEVELOPMENT

The Application is for the construction and operation of an offshore energy generating station. ~~within a maximum generating capacity of around 850 megawatts (“MW”).~~ The offshore generating station shall comprise either:

1. No more than 85 three-bladed horizontal axis Wind Turbine Generators (WTG) each with either:

- a. a maximum rotor tip height of 230 metres (measured from HAT);
- b. a maximum rotor diameter of 195 metres;
- c. a maximum hub height of 132.5 metres (measured from HAT);
- d. a minimum blade tip clearance of 35 metres (measured from HAT);
- e. blade width of up to 6 metres; and
- f. a minimum spacing of 1,050 metres crosswind and 1,200 metres downwind.

or

If the rotor tip height of the WTGs exceeds 230 metres (measured from HAT), no more than 72 WTGs each with:

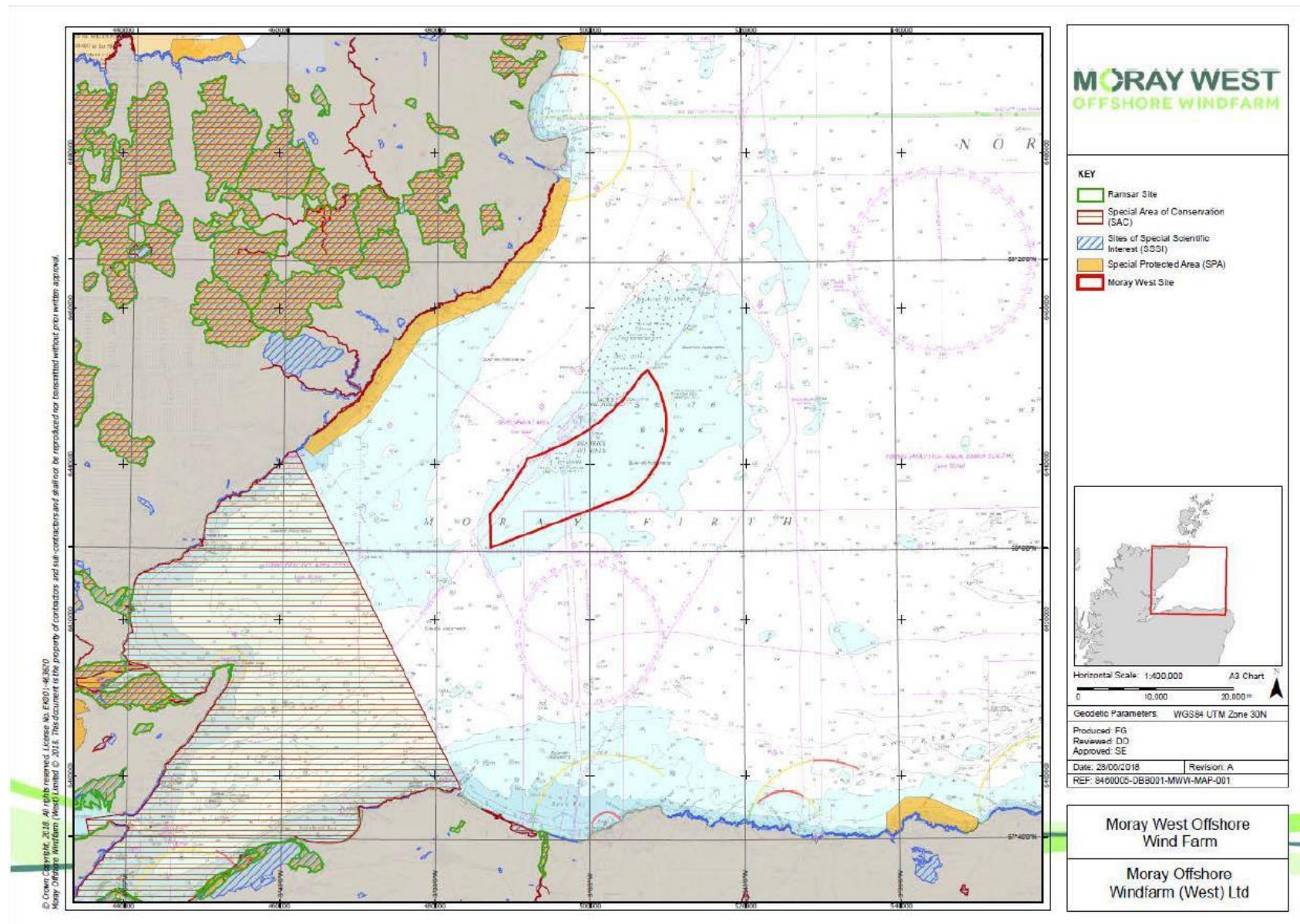
- a. a maximum rotor tip height of 265 metres (measured from HAT);
- b. a maximum rotor diameter of 230 metres;
- c. a maximum hub height of 150 metres (measured from HAT);
- d. a minimum blade tip clearance of 35 metres (measured from HAT);
- e. ~~blade width of up to 6 metres~~ *blade width of up to 6.6 metres*; and
- f. a minimum spacing of 1,050 metres crosswind and 1,200m downwind

- 2. No more than 275km of inter-array cable;
- 3. Monitoring equipment, such as metocean buoys;
- 4. Up to 85 foundations and substructures, and associated fixtures, fittings and protections;
- 5. Scour and inter-array cable protection; and
- 6. The design of the WTG substructure will be chosen from the following options:
 - i. Gravity base;
 - ii. Monopile;
 - iii. Jacket Foundation;
 - iv. Suction Caisson;

All as described in the Application *and except to the extent modified by the foregoing.*

Annex 1 – Description of the Development

Figure 1 Moray West Offshore Windfarm Site



ANNEX 2 – SECTION 36 CONSENT CONDITIONS

The consent granted under Section 36 of the Electricity Act 1989 is subject to the following conditions:

The Company must submit the requested plans as detailed in the conditions prior to the Commencement of the Development, where required, in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with any such advisors or organisations as detailed in the conditions or as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approvals are granted.

