


Ford A (Alexander)

From: Alan W Davidson <Alan.Davidson@aberdeenshire.gcsx.gov.uk>
Sent: 20 August 2014 16:26
To: Ford A (Alexander)
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267



MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)

MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND FARMS IN THE MORAY FIRTH.

Further to your letter dated 3 July regarding the above.

Following on from our comments on the S36 Electricity Act 1989 notification issued on 5 December 2012, our position remains the same, while acknowledging the amended landing point at Boyndie Bay.

In terms of the natural environment we do not feel that we have the in-house knowledge to comment on the application due to the specialist nature of the information.

It is assumed that off shore substation platforms form part of the development and if so the following comments apply in relation to its visual impact.

The primary issue relating to potential visual impact caused by this development is the distance of the proposed windfarm development to the Aberdeenshire shore, given as just under 45km from Portsoy. This is a notable distance and will contribute to lessening the significance of visual affects particularly on receptors in Aberdeenshire. It is however the case that they will have the potential to be seen from the Aberdeenshire coast and more elevated positions in the coastal area in clear weather conditions. The scale of the proposed development (including the turbines) when viewed from certain angles, makes the development visually significant for a number of receptors especially on the Moray Firth coastal area and beyond.

In terms of the two viewpoints selected along the Aberdeenshire coast the Aberdeenshire Local Plan Policy 4 covers the coastal zone and generally indicates that the special character of the coastal zone needs to be protected.

This indicates a general sensitivity, in terms of the coastal zone character, which applicants for development that would affect the perceived character of the coastal zone need to take into consideration.

In terms of the scale of the proposed development the potential magnitude of change to the perceived character of the seascape setting of the project is notable particularly for receptors closer to the site. Despite its relative distance from the Aberdeenshire receptors assessed, the proposal has the potential to alter the perceived seascape/landscape character of the coastal area in particular. The visualisations indicate that from the Aberdeenshire viewpoints perceived seascape visual horizons will be significantly affected in clear weather conditions by the presence of the development.

The relative distance to the Aberdeenshire viewpoints is accepted as a factor of mitigation. However it is known that in clear weather conditions, from viewpoints such as the A97 around 3/4km north of Aberchirder the whole Moray Firth area can potentially be seen with Caithness beyond. On that basis the planned wind energy development has a notable potential to have a significant visual impact on the perceived character of a wide area of the Moray Firth seascape and coastal lands beyond.

Regards,

Alan Davidson
Planner
Strategic Development Delivery Team
Infrastructure Services
Aberdeenshire Council
Woodhill House
Aberdeen
Tel - 01224 664740

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Ford A (Alexander)

From: Alan Wells <alan@asfb.org.uk>
Sent: 14 August 2014 15:42
To: MS Marine Licensing
Subject: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation
Ref FKB/Z267: 03 July 2014

Dear Alexander,

Thank you for the opportunity to comment on the modified transmission infrastructure for the MORL development.

Our concerns relating this the aspect of the development remain the same as those set out in our original submission in November 2012, as these issues were not location specific. We also note that the landfall of the new proposed cable is close to the mouth of the River Deveron, a significant river for Atlantic salmon and sea trout.

We would emphasise that we have no wish to prevent or delay any proposed development unnecessarily and we remain keen to work constructively with the developers and Marine Scotland to identify appropriate monitoring programmes which will allow us to be able to assess the acknowledged risks of this development, and other proposed developments more appropriately. There is a clear and urgent need to fund and start strategic research on the movement, abundance, swimming depth, feeding behaviour etc. of salmon and sea trout. ASFB are members of the steering group overseeing the national strategy into strategic research for offshore marine renewables and anadromous fish. We will continue to engage positively with this process, in order to develop and help deliver a credible and effective research strategy. It is clear that the strategy will not be delivered in time to inform several of the developments currently in the consenting process. We would emphasise the importance of developing a finalised, agreed research plan, with a clear time schedule for delivery, at the earliest possible date. It is vital that adequate resources (both public and private) are made available to this work, in order that these key questions can be answered, in a robust and timeous manner. This would allow migratory fish interests to approach the consenting process in the knowledge that a strategy is in place to address the legitimate concerns relating to possible negative interactions resulting from the construction and on-going operation of these developments.

We would also emphasise the importance of the process adopted towards consent being flexible enough to take into account relevant information relating to migratory fish, as and when such information becomes available. It is therefore important that conditions are included which allow appropriate additional mitigation to be put in place, should negative interactions prove to be more likely than set out in the ES. In the specific case of this development, this may involve avoiding construction work at sensitive periods for migratory fish, particularly given the close geographical proximity of the landfall of the cable run to the mouth of the River Deveron.

Please don't hesitate to contact me if you require any further information.

Yours sincerely,

Alan Wells

Please note – we have moved office

Dr Alan Wells | Policy and Planning Director | Association of Salmon Fishery Boards
Suite 1F40, 2 Commercial Street, Edinburgh, EH6 6JA
Tel: 0131 555 1158 | Mob: [REDACTED]
www.asfb.org.uk | Twitter: @asfb_scotland

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Ford A (Alexander)

From: Banff & Macduff Community Council <bandmcommunitycouncil@gmail.com>
Sent: 13 August 2014 22:23
To: MS Marine Licensing
Subject: Moray Offshore Renewables Ltd application for offshore transmission infrastructure

Dear Sir

We have reviewed all the documentation available on the developer's website and have carefully considered the intended construction and operation of the export cables from the Telford, Stevenson and Maccoll Wind Farms in the Moray Firth.

We are the Community Council covering a lot of the intended landfall site for the proposed cables, and our comments below relate to the near shore and beach landing of these cables.

We would ask that the following issues are carefully considered by Marine Scotland for the granting of a licence and that appropriate safeguards are put in place in order to minimise the impact of the proposed works:

1/ The works to bring the cables ashore will have an impact on the enjoyment of Boyndie beach by both residents and tourists. Tourism is a key part of the local economy and the impact to the enjoyment of tourists should be minimised, especially those that walk along the beach and the many that use the path from Banff Links to Whitehills. We note the possible schedule included by MORL in their submission which indicates export cable construction activities in Q3; however we feel this is inappropriate due to the significance of tourism to this area. We request that the allowed time of year of these works should NOT be in the period May to September inclusive to avoid a severe impact on the tourism business of the area.

While we recognise that such works may provide a source of interest for residents and tourists, there are a number of negative impacts:

a/ many visitors walk the proposed area especially during the summer months; putting them off one year may reduce tourist numbers in following years. There is also a cycle path used by holidaymakers, locals and cycle tourists and any interruption to this should be avoided;

b/ there is a large static and mobile caravan touring park on common good land adjacent to the site. The indicated 24 hour working regime would seem likely to cause a noise issue.

2/ The works to bring the cables ashore will also have an impact on at least one aspect of the environment as well - the bottlenose dolphin population in the Moray Firth. Considerable records exist that show there is a corridor within about 5km of the coastline that pods of dolphins move regularly along this coast, to feed in the River Deveron outflow, or just passing to go further afield from their resident area further west in the Moray Firth; most of these passages are within 2km of the shore. It is therefore important that the works close inshore to bring the cables to or from the beach do not unnecessarily interfere with the free passage of dolphins.

Observations specifically in this area show that the bottlenose dolphins will deviate around an interference they aren't happy with at a range of 500m to 1000m, which is greater than the watch area of Marine Mammal Observers typically employed on offshore installation vessels, and thus it is important that additional steps are also taken – yet these are not intended within the submission documents. It is suggested that the vessels, on the surface and below water, at no time cover a span of more than 500m, so that free passage of dolphins is still possible within the typical 2km band.

The state of the tide should also be monitored as the trenching operations will create a downstream plume of sand and mud particles and it is suggested this should not be allowed to extend more than 500m either to avoid that creating a barrier to dolphin passage since observations suggest that dolphins do not often transit such areas (as occur after heavy rainfall from the River Deveron outflow).

3/ Recent observations have also shown Common Dolphins close to the coast, including within Banff Bay and within 2km of the shore in Boyndie Bay. The data submitted by MORL does not include such findings, which in itself may not have any impact if the mitigations referred to above are put in place, but the veracity of their data is clearly not perfect and hence the findings within the ES may not all be valid – such as not requiring more mitigation activities than required as standard.

4/ MORL have previously advised that they have had liaison with the inshore fishermen although local information would suggest this has not involved all of them. Consultation with the inshore fishermen should be encouraged and it is suggested MORL make contact with all the local regular inshore fishing boat owners - the Harbour Masters at Macduff, Banff and Whitehills can provide contact details.

5/ There is now a well used designated anchorage off Macduff – while this is clear of the proposed cable area the large vessels using this come from all directions including from westward along the coast. Since these shipping movements have arisen since the 2010/11 AIS data used by MORL this key aspect of their near shore operations may require re-assessment.

At the very least we would suggest that more specific navigational warnings than normal as regards dates are issued for work within 10 km of the coast, so that the important commercial traffic in and out of Macduff offshore anchorage is not unduly obstructed.

6/ We have not been able to find any specific reference to the depth of burial of the cables in the beach area; in deeper waters this appears to be 1m. We are concerned that 1m in the tidal area may be insufficient due to wave scouring in severe storms. An additional risk may also be that historically some storms have deposited additional material along the coast, sometimes in the mouth of the Boyndie Burn, or over the coast track/roadway; when this occurs heavy machinery is brought in by the Council to clear these deposits. The cables should be sufficiently buried to avoid inadvertent exposure by such works.

7/ Depending on the exact landing location of the cables this may pass through some dune areas. Some observations suggest that some fairly rare plants grow there, including some orchids. A step by step survey - at the right time of year (spring) - is suggested to ensure rare plants are identified and re-located if found. While this may not specifically be within the Marine Scotland remit of below MHWS, onshore equipment necessary to support and allow the work below MHWS will be necessary and this equipment could impact on this issue; we do not see this addressed in the ES.

Thank you for your consideration

Best regards
Ian Williams
Secretary
Banff and Macduff Community Council

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Beatrice Offshore Wind Farm
One Waterloo Street
Glasgow
G2 6AY

Marine Scotland
Marine Planning & Policy Division
Scottish Government | Marine Laboratory,
PO Box 101 | 375 Victoria Road |
Aberdeen AB11 9DB

Date: 15/08/2014

BOWL Ref: LF000005-LET-070

Dear Ali

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007
(AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL
WIND FARMS IN THE MORAY FIRTH.**

Beatrice Offshore Windfarm Limited (BOWL) welcomes the opportunity to comment on the Moray Offshore Renewables Limited (MORL) Modified Offshore Transmission Infrastructure (TI) application.

Over the past number of years BOWL and MORL have ensured collaboration between both projects and this will continue as the projects progress to construction.

Comparison of the Route of the Original and Modified Transmission Infrastructure

We note that the Modified Offshore TI is considerably shorter than the Original route with landfall moving from Fraserburgh to Inverboyndie. This also moves the cable route closer to the BOWL cable route than the Original route but at its closest point is only approximately 26km east ensuring proximity of developments does not introduce any new significant effects.