The Development must, at all times, be constructed in accordance with the approved plans as updated or amended.

Any updates or amendments made to the approved plans must be submitted, in writing, to the Scottish Ministers for their prior written approval.

The Company must satisfy itself that all contractors or sub-contractors are aware of the extent of the Development for which this consent has been granted, the activity which is consented and the terms of the conditions attached to this consent. All contractors and sub-contractors permitted to engage in the Development must abide by the conditions set out in this consent.

The Company must ensure that all personnel adhere to the Scottish Marine Wildlife Watching Code, where appropriate, during all construction, operation and maintenance activities.

Part 1 – Conditions Attached to Section 36 Consent

1. Duration of the Consent

The consent is for a period of 25 years from the date of Final Commissioning of the Development.

Written confirmation of the dates of First Commissioning of the Development and Final Commissioning of the Development must be provided by the Company to the Scottish Ministers and to Aberdeenshire Council, Moray Council, the Highland Council and Scottish Ministers no later than one calendar month after these respective dates.

Reason: To define the duration of the consent.

2. Commencement of the Development

The Commencement of the Development must be no later than five years from the date of this consent, or in substitution such other later period as the Scottish Ministers may hereafter direct in writing. The Company must provide written confirmation of the intended date of Commencement of the Development to the Scottish Ministers and to Aberdeenshire Council, Moray Council and the Highland Council no later than one calendar month before that date.

Reason: *To ensure that the Commencement of the Development is undertaken within a reasonable timescale after consent is granted.*

3. Decommissioning

There must be no Commencement of the Development unless a Decommissioning Programme (“DP”) has been submitted to and approved in writing by the Scottish Ministers. Such approval may only be granted following consultation by the Scottish Ministers with Scottish Environmental Protection Agency (“SEPA”) and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. The DP must outline measures for the decommissioning of the Development, proposals for the removal of the Development, the management and timing of the works and, environmental management provisions.

The Development must be decommissioned in accordance with the approved DP, unless otherwise agreed in writing in advance with the Scottish Ministers.

Reason: *To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner, and in the interests of safety and environmental protection.*

4. Assignment

This consent must not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignment of the consent (with or without conditions) or refuse assignment as they may see fit. The consent is not capable of being assigned, alienated or transferred otherwise than in accordance with the assignment procedure as directed by Scottish Ministers.

Reason: *To safeguard the obligations of the consent if transferred to another company.*

5. Redundant wind turbine generators

If one or more Wind Turbine Generator (“WTG”) fails to generate electricity for a continuous period of 12 months, then unless otherwise agreed in writing by the Scottish Ministers, the Company must: (i) by no later than the date of expiration of the 12 month period, submit a scheme to the Scottish Ministers setting out the manner in which the relevant WTG(s) and associated infrastructure will be removed from the site and the sea bed restored; and (ii) implement the approved scheme within six months of the date of its approval, or such other date as agreed in writing by the Scottish Ministers, all to the satisfaction of the Scottish Ministers.

Reason: *To ensure that any redundant WTG(s) is/are removed from the site, in the interests of safety, amenity and environmental protection.*

6. Incident Reporting

In the event of any breach of health and safety or environmental obligations relating to the Development during the period of this consent, the Company must provide written notification of the nature and timing of the incident to the Scottish Ministers within 24 hours of the incident occurring. Confirmation of remedial measures taken and/or to be taken to rectify the breach must be provided, in writing, to the Scottish Ministers within a period of time to be agreed by the Scottish Ministers.

Reason: *To keep the Scottish Ministers informed of any such incidents which may be in the public interest.*

7. Implementation in accordance with approved plans and requirements of this consent

Except as otherwise required by the terms of this consent, the Development must be constructed and operated in accordance with the Application, any other supplementary and supporting information lodged in support of the Application (such as the additional environmental information (“EIA Addendum Report”), submitted by the Company on 23 November 2018, the Population Viability Analysis Report (“PVA Report”) submitted by the Company on 31 August 2018 and “the Information to Inform HRA - Great Black-Backed Gull” Report (“GBBG Report”), submitted on 18 March 2019).

Reason: *To ensure that the Development is carried out in accordance with the approved details.*

8. Transportation for site inspections

As far as reasonably practicable, the Company must, on being given reasonable notice by the Scottish Ministers (of at least 72 hours), provide transportation to and from the site for any persons authorised by the Scottish Ministers to inspect the site.

Reason: *To ensure access to the site for the purpose of inspecting compliance with this consent.*

9. Construction Programme

The Company must, no later than six months prior to the Commencement of the Development, submit a Construction Programme (“CoP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with Scottish Natural Heritage (“SNH”), Aberdeenshire Council, Scottish Fishermen’s Federation (“SFF”) and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted. The CoP must set out:

- a) The proposed date for Commencement of the Development;

- b) The proposed timings for mobilisation of plant and delivery of materials, including details of onshore lay-down areas;
- c) The proposed timings and sequencing of construction work for all elements of the Development infrastructure;
- d) Contingency planning for poor weather or other unforeseen delays; and
- e) The scheduled date for Final Commissioning of the Development.

The final CoP must be sent to Aberdeenshire Council, Maritime and Coastguard Agency (“MCA”), Northern Lighthouse Board (“NLB”), Moray Council and the Highland Council for information only.

Reason: *To confirm the timing and programming of construction.*

10. Construction Method Statement

The Company must, no later than six months prior to the Commencement of the Development submit a Construction Method Statement (“CMS”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH, MCA, NLB, SFF, Aberdeenshire Council and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The CMS must include, but not be limited to:

- a) Methods of construction as they relate to all aspects of the Development.
- b) Details of the commencement dates, duration and phasing for the key elements of construction, the working areas, the construction procedures and good working practices for installing the Development.
- c) Details of the roles and responsibilities, chain of command and contact details of company personnel, any contractors or sub-contractors involved during the construction of the Development.
- d) Details of the manner in which the construction related mitigation steps proposed in the Application are to be delivered.

The CMS must adhere to the construction methods assessed in the Application. The CMS also must, so far as is reasonably practicable, be consistent with the Design Statement (“DS”), the Environmental Management Plan (“EMP”), the Vessel Management Plan (“VMP”), the Navigational Safety Plan (“NSP”), the Piling Strategy (“PS”), the Cable Plan (“CaP”) and the Lighting and Marking Plan (“LMP”).

The final CMS must be sent to Moray Council and the Highland Council for information only.

Reason: *To ensure the appropriate construction management of the Development, taking into account mitigation measures to protect the environment and other users of the marine area.*

11. Piling Strategy

The Company must, no later than six months prior to the Commencement of the Development, submit a Piling Strategy (“PS”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH and any such other advisors as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The PS must include, but not be limited to:

- a) Details of expected noise levels from pile-drilling/driving in order to inform point d below;
- b) Full details of the proposed method and anticipated duration of piling to be carried out at all locations;
- c) Details of soft-start piling procedures and anticipated maximum piling energy required at each pile location; and
- d) Details of any mitigation such as Passive Acoustic Monitoring (“PAM”), Marine Mammal Observers (“MMO”), use of Acoustic Deterrent Devices (“ADD”) and monitoring to be employed during pile-driving, as agreed by the Scottish Ministers.

The PS must be in accordance with the Application and must also reflect any relevant monitoring or data collection carried out after submission of the Application. The PS must demonstrate the means by which the exposure to and/or the effects of underwater noise have been mitigated in respect to harbour porpoise, minke whale, bottlenose dolphin, harbour seal, grey seal and Atlantic salmon.

The PS must, so far as is reasonably practicable, be consistent with the EMP, the Project Environmental Monitoring Programme (“PEMP”) and the CMS.

Reason: *To mitigate the underwater noise impacts arising from piling activity.*

12. Development Specification and Layout Plan

The Company must, no later than six months prior to the Commencement of the Development, submit a Development Specification and Layout Plan (“DSLPP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH, Royal Yachting Association Scotland (“RYA”), MCA, NLB, Ministry of Defence (“MOD”), Civil Aviation Authority (“CAA”), SFF, Aberdeenshire Council, Moray Council, the Highland Council, Joint Radio Company (“JRC”) and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The DSLPP must include, but not be limited to the following:

- a) A plan showing the location of each individual WTG (subject to any required micro-siting), including information on WTG spacing, WTG identification/numbering, seabed conditions, bathymetry, confirmed foundation type for each WTG and any key constraints recorded on the site;

- b) A list of latitude and longitude co-ordinates accurate to three decimal places of minutes of arc for each WTG. This should also be provided as a Geographic Information System shape file using WGS84 format;
- c) A table or diagram of each WTG dimensions including - height to blade tip (measured above Lowest Astronomical Tide (“LAT”)) to the highest point, height to hub (measured above LAT to the centreline of the generator shaft), rotor diameter and maximum rotation speed;
- d) The generating output of each WTG used on the site (Figure 1) and a confirmed generating output for the site overall;
- e) The finishes for each WTG (see condition **20** on WTG lighting and marking); and
- f) The length and proposed arrangements on the seabed of all inter-array cables.

Reason: *To confirm the final Development specification and layout.*

13. Design Statement

The Company must, no later than six months prior to the Commencement of the Development, submit a Design Statement (“DS”), in writing, to the Scottish Ministers. The DS, which must be signed off by at least one qualified landscape architect, as instructed by the Company prior to submission to the Scottish Ministers, must include representative wind farm visualisations from key viewpoints as agreed with the Scottish Ministers, based upon the final DSLP as approved by the Scottish Ministers as updated or amended. The Company must provide the DS, for information only, to Aberdeenshire Council, Moray Council, the Highland Council, SNH, MCA and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

Reason: *To ensure that the Development is carried out in accordance with the approved details, and to inform interested parties of the final wind farm scheme proposed to be built.*

14. Environmental Management Plan

The Company must, no later than six months prior to the Commencement of the Development, submit an Environmental Management Plan (“EMP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The EMP must provide the over-arching framework for on-site environmental management during the phases of development as follows:

- a) All construction as required to be undertaken before the Final Commissioning of the Development; and

- b) The operational lifespan of the Development from the Final Commissioning of the Development until the cessation of electricity generation (environmental management during decommissioning is addressed by the Decommissioning Programme provided for by condition 3).