Comparison of the Original Infrastructure Proposed and the Modified Transmission Infrastructure

The number of OSPs proposed has reduced with no increase in individual OSP size proposed thus reducing potential environmental effects.

For the majority of environmental receptors in combination with BOWL cumulative effects were not considered to be different from those noted in the previous application. With regards to commercial fisheries we note that a broad assumption is made relating to BOWL implementing the same general mitigation measures as proposed by MORL. Whilst in most cases similar mitigation will likely be implemented, and collaboration and joint approaches through the Moray Firth Commercial Fisheries Working Group (MFCFWG) will be developed to ensure there is as much alignment as possible, there may be circumstances where it may not be considered appropriate or necessary for BOWL to implement the same mitigation as MORL. However, we would not consider that small variation between specific mitigation approaches of the two developers would result in effects which are worse than those predicted in the ES.

In general we note that the Modified Transmission Infrastructure is likely to reduce the environmental effects that would have been associated with the Original application as detailed above and that there is no alteration to the cumulative effects previously identified.

Yours sincerely



Jonathan Wilson

Beatrice Consenting Manager

Ford A (Alexander)

From: dale.aitkenhead@openreach.co.uk
Sent: 07 August 2014 09:10
To: Ford A (Alexander); MS Marine Licensing
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

NIL return from BT Radio Network Protection

Thanks

Regards

Dale Aitkenhead

Radio Frequency Allocation & Network Protection

Tel 0191 2696372

dale.aitkenhead@bt.com

Web: <http://operate.intra.bt.com/operate>

From: Alexander.Ford@scotland.gsi.gov.uk [<mailto:Alexander.Ford@scotland.gsi.gov.uk>]

Sent: 07 August 2014 08:51

Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

1 Week Before Reminder

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 14th August 2014. If you are unable to meet this deadline, please contact ms.marinelicensing@scotland.gsi.gov.uk or myself to arrange an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

Yours faithfully

Alexander Ford

Marine Licensing Casework Officer

Marine Scotland – Marine Planning & Policy Division

Scottish Government, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB

Tel: +44 (0)1224 295414

S/B: +44 (0)1224 876544

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e. alexander.ford@scotland.gsi.gov.uk

w. <http://www.scotland.gov.uk/marinescotland>

Ford A (Alexander)

From: Anne Phillips <APhillips@hial.co.uk>
Sent: 15 July 2014 11:37
To: MS Marine Licensing
Cc: MS LOT MORLE
Subject: Modified Offshore Transmission Infrastructure for the Consented Telford, Stevenson and Maccoll Wind Farms in The Moray Firth

Your Ref: FKB/Z267
HIAL Ref: 2014/0086/INV

Dear Sir/Madam,

**Marine (Scotland) Act 2010, Part 4 Marine Licensing Marine And Coastal Access Act 2009 (As Amended), Part 4 Marine Licensing
The Marine Works (Environmental Impact Assessment) Regulations 2007 (As Amended)**

PROPOSAL: Moray Offshore Renewables Limited: Modified Offshore Transmission Infrastructure for the Consented Telford, Stevenson and Maccoll Wind Farms in The Moray Firth.

With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for **Inverness Airport**.

Therefore, Highlands and Islands Airports Limited would have no objections to the proposal.

Anne Phillips
Operations Manager
Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☎ 01667 464244 (DIRECT DIAL)
✉ safeguarding@hial.co.uk 🌐 www.hial.co.uk

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Ford A (Alexander)

From: David Mudie <david.mudie@highland.gcsx.gov.uk>
Sent: 07 August 2014 09:33
To: Ford A (Alexander)
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

Alexander

I can confirm that The Highland Council has no comment to make on this application.

David

David Mudie
Team Leader - Development Management
Development and Infrastructure Service, The Highland Council, Glenurquhart Road, Inverness, IV3 5NX
(01453) 702255

This advice is given without prejudice to the future consideration of and decision on any application received by The Highland Council.

Thathar a' toirt seachad na comhairle seo gun chlaon-bhreith do bheachdachadh air agus co-dhùnadh a thaobh tagradh sam bith a tha Comhairle na Gàidhealtachd a' faighinn san àm ri teachd

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From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]
Sent: 07 August 2014 08:51
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

1 Week Before Reminder

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 14th August 2014. If you are unable to meet this deadline, please contact ms.marinelicensing@scotland.gsi.gov.uk or myself to arrange an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

Yours faithfully

Alexander Ford
Marine Licensing Casework Officer
Marine Scotland – Marine Planning & Policy Division
Scottish Government, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB

Ford A (Alexander)

From: Clements V (Victoria)
Sent: 12 August 2014 12:03
To: MS Marine Licensing
Cc: ga.planapps@aberdeenshire.gov.uk
Subject: 011/OW/MORLE - Moray Offshore Renewables Limited: Modified Offshore Transmission Infrastructure for the consented Telford, Stevenson and MacColl wind farms in the Moray Firth - HS response

F.A.O. Alexander Ford (Alan Davidson – Aberdeenshire Council)

Dear Mr Ford

Please find attached a letter containing our comments to your consultation on the above Marine License application. If you have any questions about the contents of the letter please do not hesitate to get in touch on the details given below.

For information only I have also attached a copy of our letter of response to the planning application and EIA consultation for the onshore elements of this development as sent to Aberdeenshire Council. I have also copied in Alan Davidson at Aberdeenshire Council for his information on the offshore aspects of the development.

Kind regards

Victoria



MORL Modified:
Offshore Trans...



MORL Modified
Onshore Trans...

Victoria Clements | Senior Heritage Management Officer

Historic Scotland | Alba Aosmhor

Longmore House, Salisbury Place, Edinburgh, EH9 1SH

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HISTORIC SCOTLAND
ALBA AOSMHOR

By Email: alexander.ford@scotland.gsi.gov.uk

Mr Alexander Ford
Marine Scotland
Scottish Government
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Po Box 101
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AB11 9DB

Longmore House
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Direct Line: 0131 668 8730
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Victoria.Clements@scotland.gsi.gov.uk

Our ref: AMN/16/H
Our Case ID: 201402053
Your ref: 011/OW/MORLE - 8
11 August 2014

Dear Mr Ford

**Marine (Scotland) Act 2010, Part 4 Marine Licensing
Marine and Coastal Access Act 2009 (as amended), Part 4 Marine Licensing
The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)
Moray Offshore Renewables Limited: Modified Offshore Transmission
Infrastructure for the Consented Telford, Stevenson and MacColl Wind Farms in
the Moray Firth**

I refer to the email correspondence and the accompanying Environmental Statement (ES) on the above. For information, this letter covers our comments on the ES for our role as consultees through the Scottish Ministers under the terms of the above regulations. The comments in this letter relate to our statutory remit for scheduled monuments and their settings, category A listed buildings and their settings, gardens and designed landscapes appearing in the Inventory, Inventory battlefields and Historic Marine Protected Areas (Marine (Scotland) Act 2010). In this case, our advice also includes matters relating to marine archaeology outwith the scope of the terrestrial planning system.

Historic Scotland's position

We are content that the above proposals do not raise significant concerns for our remit. I attach our comments on the adequacy of the ES and our views on the application as an annex to this covering letter.

Historic Scotland's advice

We would suggest that a suspensive condition be applied to any license granted regarding the proposed mitigation relating to marine assets. Further details are included in the attached annex.

I hope this letter is of assistance to you. Please do not hesitate to contact me on the details given above should you have any questions regarding this letter.

Yours sincerely



HISTORIC SCOTLAND
ALBA AOSMHOR

Victoria Clements

Senior Heritage Management Officer

cc. Alan Davidson, Planning and Environmental Services, Aberdeenshire Council



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www.historic-scotland.gov.uk



Annex

The Proposed Development

I understand that the proposed development consists of the modified offshore Transmission Infrastructure (TI) connecting the consented Telford, Stevenson and MacColl wind farms in the Outer Moray Firth to a landfall at Inverboyndie beach near Banff. The modified TI will consist of:

- up to 2 offshore substation platforms (OSPs), 100m x 100m in area and 70m high;
- foundations, substructures, fixtures and fittings etc.;
- the offshore transmission system - up to 4 triplecore submarine high voltage alternating current (HVAC) export cables in up to 4 separate trenches over 75km between the OSPs and shore.

Terrestrial Assets

We are content that as a result of the offshore works, there shall be no direct impacts on designated terrestrial assets. In terms of indirect impacts, we have considered the potential for impacts on the setting of designated terrestrial assets. Having reviewed the submitted information, we are content that there will be no adverse indirect or cumulative impacts on terrestrial assets which would raise significant concerns.

Marine Assets

We are content that there are no assets within the Development Area Archaeological Study Area (ASA) that are subject to statutory protection.

We note that a full geophysical and geotechnical assessment of the offshore cable route has still to be completed. We are content that the mitigation proposed in sections 5.4.2.76 and 5.4.2.77 is appropriate and would suggest the production of an amended written scheme of investigation (WSI) and adoption of a suitable protocol for archaeological discoveries (PAD) be applied as a suspensive condition of any license granted, with both documents to be approved by Historic Scotland / Marine Scotland prior to the commencement of works on site.

Summary

Overall, we are content in principal with the proposals, and consider that there shall be no adverse impacts on marine or terrestrial assets within our remit which would raise significant concerns. We are content with the proposed mitigation strategy providing that the above suggested condition is implemented. As such we have no significant concerns with the application.

Historic Scotland

12 August 2014



INVESTOR IN PEOPLE



Ford A (Alexander)

From: Enrique.Pardo@jncc.gov.uk
Sent: 14 August 2014 15:11
To: Ford A (Alexander)
Cc: Karen.Hall@jncc.gov.uk; Erica Knott; 'Catriona Gall'
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267: 03 July 2014
Attachments: 2014 08 14 - MORL - Offshore Wind - Grid - revised route - JNCC SNH advice.pdf

Hi Ali,

Please, find attached the JNCC and SNH advice on the modified transmission infrastructure Environmental Statement submitted by MORL.

Do not hesitate to contact us if you have any questions.

Kind regards,

Enrique Pardo
Offshore Industries Advisor
Joint Nature Conservation Committee
T. +44 (0) 1224 266 590
e. enrique.pardo@jncc.gov.uk

From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]
Sent: 03 July 2014 14:52
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267: 03 July 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
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THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

Please find attached the consultation letter for the above proposal. If you wish to make any comments on the proposal, please do so as instructed in the letter by 14th August 2014.

Yours faithfully

Alexander Ford
Marine Licensing Casework Officer
Marine Scotland – Marine Planning & Policy Division
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Marine Scotland
Licensing Operations Team
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AB11 9DB

CNS REN OSWF MORL

For the attention of: Alexander Ford

14 August 2014

MORAY OFFSHORE RENEWABLES LTD
TELFORD, STEVENSON & MACCOLL: MODIFIED TRANSMISSION INFRASTRUCTURE
JNCC & SNH ADVICE ON APPLICATION

Background

Thank you for your consultation on the application for this transmission infrastructure to connect Telford, Stevenson & MacColl wind farms (consented March 2014) to shore. This application revises the previous proposals for these transmission works: the search area for the revised cable route is shown on Figure 3.1-1 of the Environmental Statement (ES).

The application is submitted for these components of the transmission infrastructure:

- Up to two offshore substation platforms.
- Four offshore cables to be located within the revised cable route.
- Cable landfall at Boyndie Bay (see Figure 4.5-1).

JNCC & SNH advice on application

We have considered the potential impacts of these proposed transmission works on the following natural heritage interests which we highlighted in our scoping advice, 23 May 2014:

1. Hydrodynamic Processes & Coastal Geomorphology
2. Benthic Ecology
3. Fish and Shellfish of Conservation Concern
4. Marine Mammals
5. Ornithology
6. Landscape, Seascape and Visual Impact Assessment

We provide our detailed advice in **Appendix 1**. Under benthic ecology we consider priority marine features (PMFs)¹ and the Southern Trench Marine Protected Area (MPA) proposal².

¹ Information on PMFs is available from JNCC at <http://jncc.defra.gov.uk/page-6052> and from SNH at <http://www.snh.gov.uk/protecting-scotlands-nature/priority-marine-features/priority-marine-features/>

² Further information on MPA proposals is available from SNH at: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/marine-protected-areas-%28mpa%29/scottish-mpa-network-advice/>

We note that our advice on benthic ecology is informed solely by the information supplied in the submitted ES. Should the final reports from geophysical survey, once submitted, indicate that there are other benthic interests along the proposed cable route not previously identified from grab samples or video tows, then we would wish to be consulted for further advice – please see section 2 of **Appendix 1**.

Under marine mammals we consider potential impacts on whales and dolphins as European protected species (EPS). We also consider the requirements of Habitats Regulations Appraisal for relevant marine mammal and fish species as qualifying interests of Special Areas of Conservation (SACs) – please see sections 3 & 4 of **Appendix 1**.

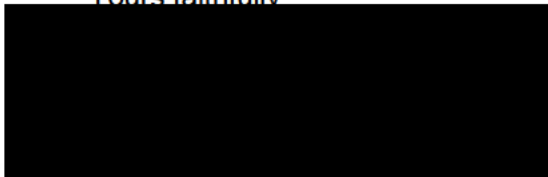
We advise that an **EPS licence** will be required for these transmission works as there is the potential to disturb European protected species. In this regard, we recommend further discussion with Marine Scotland on the possible options for an EPS licence application – whether it should be submitted separate to, or can be co-ordinated with, wind farm EPS licensing requirements.

Under ornithology we address impacts to key bird species, including those listed for inclusion as qualifying interests of the Moray Firth draft Special Protection Area³. In this regard, construction of the offshore cable and landfall is to be timed to Q3 (July – September). This is likely to act as a principle mitigation measure in respect of the wildfowl, waders and seabirds potentially affected by these works. As the applicant has not carried out any coastal or intertidal bird surveys during the winter months, **we therefore highlight** that should the timing of construction change, then such survey work could be required to inform re-assessment.

On the basis of our assessment we recommend that the issues presented in **Appendix 2** are addressed through conditions on any marine licence issued for these transmission works.

If you have any queries about our advice, then please do not hesitate to contact either myself at JNCC (01224 266590 enrique.pardo@jncc.gov.uk) or Catriona Gall at SNH (01738 458665 catriona.gall@snh.gov.uk).

Yours faithfully



Enrique Pardo

Offshore Industries Advisor
Joint Nature Conservation Committee

³ Further information on draft marine SPAs is available at: <http://www.snh.gov.uk/docs/A1350044.pdf>

APPENDIX 1

JNCC & SNH DETAILED ADVICE ON NATURAL HERITAGE INTERESTS

1. Hydrodynamic Processes & Coastal Geomorphology

Impacts on hydrodynamic processes and coastal geomorphology are addressed in chapter 3.1 of the ES, covering all of the issues which we raised in our scoping response.

Offshore substation platforms (OSPs)

We agree that the potential impacts from installation of the OSPs are “negligible” (3.1.2.48) in respect of offshore coastal processes and of “minor significance” (3.1.2.73) in respect of suspended sediment concentrations. We agree that there is no significant risk of longer-term changes to tidal and wave regimes or to sediment transport regimes arising over the lifespan of these OSPs (3.1.2.98 & 102). We agree that possible scour effects are of “minor significance” (3.1.2.110). We advise that impacts arising from installation and operation of the proposed OSPs do not significantly add to the predicted levels of cumulative impact from the consented MORL and BOWL wind farm schemes.

Cable-laying

We agree that the potential impacts from installation of the export cables are “negligible” (3.1.2.48) in respect of offshore coastal processes and of “minor significance” (3.1.2.65) in respect of suspended sediment concentrations. We agree that there is negligible risk of any longer-term changes to tidal and wave regimes arising from the export cable (3.1.2.89). We agree that possible scour effects are of “minor significance” (3.1.2.119 and 128). As there are only negligible or minor impacts on hydrodynamic processes and coastal geomorphology from these MORL export cables, we do not anticipate any significant cumulative impacts with other proposed cables in the Moray Firth.

Cable landfall

We agree that there is no risk to the geological interest of Whitehills to Melrose Coast SSSI from the proposed cable landfall at Boyndie Bay. We would, however, welcome detailed mapping of the actual landfall point, once confirmed, as well as the confirmed method of installation – please see **Appendix 2**. In this regard, the proposed conditions seem appropriate (3.1.2.78): that the cable will be suitably buried between landfall and closure depth to prevent exposure; and that any onshore infrastructure will account for coastal retreat.

2. Benthic Ecology

Benthic ecology is addressed in chapter 4.1 of the ES, covering all of the receptors and potential impacts which we raised in our scoping response. Site-specific benthic surveys were carried out on 16-26 May 2014, using digital video and still photography. A biotope map (Figure 4.1-2) was produced based on the video data, taken along the centre line of the proposed cable route. Grab samples were also taken for particle size analysis at ten locations along this central line.

The full extent of biotopes across the survey corridor will only be interpolated once geophysical data is available for analysis (Section 2.2.2, Technical Appendix 04.01A). Currently, the submitted ES only provides detailed information along the central line of the proposed cable route. Should the geophysical data, once submitted, indicate that there are other benthic interests along the proposed cable route not previously identified from grab samples or video tows, then we would wish to be consulted for further advice.

On the basis of the submitted information we provide the following advice in respect of Priority Marine Features⁴ and the Southern Trench Marine Protected Area proposal⁵.

⁴ Information on PMFs is available from JNCC at <http://jncc.defra.gov.uk/page-6052> and from SNH at <http://www.snh.gov.uk/protecting-scotlands-nature/priority-marine-features/priority-marine-features/>

⁵ <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/marine-protected-areas-%28mpa%29/scottish-mpa-network-advice/>

Priority Marine Features

A number of PMFs were identified in the benthic survey: burrowed mud, ocean quahog (*Arctica islandica*), European spiny lobster (*Palinurus elephas*), sandeels (*Ammodytidae*) and potentially *Arachnanthus sarsi* (a type of anenome, but it wasn't confirmed for definite on-site). Some of these PMFs are also included in the OSPAR List of Threatened and/or Declining Species and Habitats.

The ES predicts some loss of habitat (from OSPs and due scour and cable protection) and some temporary disturbance of the seabed, however, all impacts are classed as being of minor significance. Impacts would be localised, short term and reversible, and the assessment takes into account the tolerance and recoverability of habitats. While the burrowed mud PMF (biotope SS.SMu.CFiMu.SpMmeg) could take up to 10 years or more to recover, it is considered to be low sensitivity due to its broad distribution.

JNCC & SNH agree with the ES conclusions that there is no risk of significant impact to the national or regional status of any of these PMFs. There could be local impacts on the burrowed mud PMF, however, once cables are laid, recovery of this habitat is possible in the long-term. Please see **Appendix 2** where we request that further detail be provided on methods of cable installation as a condition of any consent, including the location and amount of cable protection that may be required.

Southern Trench MPA proposal

On the 24 July 2014, SNH submitted formal advice to Scottish Government recommending an additional four areas for designation as Nature Conservation Marine Protected Areas (MPAs). This includes the Southern Trench, suggested for the following nature conservation features: burrowed mud; minke whale; shelf deeps and fronts.

Pending government's view, these MPA proposals may become a material consideration for licensing. In light of this possibility, we provide the following assessment for the MORL transmission works in respect of the Southern Trench MPA proposal. The works are not capable of affecting shelf deeps or fronts, therefore assessment is focused on burrowed mud and minke whale.

In respect of burrowed mud, please see the assessment we provide above in respect of this biotope as a priority marine feature (PMF). We advise that while there could be impacts on burrowed mud located within the area of this MPA proposal, however, this biotope will recover in the long-term once the cables are laid. Please see **Appendix 2** where we request that further detail be provided on methods of cable installation as a condition of any consent.

There is the potential for disturbance of minke whales arising from cable-laying and associated activity within the coastal waters covered by this MPA proposal. We recommend that this matter is addressed via the licensing requirements for European protected species which we discuss in more detail in section 4 below.

Rocky reef

The benthic survey work does indicate the potential for rocky reef biotopes closer in to shore. Impacts on these features can be mitigated through good working practice and micro-siting of the cable route (including cable protection), to be agreed through submission of construction method statements and detailed route mapping as requested in **Appendix 2**.

Intertidal ecology

Broad-scale biotope mapping survey of the intertidal area (200m either side of the cable landfall) was carried out on 20 May 2014 (see Figure 4.5-2). This indicates that there are no PMFs or other habitats or species of conservation importance located in this area. We agree with the ES conclusions that there will be minimal impacts on intertidal ecology from the proposed cable landfall (whatever installation method is chosen). This is a high energy, highly dynamic environment and habitats and species are well adapted to disturbance: any effects will be temporary and short-lived.

3. Fish and Shellfish of Conservation Concern

Please see our consultation response of 8 July 2013 for detailed advice on fish and shellfish of conservation concern including Habitats Regulations Appraisal (HRA) in respect of the qualifying interests of freshwater Special Areas of Conservation (Appendix Cii).

HRA for freshwater SACs

Of the SACs listed in our 8 July 2013 response, we advise it is of most relevance to address the possible impacts of the transmission works on qualifying interests from the River Spey SAC. In this regard, we advise likely significant effect on Atlantic salmon and lamprey species which could be disturbed by construction noise and / or possible effects of electro-magnetic fields (EMF) from installed cables. Freshwater pearl mussel could be indirectly affected through any impacts to Atlantic salmon, one of their host species.

However, as long as the matters listed in **Appendix 2** are addressed via licence conditions, we advise that the MORL transmission works would not give rise to any long-term impacts on SAC freshwater fish populations or freshwater pearl mussels, and **no adverse impacts on site integrity of the River Spey SAC**, nor other SACs which may be under consideration.

Marine fish

The ES addresses the issues we raised in our scoping advice, 23 May 2014, in respect of marine fish, including priority marine features. We agree with the ES conclusions (4.2.2.35) that there would be only minor impacts on sandeel and herring spawning (both PMFs) arising from disruption (loss) of the seabed and associated sediment release during cable-laying and / or installation of the OSPs.