The EMP must be in accordance with the Application insofar as it relates to environmental management measures. The EMP must set out the roles, responsibilities and chain of command for the Company personnel, any contractors or sub-contractors in respect of environmental management for the protection of environmental interests during the construction and operation of the Development. It must address, but not be limited to, the following over-arching requirements for environmental management during construction:

- a) Mitigation measures to prevent significant adverse impacts to environmental interests, as identified in the Application and pre-consent and pre-construction monitoring or data collection, and include reference to relevant parts of the CMS (refer to condition 10);
- b) Marine Pollution and Contingency Plan (“MPCP”);
- c) Management measures to prevent the introduction of invasive non-native marine species;
- d) A site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment. Wherever possible the waste hierarchy of reduce, reuse and recycle should be encouraged; and
- e) The reporting mechanisms that will be used to provide the Scottish Ministers and relevant stakeholders with regular updates on construction activity, including any environmental issues that have been encountered and the way in which these have been addressed.

The EMP must be regularly reviewed by the Company and the Scottish Ministers or Moray Firth Regional Advisory Group (“MFRAG”), at intervals agreed by the Scottish Ministers. Reviews must include, but not be limited to, the reviews of updated information on construction methods and operations of the Development and updated working practices.

The EMP must be informed, so far as is reasonably practicable, by the baseline monitoring or data collection undertaken as part of the Application and the PEMP.

Reason: *To ensure that all construction and operation activities are carried out in a manner that minimises their impact on the environment, and that mitigation measures contained in the Application, or as otherwise agreed are fully implemented.*

15. Vessel Management Plan

The Company must, no later than six months prior to the Commencement of the Development, submit a Vessel Management Plan (“VMP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following

consultation by the Scottish Ministers with SNH, MCA, RYA, SFF and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The VMP must include, but not be limited to, the following details:

- a) The number, types and specification of vessels required;
- b) How vessel management will be coordinated, particularly during construction but also during operation;
- c) Location of working port(s), the routes of passage, the frequency with which vessels will be required to transit between port(s) and the site and indicative vessel transit corridors proposed to be used during construction and operation of the Development; and

The confirmed individual vessel details must be notified to the Scottish Ministers in writing no later than 14 days prior to the Commencement of the Development, and thereafter, any changes to the details supplied must be notified to the Scottish Ministers, as soon as practicable, prior to any such change being implemented in the construction or operation of the Development.

The VMP must, so far as is reasonably practicable, be consistent with the CMS, the EMP, the PEMP, the NSP, and the LMP.

Reason: *To mitigate the impact of vessels.*

16. Operation and Maintenance Programme

The Company must, no later than three months prior to the Commissioning of the first WTG, submit an Operation and Maintenance Programme (“OMP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH, Aberdeenshire Council and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The OMP must set out the procedures and good working practices for operations and the maintenance of the WTG's, substructures, and inter-array cable network of the Development. Environmental sensitivities which may affect the timing of the operation and maintenance activities must be considered in the OMP.

The OMP must, so far as is reasonably practicable, be consistent with the EMP, the PEMP, the VMP, the NSP, the CaP and the LMP.

The final OMP must be sent to MCA and the Highland Council for information only.

Reason: *To safeguard environmental interests during operation and maintenance of the Development.*

17. Navigational Safety Plan

The Company must, no later than six months prior to the Commencement of the Development, submit a Navigational Safety Plan (“NSP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following

consultation by the Scottish Ministers with MCA, NLB, RYA, SFF and any other navigational advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The NSP must include, but not be limited to, the following issues:

- a) Navigational safety measures;
- b) Construction exclusion zones;
- c) Notice(s) to mariners and radio navigation warnings;
- d) Anchoring areas;
- e) Temporary construction lighting and marking; and
- f) Buoyage.

The Company must confirm within the NSP that they have taken into account and adequately addressed all of the recommendations of the MCA in the current Marine Guidance Note (“MGN”) 543, and its annexes that may be appropriate to the Development, or any other relevant document which may supersede this guidance prior to approval of the NSP.

Reason: *To mitigate the navigational risk to other legitimate users of the sea.*

18. Emergency Response Co-operation Plan

The Company must, no later than six months prior to the Commencement of the Development, submit an Emergency Response Co-operation Plan (“ERCoP”) for the construction, operation, maintenance and decommissioning phases of the Development, in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with the MCA and any other navigational advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted. The ERCoP should follow the MCA [template and guidance](#). The ERCoP must be developed in discussion with the MCA.

Reason: *For emergency response planning relating to the Development and requirements for Search And Rescue (“SAR”) helicopter operations.*

19. Inter Array Cable Plan

The Company must, no later than six months prior to the Commencement of the Development, submit an Cable Plan (“CaP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH, MCA, SFF and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted. The CaP must be in accordance with the Application.

The CaP must include, but not be limited to, the following:

- a) The vessel types, location, duration and cable laying techniques for the inter array cables;
- b) The results of monitoring or data collection work (including geophysical, geotechnical and benthic surveys) which will help inform inter array cable routing;
- c) Technical specification of inter array cables, including a desk based assessment of attenuation of electro-magnetic field strengths and shielding;
- d) A Cable Burial Risk Assessment (“CBRA”) to ascertain burial depths and where necessary alternative protection measures;
- e) Methodologies for post construction and operational surveys (e.g. over trawl) of the inter array cables where mechanical protection of cables laid on the sea bed is deployed; and
- f) Methodologies for inter array cable inspection with measures to address and report to the Scottish Ministers any exposure of inter array cables.