In respect of potential underwater noise impacts on marine fish, we do not identify any further matters to be addressed specifically for these revised transmission works other than those we list in **Appendix 2**.

4. Marine Mammals

In our consultation response of 8 July 2013, JNCC & SNH provided detailed advice on potential impacts to marine mammals arising from the MORL offshore wind farms (Telford, Stevenson & MacColl) and the original transmission proposals. Please see that response for the legislative background and supporting detail in respect of:

- Habitats Regulations Appraisal (HRA) for marine mammals as SAC qualifying interests (Appendix Bii).
- Licensing requirements for European protected species (Appendix Biii).

HRA for bottlenose dolphin from the Moray Firth SAC

We advise that the revised transmission works for MORL could give rise to likely significant effect on bottlenose dolphin as the cable route will cross the coastal waters on the south-side of the Moray Firth where they are frequently recorded. Disturbance to bottlenose dolphin could arise from cable-laying and/or placement of scour protection in this area, therefore we advise that an EPS licence is required.

If this matter is addressed via EPS licensing, and good working practice is achieved through marine licence conditions – see **Appendix 2** – we are satisfied that there will not be any long-term impacts on the viability of the SAC dolphin population and therefore **no adverse impacts on site integrity of the Moray Firth SAC**.

Installation of the offshore substation platforms (OSPs) is likely to give rise to underwater noise impacts. However, as noted in the current ES, MORL confirm that there will be a maximum of two OSPs, rather than eight. Therefore, predicted impacts are no greater than the 'worst case' previously assessed (which included MORL and BOWL wind farms and all associated infrastructure including transmission works) and on which we provided advice in our response of 8 July 2013. We do not identify any further matters to be addressed specifically for these revised transmission works other than those we list in **Appendix 2**.

In this regard we agree that all other potential impacts on bottlenose dolphin arising from these transmissions works, including vessel collision, corkscrew injury, EMF effects, contamination, and prey availability, are minor and do not give rise to any 'likely significant effect' in respect of this species status as an SAC interest.

HRA for harbour seal from the Dornoch Firth SAC

In respect of harbour seal, we consider that there will be no long-term impacts on the SAC population, and thus no adverse impacts on site integrity of the Dornoch Firth SAC, as long as the matters listed in **Appendix 2** are addressed via conditions on any marine licence for the revised MORL transmission works.

EPS licensing requirements

Our 8 July 2013 response (Appendix Biii) provides detailed advice on EPS licensing requirements for the MORL wind farms (now consented) and original transmission works. We advise that the revised proposals do still present a risk of disturbance to European protected species of whale and dolphin, particularly in the coastal waters of the southern Moray Firth where bottlenose dolphin and minke whale are most frequent. We therefore advise that an EPS licence will be required for the revised MORL transmission works.

In accordance with our response of 8 July 2013, we advise that disturbance to EPS from the revised transmission works (and including consideration of cumulative impacts) **will not be detrimental to the maintenance of the populations of these species at a favourable conservation status within their natural range.**

We recommend further discussion with Marine Scotland on the possible options for an EPS licence application – whether it should be submitted separate to, or can be co-ordinated with, EPS licensing for the wind farms. We note that any licence applications, construction methods statements or other submissions must be provided to JNCC & SNH in sufficient time for effective consultation.

5. Ornithology

In our scoping advice, 23 May 2014, we highlighted that potential disturbance to waterfowl and waders is the key ornithological impact to address in respect of these offshore transmission works. In addition to the ES, we have referred to the recent survey reports submitted by MORL to Aberdeenshire Council (7 August 2014) including coastal bird surveys undertaken in Boyndie Bay between May and July 2014.

Waterfowl and Seabirds – including Moray Firth draft SPA

On 24 July 2014, SNH submitted formal advice to Scottish Government regarding proposals for marine Special Protection Areas⁶. The public information pack (see weblink) includes the mapping for the Moray Firth draft SPA and proposed list of qualifying bird interests. While the Ministerial decision to progress these SPAs, including any policy protection, is unlikely to be made until October 2014 or later, we have considered the draft SPA bird interests in providing the following advice.

MORL's indicative construction schedule outlines that installation of the offshore cable and landfall is planned for Q3 (July – September) 2018 and 2019. The work is therefore scheduled for outwith the peak periods for waterfowl (i.e. wintering and passage periods). It also avoids May when peak counts of sandwich tern, red-throated diver, long-tailed duck and whimbrel have been recorded during survey work (MORL ornithological technical report 4.6C).

The ES assessment concludes that all potential effects on waterbirds and seabirds are not significant. Disturbance impacts are short-term and reversible – as part of an existing commitment, vessel traffic will follow set routes in order to minimise disturbance. The potential for displacement from the two OSPs is localised to a small area (0.02 km²). The assessment of benthic and fish populations have also been assessed as minor for all species.

⁶ Further information on draft marine SPAs is available from: <http://www.snh.gov.uk/docs/A1350044.pdf>

We agree with this assessment and seek confirmation of proposed mitigation – particularly timing of works – through submission of the construction programme and method statements as discussed in **Appendix 2**. **We highlight that should the timing of construction change, then winter coastal surveys could be required to inform re-assessment.**

Waders

Installation of the offshore cable and landfall is planned for outwith the winter period, which will act as a key mitigation measure in respect of wintering wader interests in Boyndie Bay. **We highlight that should the timing of construction change, then wintering wader surveys could be required to inform re-assessment.**

6. Landscape, Seascape and Visual Impact Assessment

We welcome the work undertaken to assess the landscape and visual impacts of the offshore substation platforms. In this regard, we recommend that their location and design is considered as part of the overall design process for Telford, Stevenson & MacColl wind farms – see **Appendix 2** for further advice in respect of a design statement.

APPENDIX 2

NATURAL HERITAGE MATTERS TO BE ADDRESSED BY CONDITIONS

The matters we raise below should be used to inform conditions on any marine licence issued for the MORL offshore transmission infrastructure. **We recommend** further discussion with Marine Scotland in this regard, to agree the wording of conditions and whether reference can be made to the conditions on the Section 36 consents and marine licences for the consented MORL wind farms: Telford, Stevenson & MacColl. JNCC & SNH would welcome inclusion in any negotiations over conditions to ensure that the following matters are addressed:

Design Statement

The Section 36 conditions for the MORL wind farms (Telford, Stevenson & MacColl) includes the requirement for the applicant to produce a design statement, prepared and signed off by at least one qualified landscape architect, prior to submission (condition 13). We recommend that the offshore substation platforms are included in the wind farm design process, and explicitly accounted for in this design statement.

Confirmed Project Details

Confirmed locations, detailed mapping and co-ordinates of the offshore substation platforms, offshore cable route and cable landfall location shall be submitted to Marine Scotland prior to commencement of works, within a timeframe to be agreed. It will be helpful if provision of this information for the transmission works can be co-ordinated alongside the Development Specification and Layout Plan required for the MORL wind farms (condition 12).

Construction Programme

Within a timeframe agreed with Marine Scotland, the developer shall draft and submit a construction programme for the offshore transmission works. This will include details of commencement dates, duration and phasing for construction of the offshore substation platforms, installation of the grid export cables and the cable landfall. We recommend further discussion with Marine Scotland on the options to co-ordinate this requirement alongside that for the wind farms (see condition 9 on the Section 36 consents).

Construction Methods

Within a timeframe agreed with Marine Scotland, the developer shall draft and submit a construction method statement with the locations and method of installation of the offshore substation platforms, grid export cables and landfall. The export cables are to be buried to a minimum depth to be agreed with Marine Scotland and relevant consultees. We recommend further discussion with Marine Scotland as to whether and how this construction method statement could be co-ordinated under the over-arching requirements for environmental management in respect of the wind farms (see conditions 14, 26 & 29 respectively relating to an Environmental Management Plan, a Project Environmental Monitoring Programme and appointment of an Ecological Clerk of Works).

Vessel management plan

The ES for the revised transmission works indicates that *'there will be 72 vessel movements and 255 total vessel working days associated with the OSP, interplatform and export cable installations (indicative vessel movements).'* Table 4.1-6. Therefore JNCC & SNH advise that a vessel management plan will be needed for these offshore transmission works – either submitted separately or co-ordinated alongside the plan required for the wind farms (condition 15). We recommend further discussion with Marine Scotland on the options to address this requirement:

Within a timeframe agreed with Marine Scotland, the developer shall draft and submit a plan for vessel management during cable-laying and construction of the offshore substation platforms. It shall present details on the type and overall number of vessels required for this work, including a specification for each individual vessel to be deployed. It shall set out how

vessel management will be co-ordinated, specifying the location of working port(s), routes of passage and how often vessels will be required to passage between port(s) and site.

Operations & Maintenance

A monitoring and maintenance programme for the offshore substation platforms, grid export cable(s) and landfall site shall be agreed with Marine Scotland. It will include the agreed actions to be taken in the event of erosion / re-exposure of cables or OSP foundations. It may be possible to co-ordinate the monitoring requirements for these transmission works via the Moray Firth Regional Advisory Group and we recommend further discussion with Marine Scotland in this regard (see conditions 26 & 27 on the MORL wind farm consents relating to project monitoring).

Decommissioning

Marine Scotland should consider and recommend a timeframe for the production, consultation and implementation of a decommissioning plan for offshore substation platforms and offshore export cables. We recommend that this is an iterative process and that an initial decommissioning strategy is produced by the developer.



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21 August 2014

011/OW/MORLE – 8

MORAY OFFSHORE RENEWABLES LIMITED - MARINE LICENCE APPLICATION FOR THE MODIFIED OFFSHORE TRANSMISSION INFRASTRUCTURE (AMENDED) - MARINE SCOTLAND SCIENCE COMMENTS

Marine Scotland Science (MSS) has reviewed the submitted marine licence application and has provided the following comments.

Marine Scotland Science comments on marine mammals

MSS have reviewed the information available in the new ES for the revised cable route for MORL. We agree that the piling required for the OSPs falls within the design envelope of the original submission and is therefore covered under the assessments carried out for this, including cumulative assessments. Other noise sources are not as loud as piling and the sound will not affect animals at such great distances. We therefore do not consider that their effect would be significant for seals or cetaceans. The planned piling for OSPs will require an EPS licence, but it is assumed that this could be combined with the EPS licence required for the remainder of the project works.

MSS consider that although the likely risk of spiral lacerations to seals is lower around the cable route and construction site than in other areas, there remains a risk, should the vessels installing the OSPs and the cable use ducted propellers. This risk might be greater, depending upon the port selected for servicing the vessels, during transits to and from port.

MSS recommend that vessels with ducted propellers are not used if possible. If this is not possible, we recommend that vessels only use dynamic positioning systems when necessary to safely carry out work. When vessels are on standby, we recommend that they hold position at anchor. MSS also recommends that passage in and out of ports close to seal haulouts is minimised where possible. These recommendations could form part of a vessel management plan.

Marine Scotland Science comments on ornithology

MSS only comment is that the transmission landfall is to the East of an inshore area identified within the candidate suite of marine SPAs due to seaduck. It seems likely that the route is far enough away to not be an issue, whilst appropriate timing of construction would further mitigate any potential effects.