Any consented cable protection works must ensure existing and future safe navigation is not compromised. The Scottish Ministers will accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum. Any greater reduction in depth must be agreed in writing by the Scottish Ministers.

Reason: *To ensure all environmental and navigational issues are considered for the location and construction of the inter array cables.*

20. Lighting and Marking Plan

The Company must, no later than six months prior to the Commencement of the Development, submit a Lighting and Marking Plan (“LMP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH, MCA, NLB, CAA, MOD, RYA, Aberdeenshire Council, the Highland Council, Moray Council and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The LMP must provide that the Development be lit and marked in accordance with the current CAA and MOD aviation lighting policy and guidance that is in place as at the date of the Scottish Ministers approval of the LMP, or any such other documents that may supersede this guidance prior to the approval of the LMP. The LMP must also detail the navigational lighting requirements detailed in the International Association of Marine Aids to Navigation and Lighthouse Authorities (“IALA”) Recommendation O-139 or any other documents that may supersede this guidance prior to approval of the LMP.

Reason: *To ensure navigational safety and the safe marking and lighting of the Development.*

21. Aviation Radar

The Company must, prior to the Commencement of the Development, submit an Air Traffic Control Radar Mitigation Scheme (“ATC Scheme”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation on the ATC Scheme with the Ministry of Defence (“MOD”). Commencement of the Development cannot take place until such approval is granted.

The ATC Scheme is a scheme designed to mitigate the impact of the Development upon the operation of the Primary Surveillance Radar at RAF Lossiemouth (“the Radar”) and the air traffic control operations of the MOD, which is reliant upon the Radar. The approved ATC Scheme must be in place for the operational life of the Development provided the Radar remains in operation.

No WTGs forming part of the Development may become operational, unless and until all those measures required by the approved ATC Scheme to be implemented prior to the operation of the turbines, have been implemented, and the Scottish Ministers have confirmed this in writing. The Development must thereafter be operated fully in accordance with the approved ATC Scheme.

Reason: *To mitigate the adverse impacts of the Development on the Air Traffic Control Radar.*

22. MOD Notification

The Company must notify MOD, at least 14 days prior to the Commencement of the Development, in writing of the following information:

- a) the earliest date of the Commencement of the Development;
- b) the earliest date any WTGs are brought into use;
- c) the maximum height of any construction equipment 50 metres or greater in height above mean sea level, to be used; and
- d) the maximum heights of any WTG, offshore platforms or other, temporary or permanent, offshore structures 50 metres or greater in height, above mean sea level, to be deployed or constructed.

Reason: *For aviation safety.*

23. Primary Radar Mitigation Scheme

No part of any WTG shall be erected above mean sea level until a Primary Radar Mitigation Scheme (“PRMS”) has been submitted to and approved in writing by the Scottish Ministers following consultation with NATS (En Route) Public Limited Company (“NERL”). Commencement of the Development cannot take place until such approval is granted.

No blades shall be fitted to any WTG until the technical mitigation measures set out in the approved PRMS have been implemented in accordance with its terms and the Development must thereafter be operated fully in accordance with such approved Primary Radar Mitigation Scheme.

Reason: *To mitigate adverse impact to the Allanshill radar and associated air traffic operations.*

24. Charting requirements

The Company must, prior to the Commencement of the Development, and following confirmation of the approved DSLP by the Scottish Ministers (refer to condition **12**), provide the positions and maximum heights of the WTGs, and construction equipment to the United Kingdom Hydrographic Office (“UKHO”), MOD and Defence Geographic Centre for aviation and nautical charting purposes. The Company must, within one month of the Final Commissioning of the Development, provide the coordinates accurate to three decimal places of minutes of arc for each WTG, position and maximum height of the WTGs to UKHO, MOD and Defence Geographic Centre for aviation and nautical charting purposes.

Reason: *For aviation and navigational safety.*

25. Project Environmental Monitoring Programme

The Company must, no later than six months prior to the Commencement of the Development, submit a Project Environmental Monitoring Programme (“PEMP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with SNH, SFF, the Highland Council and any other environmental advisors or organisations as required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted. The PEMP must be in accordance with the Application as it relates to environmental monitoring.

The PEMP must set out measures by which the Company must monitor the environmental impacts of the Development. Monitoring is required throughout the lifespan of the Development where this is deemed necessary by the Scottish Ministers. Lifespan in this context includes pre-construction, construction, operational and decommissioning phases.

The Scottish Ministers must approve all initial methodologies for the above monitoring, in writing and, where appropriate, in consultation with the Highland Council for the socio-economic receptor and MFRAG referred to in condition **26** of this consent in respect to all the other receptors listed in point a).

Monitoring must be done in such a way so as to ensure that the data which is collected allows useful and valid comparisons between different phases of the Development. Monitoring may also serve the purpose of verifying key predictions in the Application. In the event that further potential adverse environmental effects are identified, for which no predictions were made in the Application, the Scottish Ministers may require the Company to undertake additional monitoring.

The PEMP must cover, but not be limited to, the following matters:

- a) Pre-construction, construction and post-construction (if considered appropriate by the Scottish Ministers) monitoring or data collection as

relevant in terms of the Application, and any subsequent monitoring or data collection for impacts on the following receptors:

1. Birds, including the pre-construction monitoring of the great black-backed gull of the East Caithness SPA;
2. Marine Mammals;
3. Commercial Fisheries;
4. Socio-economic; and
5. Benthic communities.

- b) The participation by the Company to contribute to data collection or monitoring of wider strategic relevance, identified and agreed by the Scottish Ministers.

Due consideration must be given to the Scottish Marine Energy Research (“ScotMER”) programme, or any successor programme formed to facilitate these research interests.

Any pre-consent monitoring or data collection carried out by the Company to address any of the above issues may be used in part to discharge this condition subject to the written approval of the Scottish Ministers.

The PEMP is a live document which will be regularly reviewed by the Scottish Ministers, at timescales to be determined by them to identify the appropriateness of on-going monitoring. Following such reviews, the Scottish Ministers may, in consultation with the MFRAG require the Company to amend the PEMP and submit such an amended PEMP, in writing, to the Scottish Ministers, for their written approval. Such approval may only be granted following consultation with the MFRAG and any other environmental, or such other advisors as may be required at the discretion of the Scottish Ministers.

The Company must submit written reports and associated raw and processed data of such monitoring or data collection to the Scottish Ministers at timescales to be determined by them. Consideration should be given to data storage, analysis and reporting and be to Marine Environmental Data and Information Network (“MEDIN”) standards.

Subject to any legal restrictions regarding the treatment of the information, the results are to be made publicly available by the Scottish Ministers, or by such other party appointed at their discretion.

The Scottish Ministers may agree, in writing, that monitoring may be reduced or ceased before the end of the lifespan of the Development.

Reason: *To ensure that appropriate and effective monitoring of the impacts of the Development is undertaken.*

26. Regional Advisory Group

The Company must participate in the Moray Firth Regional Advisory Group (“MFRAG”) or any successor group, established by the Scottish Ministers for the purpose of advising the Scottish Ministers on research, monitoring and mitigation programmes for, but not limited to, ornithology, marine mammals, and commercial fish. The extent

and nature of the Company's participation in the Regional Advisory Group is to be agreed by the Scottish Ministers.

Reason: *To ensure effective environmental monitoring and mitigation is undertaken at a regional scale.*

27. Fisheries Management and Mitigation Strategy

The Company must no later than six months prior to the Commencement of the Development, submit a Fisheries Management and Mitigation Strategy ("FMMS"), in writing, to the Scottish Ministers for their written approval, in consultation with SFF and other fisheries representatives. Commencement of the Development cannot take place until such approval is granted. The FMMS must be defined and finalised in consultation with the Moray Firth Commercial Fisheries Working Group ("MFCFWG").

In order to inform the production of the FMMS, the Company must monitor or collect data as relevant and agreed with Scottish Ministers.

The FMMS must include a transit plan, which must lay out guidelines to address potential interactions with fishing activity, for vessels operating in and around the Development and transiting to the Development.

As part of any finalised FMMS, the Company must produce and implement a mitigation strategy for each commercial fishery that can prove to the Scottish Ministers that they would be adversely affected by the Development. The Company any contractors, or sub-contractors working for the Company must implement the mitigation measures committed to be carried out by the Company within the FMMS. The Company must participate in and remain a member of the MFCFWG or any successor group formed to facilitate commercial fisheries dialogue.

Reason: *To mitigate the impact on commercial fishermen.*

28. Environmental Clerk of Works

Prior to the Commencement of the Development, the Company must at its own expense, and with the approval of the Scottish Ministers in consultation with SNH, appoint an independent Environmental Clerk of Works ("ECoW"). The ECoW must be appointed in time to review and approve the draft version of the first plan or programme submitted under this consent to Scottish Ministers, in sufficient time for any pre-construction monitoring requirements, and remain in post until agreed by the Scottish Ministers. The terms of appointment must also be approved by the Scottish Ministers in consultation with SNH.

The terms of the appointment must include, but not be limited to:

- a) Quality assurance of final draft versions of all plans and programmes required under this consent;
- b) Responsible for the monitoring and reporting of compliance with the consent conditions and the environmental mitigation measures for all wind farm infrastructure;

- c) Provision of on-going advice and guidance to the Company in relation to achieving compliance with consent conditions, including but not limited to the conditions relating to and the implementation of the CMS, the EMP, the PEMP, the PS, the CaP and the VMP;
- d) Provision of reports on point b & c above to the Scottish Ministers at timescales to be determined by the Scottish Ministers;
- e) Induction and toolbox talks to onsite construction teams on environmental policy and procedures, including temporary stops and keeping a record of these;
- f) Monitoring that the Development is being constructed in accordance with the plans and this consent, the Application and in compliance with all relevant regulations and legislation;
- g) Reviewing and reporting incidents/near misses and reporting any changes in procedures as a result to the Scottish Ministers; and
- h) Agreement of a communication strategy with the Scottish Ministers.

Reason: *To ensure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.*

29. Fisheries Liaison Officer

Prior to the Commencement of the Development, a Fisheries Liaison Officer (“FLO”), must be appointed by the Company and approved, in writing, by the Scottish Ministers (following consultation with SFF and the MFCFWG). The FLO must be appointed by the Company for the period from Commencement of the Development until the Final Commissioning of the Development. The identity and credentials of the FLO must be included in the EMP (referred to in condition 14). The FLO must establish and maintain effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea during the construction of the Development, and ensure compliance with best practice guidelines whilst doing so.