MSS are happy to read through any advice provided by SNH.

Marine Scotland Science comments on fish and shellfish ecology & commercial

Marine Scotland Science comments on the sections of the ES relating to Fish and Shellfish Ecology Chapter 4.2 Technical Appendix 4.2 A (excluding salmonids) and Human Environment

The range of receptors and potential effects identified seem appropriate and the sources of information used comprehensive. We note that a cod spawning survey was undertaken by the developers in 2013 in view of concerns about noise effects. Also that herring larval surveys are planned (or have been carried out) for the BOWL development to the NE of MORL and its associated offshore transmission infrastructure.

The significance of effects on fish and shellfish ecology pre-mitigation are assessed as either non-significant or minor. Mitigation for noise (start soft piling) and EMF (cable burial / protection) are proposed but post mitigation predicted effects are still minor. Presumably, mitigation has been included because of probably effects on receptors with medium sensitivity - eg noise effects of noise on cod? Similar residual minor significant effects are predicted in the Total Cumulative impact assessment.

Given the nature and scale of the developments proposed in the Moray Firth, the diversity of marine fish and shellfish life and the uncertainties surrounding the details of the development and transmission infrastructure, MSS find it a bit difficult to accept that cumulative effects will indeed be negligible or minor in all cases - even within the envelope. It depends how one interprets 'long term', 'broad scale' and 'acceptable limits or standards'. Difficult to know which aspects or species might be affected above minor and what knock on ecological effects might be. Herring, sandeels and cod would all seem plausible candidates. There is no mention of timing construction to avoid critical periods for such species or post deployment surveys. Was anything planned previously? As regards on-going surveys, this would seem to be a good candidate area to monitor for ecological effects. Maybe something is proposed or planned as part of the licence conditions.

Paragraphs 4.2.2.113 to 4.2.2.115 discuss possible effects of changes in fishing activity on fish and shellfish ecology, concluding these would be negative, unlikely and of minor significance. This does not seem to be consistent with moderate effects on eg scallop dredging identified in the commercial fisheries section. Depending on which areas prove fishable or not fishable, there is a strong possibility that fishing effort will be displaced either within the Moray Firth or elsewhere.

Marine Scotland Science comments on commercial fisheries

Marine Scotland Science comments on Chapter 5.1 Commercial Fisheries and Technical Appendix 5.1A.

Additional data sources, as identified by MSS and LOT have been incorporated in the assessment and applied to evaluate possible effects of the modified offshore transmission infrastructure. Effects on fisheries either minor or moderate are anticipated. The cumulative impact assessment indicates moderate significance of cumulative impacts of scallop dredging during the operation phase which is reasonable given the nature of the sites of MORL and BOWL and previous patterns of fishing activity.

The assessment of moderately significant effects on creeling during construction and interference with static gear vessels also seems appropriate.

Mitigation includes cable burial and protection, construction schedules, over-trawl ability surveys and continuing fisheries liaison - all apposite, particularly the latter as advance information and discussion of plans and changes to plans may lead to reduced impacts in some cases. Every effort should be made to ensure liaison is timely and effective.

The extent of displacement (through loss or restricted access to fishing grounds) is a bit difficult to evaluate as the proportion of the cable which will be buried as opposed to protected and the extent to which it will be possible to fish around (over) cables is not discussed.

It is unclear from the ES who is involved in the MFCFWG, how effective this fisheries liaison and who is involved. Is the Moray Firth and North Coast Inshore Fisheries Group included in the group or has been it approached as part of the consultation on the modified OT route? We ask because the ES has not been discussed at recent MF&NC IFG meetings - whereas some other development proposals of lesser local significance have. In technical Appendix 5.1a the NE Coast IFG is mentioned. Not sure what this is. There was previously a Moray Firth IFG and a SE IFG. The areas covered by the IFGs and the contact details for each and the national co-ordinator have been revised, relatively recently, and can be found at <http://www.scotland.gov.uk/Topics/marine/Sea-Fisheries/InshoreFisheries/IFGsMap> and links therein.

Marine Scotland Science comments on benthic ecology

Environmental Report

(2.2) - Biological Environment

(2.2.1.2) - Review of Impact Assessment – Conclusions. Page 28, Table of Impact Assessments.

Effect 2 - burrowed PMF habitats will also be impacted however this will not be a minor impact

Effect 4 - no mention of potential smothering effects here

Effect 6 - loss of Annex 1 habitats is a major effect

Effect 7 - the introduction of species from the placement of rock armour or mattresses is a significant effect

Page 30 (2.2.1.3) - Supplementary Information, (Paragraph 2) - DDV tows should ideally be taken as directed by the data from the geophysical surveys, ensuring that sufficient sampling covering all sediment types/biotopes encountered are assessed as part of a random stratified sampling program

Environmental Statement

Volume 04.01, Benthic Ecology

(4.1.1.8) Table 4.1-2 Typical Species

SS.SSa Paguridae not Puguridae

SS.SMx.CMx Hydrallmania falcate, not H. falcate

SS.SMu.CFiMu.SpMg is the presence of Anseropoda placenta in this area confirmed?

(4.1.1.18) - Inachidae, not Inachinae. The taxonomic nomenclature in this paragraph is rather confused here, using italicised names, common names and use of brackets. Their use should be standardised and consistent

(4.1.1.20) - See point above

(4.1.2.3) Paragraph 2 - how far and which direction will the suspended particle plume extend/travel? Is the plume likely to impact the Annex 1 habitats in the area?

(4.1.2.3) Paragraph 3 - this may initiate a permanent/longterm change to faunal diversity. This may be regarded as a negative impact

(4.1.2.6) - some data/references to support the statements “small footprint of burial operations” and “recovery of affected areas from adult reproducing populations” should be provided to allow assessment of the “not significant” impact score. Also, distribution maps for the Ocean Quahog population would be useful here.

Impact Assessment, page 4-1-19 onward. List of potential impacts

(4.1.2.34) - Apparent distributions – some real data on distribution should be presented. As the developers don't seem to know precisely where the animals are to be found so that cannot say “no significant effects on population”.

(4.1.2.35) - burrowed mud PMF – impacts to this biotope are generally large and of long duration, recovery is slow and not minor locally

(4.1.2.38) - what are the predicted depths of settled material close to the source of the disturbance and moving away from the source? Sands and gravels will be of the same content as ambient however sediment layering and chemistry will be disrupted which may have an effect on the fauna.

- (4.1.2.39) - see comment above. Also, what are the levels of the SSC's in the water column and what are the predicted deposition levels?
- (4.1.2.41) - please provide references and data on bryozoan and hydroid species recovery capabilities. Smothering effects from SS's need to be considered
- (4.1.2.43) - SSC modelling, are data and outputs available?

Volume 05, Technical Appendices

Appendix 04.01A, Subtidal Ecology Characterisation

- (1.3.5) - *Tellina pygmaea* is now *Moerella pygmaea* (see WoRMS), *Nucula tenuis* is *Eunnucula tenuis*
- (1.3.6) - *Lumbrineris gracilis* is *Hilbigneris gracilis*, *Exogene hebes* is *Parexogene hebes*, *E. pusillus*, write as *Echinocyamus pusillus* as not mentioned in text previously
- (1.3.9) - *Circumphalus casina* is *Venus casina*
- (1.3.10) - *Spiophanes kroeyeri* is *S. kroyeri*
- (1.3.12) - *Hydroides norvegica* is *H. norvegicus*

Appendix 04.05A Intertidal Ecology Characterisation

- (2.2) - Regional Biological Context, *Bathyporeia sarsi* not *B. sarsi* as this is first mention of species in the text. Same for *B. elegans*

Marine Scotland Science comments on physical environment

Marine Scotland science has no comments on physical environment.

Marine Scotland Science comments on diadromous fish

The developer is seeking consent for modified transmission infrastructure for a wind farm which has recently been consented. The offshore elements are the construction of up to two offshore substation platforms and a new export cable route with a landfall in Inverboyndie Bay, which is very close to the mouth of the River Deveron, an important salmon and sea trout river, and quite close to the mouth of the River Spey, a salmon, sea lamprey and pearl mussel SAC. As at the landfall site in the original consent, large numbers of salmon and sea trout will be present at times at this new landfall location too.

MSS have examined the relevant material which is in the following sections in the Environmental Statement: 2.2 Project Description, 4.2 Fish and Shellfish Ecology, 5.1 Commercial Fisheries, 6 Habitats Regulations Assessment, Technical Appendix 4.2A Fish and Shellfish Ecology and Technical Appendix 4.2B Salmon and Sea Trout Ecology and Fisheries. Technical Appendix 2.2 EMF and Technical Appendix 3.3 Noise were not connected with underwater aspects, which are dealt with elsewhere in the Statement.

The material presented is closely similar to what was previously provided, with some updating and tidying and fresh consultation, including with the Spey and Deveron District Salmon Fishery Boards, and the potential issues and possible mitigations are again correctly identified. The Status of Salmon Stocks and Status of Scottish Salmon and Sea Trout Stocks 2013 reports published by MSS in March and April which contain information on the status of Scottish salmon and sea trout stocks which may be relevant to consideration of their resilience are not made use of.

The license conditions should as previously include appropriate provision for such matters as the construction programme, construction methods to be deployed, and appropriate monitoring to be agreed on an on-going basis prior to work starting and as it progresses. This will also allow best use of new information, as it becomes available, to be made use of in finalising construction and operational details. There will be important aspects to be considered in this, including the timing and other details of the construction activities, and it is likely that continued input and advice from MSS in relation to salmon and sea trout will be required.

MSS commented at draft stage in relation to salmon on the HRA for the original consent which was carried out by MS. We would be happy to provide comment on any new HRA.

Marine Scotland Science comments on aquaculture

We have reviewed the application submitted and offer the following comment

There are no changes to the comments provided for this development in August 2012. No further information is required.

Marine Scotland Science comments on socio economics

Marine Scotland science has no comments on socio economics.

Hopefully these comments are helpful to you. If you wish to discuss any matters further contact the MSS Renewables in-box MS_Renewables@scotland.gsi.gov.uk.

Yours sincerely



Paul Stainer

Marine Scotland Science

Ford A (Alexander)

From: navigationsafety navigationsafety <navigationsafety@mcga.gov.uk>
Sent: 15 August 2014 10:26
To: Ford A (Alexander)
Subject: Re: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014
Attachments: FKB Z267.doc

Dear Alexander,

Apologies for the mis-understanding. Please find attached our response to the licence application, ref: FKB/Z267.

Best regards

Nick

Navigation Safety Branch
Maritime and Coastguard Agency



Subject to the need to keep up to date file records, please consider your environmental responsibility before printing this email

>>> navigationsafety 14/08/2014 15:17 >>>

Dear Alexander,

Please find our response to the below.