The responsibilities of the FLO must include, but not be limited to:

- a) Establishing and maintaining effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea concerning the overall Development and any amendments to the CMS and site environmental procedures;
- b) The provision of information relating to the safe operation of fishing activity on the site of the Development; and
- c) Ensuring that information is made available and circulated in a timely manner to minimise interference with fishing operations and other users of the sea.

Reason: *To facilitate engagement with the commercial fishing industry.*

30. Protocol for Archaeological Discoveries

The Company must, no later than six months prior to the Commencement of the Development, submit a Protocol for Archaeological Discoveries (“PAD”) and a Written Scheme of Investigation (“WSI”) which sets out what the Company must do on discovering any marine archaeology during the construction, operation, maintenance and monitoring of the Development, in writing, to the Scottish Ministers for their written approval. Such approval may be given only following consultation by the Scottish Ministers with Historic Environment Scotland (“HES”) and any such advisors as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted. The Reporting Protocol must be implemented in full, at all times, by the Company.

The final PAD and WSI must be sent to Aberdeenshire Council for information only.

Reason: *To ensure any discovery of archaeological interest is properly and correctly reported.*

31. Construction Traffic Management Plan

In the event that major offshore components require onshore abnormal load transport, the Company must, no later than six months prior to the Commencement of the Development, submit a Construction Traffic Management Plan (“CTMP”) in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with Transport Scotland and any such other advisors as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The CTMP must include:

- a) A mitigation strategy for the abnormal loads on the trunk road network including any accommodation measures required, incorporating the removal of street furniture, junction widening, or traffic management of road based traffic and transportation associated with the construction of the Development. All construction traffic associated with the Development must conform to the approved CTMP; and
- b) Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered as a result of the Development.

Reason: *To maintain the free flow and safety of the trunk road network.*

DEFINITIONS AND GLOSSARY OF TERMS

- “AA” means the Appropriate Assessment;
- “ADD” means Acoustic Deterrent Devices;
- “Application” means the EIA Report, HRA Report and supporting documents submitted by the Company on 5 July 2018 to construct and operate an offshore generating station and transmission works, it also includes the PVA Report submitted on 31 August 2018, the EIA Addendum Report submitted on 23 November 2018; the GBBG Report submitted on 18 March 2019 and the application submitted by the Company on 30 March 2021 under Section 36C of the Electricity Act 1989 (the “variation application”) (and in the event that the details proposed in the variation application are inconsistent with the details in earlier application documents submitted then the details in the variation application shall take precedence).
- “ATC” means Air Traffic Control;
- “Commencement of the Development” means the date on which the first construction activity occurs in accordance with the EIA Report submitted by the Company on 5 July 2018;
- “CRM” means collision risk modelling;
- “Development” means the Moray West Offshore Wind Farm, approximately 22.5km southeast off the Caithness coastline;
- “dSPA” means draft Special Protection Area;
- “ECOW” means Environmental Clerk of Works;
- “EIA Addendum Report” means the Environmental Impact Assessment Addendum Report submitted by the Company on 23 November 2018;
- “EIA Report” means Environmental Impact Assessment Report;
- “EIA” means Environmental Impact Assessment,
- “EPS” means European Protected Species;
- “Final Commissioning of the Development” means the date on which the last wind turbine generator constructed forming the Development has supplied electricity on a commercial basis to the National Grid, or such earlier date as the Scottish Ministers deem the Development to be complete;
- “First Commissioning of the Development” means the date on which the first wind turbine generator constructed forming the Development has supplied electricity on a commercial basis to the National Grid;
- “FLO” means Fisheries Liaison Officer;
- “FTE” means full-time equivalent;
- “GBBG Report” means the Information to Inform HRA – Great Black-backed Gull Report submitted on 18 March 2019;
- “GBBG” means great black-backed gulls;
- “GHG” means greenhouse gas;
- “GVA” means Gross Value Added;
- “HAT” means Highest Astronomical Tide;
- “HDD” means Horizontal Directional Drilling;
- “HRA Report” means Habitats Regulations Appraisal Report;
- “HRA” means Habitats Regulations Appraisal;
- “IALA” means International Association of Marine Aids to Navigation and

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Lighthouse Authorities;

- “Local Study Area” means the combined local authorities of Highlands, Moray, Aberdeenshire & Aberdeen City;
- “LSE” means Likely Significant Effect;
- “MMO” means Marine Mammal Observer;
- “Moray Firth Developments” means combinations of existing consents for the Moray East Offshore Wind Farm (granted in March 2014 and varied in March 2018) and the Beatrice Offshore Wind Farm (granted in March 2014);
- “MW” means megawatt;
- “OEC” means Offshore Export Cable;
- “OfTI” means Offshore Transmission Infrastructure;
- “PAM” means passive acoustic monitoring;
- “PLI” means Public Local Inquiry;
- “pMPA” means Proposed Marine Protected Area;
- “pSPA” means Proposed Special Protection Areas;
- “PSR” means Primary Surveillance Radar;
- “PVA Report” means the Population Viability Analysis Report submitted on 31 August 2018;
- “PVA” means Population Viability Analysis;
- “RIAA” means Report to Inform the Appropriate Assessment;
- “s.36” means section 36 of the Electricity Act 1989 (as amended);
- “SAC” means Special Area of Conservation;
- “SAR” means Search and Rescue;
- “ScotMER” means Scottish Marine Energy Research Programme;
- “SIDS” means Standard Instrument Departures;
- “SLA” means Special Landscape Area;
- “SLVIA” means Seascape, Landscape and Visual Impact Assessment;
- “SNCBs” means the Statutory Nature Conservation Bodies;
- “SPA” means Special Protection Area;
- “SSC” means Suspended Sediment Concentration;
- “SSSI” means Site of Special Scientific Interest;
- “the Company” means Moray Offshore Windfarm (West) Limited (Company Number 10515140) registered at Condor House, 10 St. Paul’s Churchyard, London EC4M 8AL;
- “the EIA Addendum Consultation” mean the consultation on the EIA Addendum Report;
- “the GBBG Report Consultation” means consultation on the GBBG Report;
- “the Original Consultation” means consultation on the Application for s.36 consent, EIA Report and RIAA;
- “the Radar” means the Primary Surveillance Radar at Leuchars Airfield; and
- “WTG” means wind turbine generators.

Organisations and Companies

- “SNH” means Scottish Natural Heritage;
- “BT” means BT Radio Network Protection;

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- “CAA” means the Civil Aviation Authority;
- “CFWG” means Commercial Fisheries Working Group;
- “FMS” means Fisheries Management Scotland;

- “FSDCC” means Fordyce, Sandend and District Community Council;
- “HES” means Historic Environment Scotland;
- “HIE” means Highlands and Islands Enterprise;
- “IHO” means International Hydrographic Office;
- “JNCC” means Joint Nature Conservation Committee;
- “JRC” means Joint Radio Company Limited;
- “MAU” means Marine Scotland Marine Analytical Unit;
- “MCA” means the Maritime and Coastguard Agency;
- “MFCFWG” means the Moray Firth Commercial Fisheries Working Group;
- “MFRAG” means Moray Firth Regional Advisory Group;
- “MOD” means the Ministry of Defence;
- “Moray East” means Moray Offshore Windfarm (East) Limited;
- “Moray West” means Moray Offshore Windfarm (West) Limited;
- “MS-LOT” means Marine Scotland Licensing Operations Team;
- “MSS” means Marine Scotland Science;
- “NATS” means National Air Traffic Service Safeguarding;
- “NERL” means NATS (En Route) Public Limited Company;
- “NLB” means the Northern Lighthouse Board;
- “RAF” means the Royal Air Force;
- “RAG” means Regional Advisory Group;
- “RSPB Scotland” means the Royal Society for the Protection of Birds Scotland;
- “RTC” means River Tweed Commission;
- “RYA” means the Royal Yachting Association Scotland;
- “SEPA” means the Scottish Environment Protection Agency;
- “SFF” means the Scottish Fishermen’s Federation; and
- “UKHO” means United Kingdom Hydrographic Office.

Plans and Programmes

- “ATC Scheme” means Air Traffic Control Radar Mitigation Scheme;
- “CaP” means Inter Array Cable Plan;
- “CBRA” means Cable Burial Risk Assessment;
- “CMS” means Construction Method Statement;
- “CoP” means Construction Programme;
- “CTMP” means Construction Traffic Management Plan;
- “DP” means Decommissioning Programme;
- “DS” means the Design Statement;
- “DSL P” means Development Specification and Layout Plan;
- “EMP” means Environmental Management Plan;
- “ERCoP” means Emergency Response Co-operation Plan;
- “FMMS” means Fisheries Management and Mitigation Strategy;
- “LMP” means Lighting and Marking Plan;
- “MGN” means Marine Guidance Note;
- “MPCP” means Marine Pollution Contingency Plan;
- “NMP” means the National Marine Plan;

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- “NPF3” means Scotland’s National Planning Framework 3;
- “NRA” means Navigation Risk Assessment;
- “NRIP” means National Renewables Infrastructure Plan;
- “NSP” means Navigational Safety Plan;
- “OMP” means Operation and Maintenance Programme;
- “PAD” means Protocol for Archaeological Discoveries;
- “PEMP” means Project Environmental Monitoring Programme;
- “PRMS” means Primary Radar Mitigation Scheme;
- “PS” means Piling Strategy;
- “SPP” means Scottish Planning Policy 2014;
- “Transit Plan” means a plan which sets out measures to be taken to avoid or reduce the impact of vessel movement on the local fishing industry and to promote a sustainable coexistence. It will include indicative transit routes for vessels operating in and around the Development and transiting to the site from relevant ports;
- “VMP” means Vessel Management Plan; and
- “WSI” means Written Scheme of Investigation.

Legislation

- “the 1994 Habitats Regulations” means the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended);
- “the 2009 Act” means the Marine and Coastal Access Act 2009.
- “the 2010 Act” means the Marine (Scotland) Act 2010;
- “the 2017 EW Regulations” means the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended);
- “the Birds Directive” means Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds, as amended and as codified by Directive 2009/147/EC of the European Parliament and of the Council of 30th November 2009;
- “the Electricity Act” means the Electricity Act 1989 (as amended);
- “the Habitats Directive” means Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and wild fauna and flora (as amended); and
- “the Habitats Regulations” means the Conservation of Offshore Marine Habitats and Species Regulations 2017 and the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).