Best regards,

Nick

Navigation Safety Branch
Maritime and Coastguard Agency



Subject to the need to keep up to date file records, please consider your environmental responsibility before printing this email

>>> <Alexander.Ford@scotland.gsi.gov.uk> 07/08/2014 08:51 >>>

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007
(AS AMENDED)**

Alexander Ford
Licensing Operations Team
Marine Scotland

Tel: +44 (0)23 8032 9448
Fax: +44 (0)23 8032 9204
E-mail: navigationsafety@mcga.gov.uk

Your ref: **FKB/Z267**
Our ref: **MNA 053/008/0028**

15 August 2014

Dear Alexander,

MORAY OFFSHORE RENEWABLES LIMITED: APPLICATION FOR A MARINE LICENCE FOR TWO OFFSHORE SUBSTATION PLATFORMS AND INTER-PLATFORM CABLING AND FOUR HVAC EXPORT CABLES TO THE LANDFALL LOCATION AT INVERBOYNDIE.

Thank you for the opportunity to comment on the potential impact of the above proposed works on the interests of navigation.

The proposal has been examined by staff of the Navigation Safety Branch and it can be noted that the works are unlikely to have an adverse impact, with regards to safety of navigation, provided all maritime safety legislation is followed and:

1. The Licencee must ensure that local mariners and fishermen's organisations are made fully aware of the activity through local notices to mariners.
2. The Licencee must ensure that HM Coastguard, in this case Aberdeen MRCC, is made aware of the works prior to commencement.
3. The Licencee must notify the UK Hydrographic Office to permit the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.
4. The Licencee must ensure that 'the works' do not encroach on any recognised anchorage, either charted or noted in nautical publications, within the proposed consent area.
5. Any consented cable/pipeline protection works must ensure existing and future safe navigation is not compromised. The MCA would accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum but under no circumstances should depth reductions compromise safe navigation.

6. The Consent Holder should ensure suitable bunding, storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.
7. Any jack up barges / vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.
8. If in the opinion of the Secretary of State the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the failure to mark and light the works as required by the consent or to maintain the works in good order or from the drifting or wreck of the works, the owner of the works shall be liable for any expense incurred in securing such assistance.
9. The crew of the ERRV and/or cable-laying vessel should be experienced in traffic monitoring duties and be briefed on the main routes of concern in the area.
10. The main operators of ships on routes within 2nm should be provided with advanced notice of the operation.
11. The ERRV and/or cable-laying vessel should be equipped with AIS and ARPA

If these conditions are met I am able to advise you that the Maritime and Coastguard Agency (MCA) has no objection to consent being granted provided that measures are also taken to ensure that details of the proposed works are promulgated to maritime users through notice to mariners and/or navigational warnings.

Please note, however, that a charge will be levied on the developers where appropriate, by MCA, for the transmission of maritime safety information, via Navtex or Coastguard VHF radio network, in respect of the proposed works. Agreement by the developers to pay any such charges should, ideally, be a condition of the consent if they are likely to be used.

Yours sincerely,

Nick Salter
Navigation Safety Branch

Ford A (Alexander)

From: Kathryn Logan <kathryn@morayfirth-partnership.org>
Sent: 08 August 2014 15:15
To: Ford A (Alexander)
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

Dear Alexander

I'm sorry for the delay in replying to your email. The Moray Firth Partnership is included on the list of consultees by Marine Scotland for these application in terms of our information gathering for the Moray Firth area. We will not be submitting a consultation response.

Regards
Kathryn

Kathryn Logan, Manager
Moray Firth Partnership, Great Glen House, Leachkin Road, INVERNESS, Scotland. IV3 8NW
Tel: (+44) (0)1463 725028 Website www.morayfirth-partnership.org
Company (Limited by Guarantee) No. 196042 Registered Charity No. SC028964
Bringing together people, knowledge and resources to make the most of our coast and sea now and for future generations.

From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]

Sent: 07 August 2014 08:51

Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

1 Week Before Reminder

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 14th August 2014. If you are unable to meet this deadline, please contact ms.marinelicensing@scotland.gsi.gov.uk or myself to arrange an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

Yours faithfully

Alexander Ford
Marine Licensing Casework Officer
Marine Scotland – Marine Planning & Policy Division
Scottish Government, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB
Tel: +44 (0)1224 295414
S/B: +44 (0)1224 876544

Ford A (Alexander)

From: elizabeth.fraser@moray.gcsx.gov.uk
Sent: 12 August 2014 12:56
To: MS Marine Licensing
Subject: 14/01485/WFC Modified transmission infrastructure for Telford Stevenson And MacColl Windfarms
Attachments: 377829.pdf

Please find attached the response to your recent enquiry.

Regards

Liz

We are committed to providing a high quality planning service and would like to get feedback from you so that the service can be continually improved, taking into account the comments you make. We welcome your views as a customer whether or not you are a developer, planning agent, community representative or someone who has commented on a planning application/ used the planning enforcement service. We would be grateful if you could take the time to complete this short customer satisfaction survey (please click on the link below).

www.surveymonkey.com/s/DevelopmentManagement

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Main switchboard: 01343 543451

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DEVELOPMENT SERVICES

Neal MacPherson
Principal Planning Officer
The Moray Council
Po Box 6760 Elgin Moray IV30 9BX
Telephone: 01343 563266 Fax: 01343 563990

Mr Alexander Ford
Marine Licensing Casework Officer
Marine Scotland – Marine Planning &
Policy Division
Scottish Government
Marine Laboratory
375 Victoria road
Aberdeen
AB11 9DB

E-mail: neal.macpherson@moray.gov.uk
Website: www.moray.gov.uk

Your reference: 011/OW/MORLE-8
Our reference: 14/01485/WFC
NM/EF

By email to:
ms.marinelicensing@scotland.gsi.gov.uk

12 August 2014

Dear Sir

14/01485/WFC

**Telford Stevenson and MacColl Windfarms - Modified Transmission Infrastructure –
Marine Licence and E S Consultation**

Regarding the consultation on the above The Moray Council can confirm that it has no objection to the proposals.

I trust this letter is sufficient, but should you require any further confirmation, please do not hesitate to contact the author of this letter at the above address.

Yours faithfully



Neal MacPherson
Principal Planning Officer

Ford A (Alexander)

From: Barclay MJ (Michael)
Sent: 07 August 2014 14:39
To: Ford A (Alexander)
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

Alexander

In regard to commenting on the above, the main issue is the maintenance of dialogue with, and information to, the local fishing industry.

As long as this is maintained, the industry is best placed to comment on the above.

Regards

Michael Barclay
Marine Scotland - Compliance

Scottish Government, Fishery Office, Suites 3-5, Douglas Centre, March Road, Buckie, AB56 4BT

Tel: +44 (0) 300 244 9262

Fax: +44 (0) 300 244 9265

e: Michael.Barcly@scotland.gsi.gov.uk

w: <http://www.scotland.gov.uk/marinescotland>

From: Ford A (Alexander)

Sent: 07 August 2014 08:51

Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

<< File: MORL Modified Transmission Infrastructure ML Application and ES Consultation Letter.pdf >>

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

1 Week Before Reminder

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 14th August 2014. If you are unable to meet this deadline, please contact

Ford A (Alexander)

From: ROSSI, Sacha <Sacha.Rossi@nats.co.uk>
Sent: 04 July 2014 15:41
To: MS Marine Licensing
Cc: NATS Safeguarding
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267: 03 July 2014

Dear Sir/Madam,

NATS anticipates no impact from the transmission infrastructure proposal and has no comments to make on the proposed routes.

Regards
S. Rossi

From: Alexander.Ford@scotland.gsi.gov.uk [<mailto:Alexander.Ford@scotland.gsi.gov.uk>]
Sent: 03 July 2014 14:52
To: Undisclosed recipients
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267: 03 July 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

Please find attached the consultation letter for the above proposal. If you wish to make any comments on the proposal, please do so as instructed in the letter by 14th August 2014.

Yours faithfully

Alexander Ford
Marine Licensing Casework Officer
Marine Scotland – Marine Planning & Policy Division
Scottish Government, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB
Tel: +44 (0)1224 295414
S/B: +44 (0)1224 876544
Fax: +44 (0)1224 295524
e. alexander.ford@scotland.gsi.gov.uk
w: <http://www.scotland.gov.uk/marinescotland>

Ford A (Alexander)

From: Archie Johnstone <ArchieJ@nlb.org.uk>
Sent: 01 August 2014 14:17
To: Ford A (Alexander)
Cc: MS LOT MORLE
Subject: Modified Transmission Infrastructure Route
Attachments: O6_01_240.doc

Please find the attached NLB response regarding the modified cable corridor for the Moray OWF

Kind regards,
Archie.

Northern Lighthouse Board
84 George Street
Edinburgh
EH2 3DA

Email: Enquiries@nlb.org.uk
Web: www.nlb.org.uk
Phone: 0131 473 3100
Fax: 0131 220 2093

Northern Lighthouse Board (Oban)
Gallanach Road
Oban, Argyll
PA34 4LS

Email: ObanBase@nlb.org.uk
Phone: 01631 562146
Fax: 01631 565871

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Northern Lighthouse Board

CAPTAIN PHILLIP DAY
DIRECTOR OF MARINE OPERATIONS

Your Ref: 011/OW/MORLE-8 / FKB/Z267
Our Ref: AJ/OPS/ML/O6_01_240

84 George Street
Edinburgh EH2 3DA
Switchboard: 0131 473 3100
Fax: 0131 220 2093
Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk



Mr Alexander Ford
Marine Licensing Casework Officer
Marine Scotland – Licensing Operations Team
Scottish Government
Marine Laboratory
PO Box 101
375 Victoria Road
Aberdeen
AB11 9DB

31 July 2014

Dear Alexander,

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE
LICENSING. THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE
TRANSMISSION INFRASTRUCTURE FOR THE CONSENTED TELFORD,
STEVENSON AND MACCOLL WIND FARMS IN THE MORAY FIRTH**

We are in receipt of correspondence dated 03 July 2014 and the Environmental Statement accompanying the application by **Moray Offshore Renewables Limited** to install and operate offshore sub-stations and the associated electrical interconnecting cables and also to install and operate offshore export cables along a modified corridor route from their consented Telford, Stevenson and MacColl wind farms in the Moray Firth.

With regard to the consultation and the Environmental Statement, we would only comment on any part relating to Shipping and Navigational Safety contained within the supporting documentation.

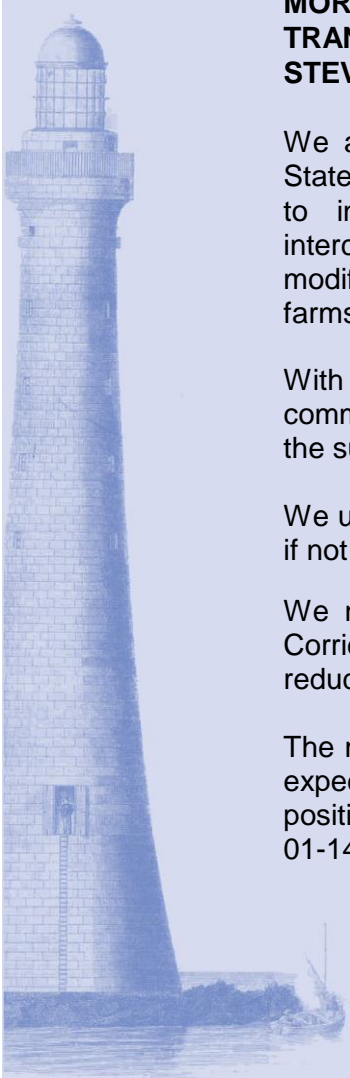
We understand that the migration into the western development area may be delayed if not actually put on indefinite hold until further investigations are completed.

We note that with the modification of the Transmission Infrastructure and Cable Corridor route as described in the Environmental Statement, there will be a significant reduction in the number of Offshore Substation Platforms (OSPs) from eight to two.

The marking of the OSPs is already included in the recommendations that we would expect to be implemented on the conclusion of decisions regarding design, size and position of the turbines within the site area and are detailed within our letter Ref: O6-01-148 dated September 2012.

the safety of

to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS



The marking of the OSP may have to vary during the construction and operational phases of the development site to best suit their location in consideration of construction phases of surrounding turbines.

Export Cables Corridor

We further note that the Modified Export Cables Corridor is assessed and considered as a separate project area to the main development site and that the Environmental Statement includes a Navigational Risk Assessment with conclusions submitted within section 5.2 of the document. We shall require that the marking and lighting of any vessel engaged in the trenching, cable laying and protection operations will be marked in accordance with the International Rules for the Prevention of Collisions at Sea, and if any jack-up craft or mobile drilling units are used, then marked and lit in accordance with the Standard Marking Schedule for Offshore structures when secured to the seabed.

It will also be necessary to mark the landfall site of the export cable routes where they come ashore at Inverboyndie Bay. We would require that a Lit Cable Marker Board should be positioned as near as possible to the shoreline so as to mark the point(s) at which the cables come ashore. The Cable Marker Board shall be diamond shaped, with dimensions 2.5 metres long and 1.5 metres wide, background painted yellow with the inscription 'Cables' painted horizontally in black. The structures shall be mounted at least 4 metres above ground level, with a navigation light flashing yellow once every five seconds (Fl Y 5s) mounted on the upward apex of the board. The nominal range of these lights should be 3 nautical miles and meeting the IALA Standard of a minimum availability of 97% required of a Category 3 Aid to Navigation. We would consider that no physical Navigational Marking or Lighting of the corridor route will be required.

Where cable protection is used, sufficient depth of water must be maintained for safe passage of existing marine traffic along the entire cable corridor route.

When the site eventually reaches the end of its operational life and there is a need to enter into dialogue with stakeholders on decommissioning options, we would require that the Northern Lighthouse Board is consulted on the requirement for marking and lighting during this phase.

General

All navigational marking and lighting of the site and its associated marine infrastructure will require the Statutory Sanction of the Northern Lighthouse Board prior to deployment.

We would require that Notice(s) to Mariners, Radio Navigation Warning and publication in appropriate bulletins will be required stating the nature and timescale of any works carried out in the marine environment relating to this project.

31 July 2014

MS-LOT

We require that the final and installed layout positions of export cable routes, offshore sub-stations and cable landing point as well as Turbines and Meteorological Masts along with any changes in depths should be communicated to the United Kingdom Hydrographic Office in order that all relevant charts and publications can be correctly updated. The information should include the characteristics of all navigational marking and lighting exhibited in connection with the Offshore Wind Farm and Cable Corridor.

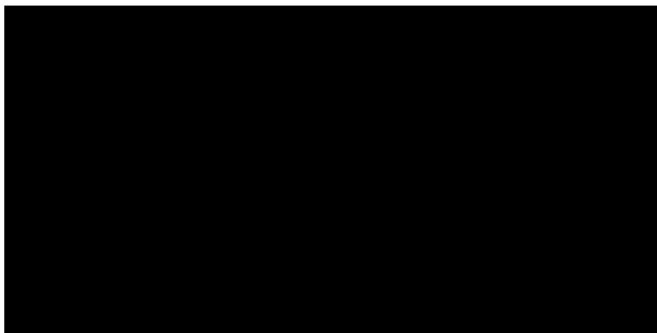
A comprehensive contingency plan will be required, detailing the emergency response to all possible catastrophic failure and collision scenarios including vessels anchoring over the cable route.

We would like to take this opportunity to restate that:

1. With regards to lighting and marking of any masts for aviation warning, NLB would draw the developers attention to CAA trials with synchronised flashing medium intensity red morse 'W' (Whisky) lights replacing the fixed red lights that may have the potential to be interpreted as Marine Navigation lights when viewed from a distance. NLB would encourage the developer to seek approval from the CAA to use the synchronised red morse 'W' character.
2. With respect to any possible application for a declaration under Section 36A of the Electricity Act to extinguish navigation rights we would query whether this is necessary, given the marine licence permits placing structures on the seabed and that those structures will in themselves prevent navigation. However if such a declaration is necessary, this must be limited to the actual turbine, met mast, and sub-station locations only and should in no way limit navigation between turbines. We would request a consistent approach for all developments on this matter is advised.

These recommendations are based on the Environmental Statement accompanying the correspondence, including the Navigational Risk Assessment for the development site, and for the three phases of the wind farm life to give the best possible of indication to the mariner of the works being carried out. We are content for a licence to be issued for the modified export cable corridor.

Please advise if we can be of any further assistance, or require clarification any of the above.



Ford A (Alexander)

From: Ferguson V (Val)
Sent: 07 August 2014 08:54
To: Ford A (Alexander)
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

Alexander,

Thanks for the reminder I have no comments on this.

Val Ferguson
Ports and Harbours Branch
Area 2F North
Victoria Quay
Edinburgh
EH6 6QQ
0131 244 7878
val.ferguson@transportscotland.gsi.gov.uk

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From: Ford A (Alexander)
Sent: 07 August 2014 08:51
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

<< File: MORL Modified Transmission Infrastructure ML Application and ES Consultation Letter.pdf >>

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**

Dear Sir/Madam,

1 Week Before Reminder

Please find attached the consultation letter for the above application. I would be grateful for any comments you have by 14th August 2014. If you are unable to meet this deadline, please contact

Ford A (Alexander)

From: Nathan, Charles <Charles.Nathan@rspb.org.uk>
Sent: 14 August 2014 17:13
To: Ford A (Alexander)
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014
Attachments: RSPB_Response to MORL transmission_14.08.14_FINAL.pdf

Hi Alex,

Please find attached RSPB Scotland's response to the proposed offshore transmission elements of the MORL offshore wind farm.

Regards,
Charles

Charles Nathan
Marine Conservation Planner

Scottish Headquarters 2 Lochside View, Edinburgh Park, Edinburgh, EH12 9DH
Tel 0131 317 4100

rspb.org.uk

Let's give nature a home in Scotland



RSPB Scotland is part of the RSPB, the country's largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]
Sent: 07 August 2014 08:51
To: Undisclosed recipients
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

Alexander Ford (Marine Licensing Casework Officer)
Marine Scotland – Renewables Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB

14th August 2014

Dear Mr Ford,

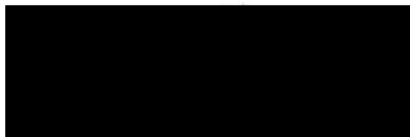
Moray Offshore Renewables Limited: Application for modified offshore transmission infrastructure for the consented Telford, Stevenson and MacColl wind farms in the Moray Firth

Thank you for consulting with RSPB Scotland on the proposals for an amended offshore cable route for the recently consented Telford, Stevenson and MacColl wind farms. A separate response has been provided to Aberdeenshire Council on the subject of the onshore transmission elements.

We generally concur with the assessment conclusions that potential ornithological impacts will be low for the project in isolation. The construction phase presents the greatest risk of impacts, however by its nature the relatively short timescales for laying the offshore cable and constructing the offshore substation platform minimises any potential impacts. In addition, adherence to best practice construction methodologies and implementation of mitigation measures including using assigned vessel routes will help ensure potential disturbance impacts are minimised to a negligible level.

RSPB Scotland do not support the methods employed by Marine Scotland in setting thresholds of 'acceptable levels of impact' to qualifying features of Natura sites. This issue was a main reason of our objection to the recently consented Moray Firth offshore wind farms. The implication in our view is that there remains a risk of significant in-combination/ cumulative effects to seabird populations in this region from the construction and operation of consented offshore wind projects and other activities in the region. These risks of in-combination impacts must be highlighted to, considered and addressed by, Ministers when making licensing decisions for MORL's transmission proposal.

Yours sincerely,



Charles Nathan
Marine Conservation Planner

Ford A (Alexander)

From: Pauline McGrow <Pauline.McGrow@ryascotland.org.uk>
Sent: 28 August 2014 11:12
To: Ford A (Alexander)
Cc: MS Marine Licensing
Subject: RE: 011/OW/MORLE - 8: MS LOT to RYA: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week After Reminder: 25 August 2014

Importance: High

Hi Alexander,

So sorry that this did not reach you, please see below our response –

RYA Scotland has no comments on the revised proposal for the modified transmission infrastructure for the Telford, Stevenson and MacColl wind farms.

Kind Regards

Pauline

Pauline McGrow

Senior Administrator

Royal Yachting Association Scotland

T: 0131 317 4611

E: pauline.mcgrow@ryascotland.org.uk



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
www.ryascotland.org.uk T: 0131 317 7388 F: 0844 556 9549



sportscotland



From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]

Sent: 25 August 2014 10:31

To: Pauline McGrow

Subject: 011/OW/MORLE - 8: MS LOT to RYA: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week After Reminder: 25 August 2014

Pauline,

Sorry I have to say we didn't receive anything. I tried phoning you today to find out as to why, but I see the RYA are taking the Monday holiday. Hopefully speak to you tomorrow.

Regards

Ali

Alexander Ford

Marine Licensing Casework Officer

Marine Scotland – Marine Planning & Policy Division

Scottish Government, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB

Ford A (Alexander)

From: Robin Cole <robin.cole@canoescotland.org>
Sent: 07 August 2014 11:13
To: Ford A (Alexander)
Subject: Fwd: FW: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014
Attachments: MORL Modified Transmission Infrastructure ML Application and ES Consultation Letter.pdf

Alexander.
Scottish Canoe Association wont be commenting.
Robin Cole
Access Director
SCA

----- Forwarded message -----

From: <office@canoescotland.org>
Date: 7 August 2014 09:13
Subject: FW: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014
To: robin.cole@canoescotland.org

FYI and response if appropriate.

Margaret Winter | Administrator
Scottish Canoe Association
Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
office: 0131 317 7314
margaret.winter@canoescotland.org | www.canoescotland.org

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From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]
Sent: 07 August 2014 08:51
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)

Ford A (Alexander)

From: planning.aberdeen@sepa.org.uk
Sent: 01 August 2014 14:34
To: bb.planapps@aberdeenshire.gov.uk; peter.moore@edprenewbles.com; MS Marine Licensing; Alan.Davidson@aberdeenshire.gov.uk
Subject: SEPA Response to Consultation Reference FKB/Z267
Attachments: PCS134435Response.doc

Thank you for consulting SEPA on the above proposal. Please find our response attached.

Where applicable this email has been copied to the agent and/or applicant.

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Our ref: PCS/134435
PCS/134454
Your ref: APP/2014/2430
FKB/Z267

Alan Davidson
Aberdeenshire Council
By email only to: bb.planapps@aberdeenshire.gov.uk

If telephoning ask for:
Rebecca Raine

Alexander Ford
Marine Scotland
By email only to: ms.marinelicensing@scotland.gsi.gov.uk

1 August 2014

Dear Mr Davidson and Mr Ford,

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE
LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2007 (AS AMENDED)**

**Modified offshore transmission infrastructure for the consented Telford, Stevenson
and MacColl wind farms in the Moray Firth**

**Construction of Onshore electrical transmission cables, comprising an onshore
transition jointing pit, underground cables within a 33km (approximately) long cable
corridor and the construction of 2 No. Substations southwest of New Deer, also
including temporary construction compounds, access tracks, laydown areas and
other associated works
Moray Firth**

Thank you for your consultation emails which SEPA received on 3 and 4 July 2014. Since the proposed development requires both planning permission and a marine license, we have provided a single response so that Aberdeenshire Council and Marine Scotland are aware of SEPA's views, and also because the condition in Section 3.2 is required for both consents. For the purpose of this response we have reviewed Moray Offshore Renewable LTD (MORL) Environmental Statement (ES) – Modified Transmissions Infrastructure for Telford, Stevenson and MacColl windfarms.

Advice to Marine Scotland

We have no detailed comments to make on the offshore elements, but we request that the **condition** required in Section 3.2 of this response, also be applied to the offshore elements of the proposal. If this condition is not applied, then please consider this representation as an **objection**.

Advice to the Planning Authority

As we understand it, this application is to move the proposed transmission infrastructure landfall



Chairman
David Sigsworth

Chief Executive
James Curran

Aberdeen Office
Inverdee House, Baxter Street
Torry, Aberdeen AB11 9QA
tel 01224 266600 fax 01224 896657
www.sepa.org.uk

from Fraserburgh as originally consented (offshore) to Inverboyndie and, from there, connecting onshore to the grid southwest of New Deer rather than at Peterhead. We also understand that the working corridor and associated infrastructure has not yet been finalised. As such we ask that the **planning condition(s)** in Sections 1.1, 2.1 and 3.2 be attached to the consent. If any of these will not be applied, then please consider this representation as an **objection**. Please also note the advice provided below.

1. Pipeline route

- 1.1 We understand that the pipeline of the proposed working corridor has yet to be finalised. As such, we ask that the following **planning condition** be applied if planning permission is granted.

Condition: The final route of the pipeline, with proposed micro-siting limits, shall be agreed with the planning authority in consultation with SEPA [and SNH or other agencies as appropriate]. The proposed route should demonstrate how impacts on the following have been avoided, or where avoidance is not possible, mitigated:

- Wetlands, especially groundwater dependant terrestrial ecosystems (GWDTEs), which are types of wetlands protected by the Water Framework Directive
- Peatland
- Private water supplies
- Engineering works in the water environment, for example watercourse crossings (including the River Deveron)
- Flood risk

Informative: It is recommended that the draft working corridor is submitted at the earliest convenience; this is to allow the necessary agencies sufficient time to fully review the mitigation proposals to avoid any potential delays to the project moving forward.

Reason: In order to minimise the impacts on the environment.

- 1.2 We have provided detailed advice for the applicant on the information that should be submitted to demonstrate how the above issues should be taken into consideration in sections 4 – 11 below.

2. Construction and temporary works schedule

- 2.1 We note that a large number of construction works is involved including the use of temporary facilities. As such, we ask that the following **planning condition** be applied if planning permission is granted.

Condition: The final schedule should include clear plans showing all construction and temporary works, including for example any borrow pits, and shall be agreed with the planning authority in consultation with SEPA [and SNH or other agencies as appropriate]. The schedule should take into account the following issues:

- Mitigation of wetlands
- Mitigation of peat
- Impact on private water supplies
- Schedule of watercourse crossings (including the River Deveron),
- Mitigation of flood risk

Informative: It is recommended that the schedule is submitted at least 2 months prior to the commencement of any works on site; this is to allow the necessary agencies sufficient time to fully review the mitigation proposals to avoid any potential delays to the project moving forward.

Reason: In order to minimise the impacts of necessary construction and other temporary works on the environment.

- 2.2 Sections 4 – 11 below again outline the information required by the applicant to address these issues.

3. Pollution prevention and environmental management

- 3.1 One of our key interests in relation to major developments is pollution prevention measures during the periods of construction. The construction phase includes construction of access roads; borrow pits and any other site infrastructure.
- 3.2 As such, we request that the following **planning condition** is attached to both the planning application and marine license consent:

Condition: No development shall commence on site until a site specific Construction Environmental Management Plan (CEMP) has been submitted and approved in writing by the Planning Authority in consultation with SEPA [and SNH or other agencies as appropriate]. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority. The CEMP must address the following issues:

- Schedule of Environmental Commitments
- Pollution prevention
- Sediment management
- Environmental incidents
- Water management plan
- Wet weather management plan
- Site Waste Management Plan
- Drainage plan for SUDS for all relevant construction sites, including substations
- Appropriate training in the CEMP and PPGs
- References to relevant Method Statements

Informative: It is recommended that the CEMP is submitted at least 2 months prior to the commencement of any works on site; this is to allow the necessary agencies sufficient time to fully review the mitigation proposals to avoid any potential delays to the project moving forward.

Reason: In order to minimise the impacts of necessary demolition/construction works on the environment.

Detailed advice for the applicant

4. Assessing impacts on wetlands

- 4.1 We note from Appendix 4.7A of the ES that a Phase 1 habitat has been carried out, with the understanding that National Vegetation Classification (NVC) work for important areas may be required. This approach is welcomed. The survey identifies a number of wetland habitats.
- 4.2 As part of the above conditions, we would expect a detailed understanding of the location of all groundwater dependant terrestrial ecosystems, types of wetlands protected by the Water Framework Directive and how the finalised route and associated infrastructure such as substations and temporary works (such as compound facilities) have been sited to avoid the wetlands.
- 4.3 NVC surveys should therefore be undertaken for all areas of the route where wetland habitat types have already been identified and Appendix 2 (which is also applicable to other types of developments) of our [Planning guidance on windfarm developments](#) should be used to identify if wetlands are groundwater dependent terrestrial ecosystems. The results of these findings should be submitted, including a map with all the proposed infrastructure overlain on the vegetation maps to clearly show which areas will be impacted and avoided.
- 4.4 The route of roads, tracks or trenches within 100 m of groundwater dependent terrestrial ecosystems (identified in Appendix 2) should be reconsidered. Similarly, the locations of borrow pits or foundations within 250 m of such ecosystems should be reconsidered. If infrastructure cannot be relocated outwith the buffer zones of these ecosystems then the likely impact on them will require further assessment. This assessment should be carried out if these ecosystems occur within or outwith the site boundary so that the full impacts on the proposals are assessed.
- 4.5 For areas where avoidance is impossible, details of how impacts upon wetlands including peatlands are minimised and mitigated should be provided. In particular impacts that should be considered include those from drainage, pollution and waste management. This should include preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, dewatering, excavations, drainage channels, cable trenches, or the storage and re-use of excavated peat. Detailed information on waste management is required as detailed below. Any mitigation proposals should also be detailed within the Construction Environmental Management Document, as detailed below.

5. Assessing impacts on peat

- 5.1 Having reviewed the technical appendices we have been unable to ascertain the extent of peat within the corridor, however some of the habitats present suggest that peat may be encountered. We would therefore expect details of how the proposed development has been designed to minimise impacts on peat
- 5.2 Where the proposed infrastructure will impact upon peatlands, it is now best practice for developers to produce a Peat Management Plan which sets out the principles as to how any surplus peat will be managed within the site. It is important this is done at the earliest opportunity to ensure all opportunities to minimise peat disturbance are considered within the site design and that acceptable proposals to re-use the surplus peat can be accommodated within the site layout without significant environmental impact.
- 5.3 The Peat Management Plan should include:
 - a) A detailed map of peat depths (this must be to full depth) with all the built elements

overlain so it can clearly be seen how the development avoids areas of deep peat. The peat depth survey should include details of the basic peatland characteristics, including a break down of acrotelmic, catotelmic and amorphous peat. This information is often already required as part of any peat slide risk assessment.

- b) A table showing where surplus peat will be generated and what the quantities will be.
- c) A table showing what quantity of this surplus peat will catotelmic and what quantity will be acrotelmic;
- d) A map showing where any temporary peat storage areas will be located and how these storage areas, along with any associated access roads, avoid any watercourses, groundwater dependant terrestrial ecosystems or other sensitive areas. In addition details should be submitted of how the storage areas will be constructed, calculations demonstrating the need for these storage areas, how thick the peat will be stored, what types of peat will be stored and how the peat will be maintained fit for re-use. This information may also be of interest to geotechnical engineers assessing the peat stability proposals. Please note that any soils or peat stored for greater than 3 years will require a permit under The Landfill (Scotland) Regulations 2003.
- e) A table demonstrating the principles of where catotelmic peat will be re-used and approximately how much will be re-used including details of width and thickness;
- f) A table demonstrating the principles of where acrotelmic peat will be re-used and approximately how much will be re-used including details of width and thickness;

5.4 We would expect all these proposals to be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Regulatory Position Statement – Developments on Peat](#).

5.5 By adopting an approach of minimising disruption to peatland, the volume of excavated peat can be minimised and the commonly experienced difficulties in dealing with surplus peat reduced. The generation of surplus peat is a difficult area which needs to be addressed from the outset given the limited scope for re-use.

6. Consideration of impacts on groundwater

- 6.1 Generally we consider that the proposal is of low risk due to the relatively shallow excavations for the Transmission Infrastructure and the significant distance from the majority of sensitive receptors in the area. However as outlined in Section 7 below, further consideration may need to be given to water supplies.
- 6.2 We note that there is a fault feature, however the hydrogeological behaviour of this feature is not known. It is possible that the bedrock permeability is locally enhanced along the fault line due to a greater fracture density. The fault could therefore act as preferential pathways for contaminants to enter groundwater and surface water features. This should be taken into account during construction.

7. Assessing impacts on private water supplies

- 7.1 We acknowledge the list of private water supplies listed in appendix 1 of the technical appendix 3.2.A. Any groundwater water supplies inside of 250m of the final position of any borrow pits, or within 100 m of road, tracks or trenches should be fully risk assessed (in

accordance with the Land Use Planning System SEPA Guidance Note 4, Appendix 2, Section 5.2). The source of any groundwater supply should be clearly identified by NGR coordinates with the type of source and estimated abstraction rate stated. It is expected that each supply within 250 m from the excavation will be risk assessed and a quantitative assessment provided demonstrating that the impact is negligible or suitable mitigation measures provided.

8. Watercourse engineering works including watercourse crossings

- 8.1 We note from the ES that the corridor proposes to cross a number of watercourses including the River Deveron.
- 8.2 In order to meet the objectives of the [Water Framework Directive](#) of preventing any deterioration and improving the water environment, developments should be designed to avoid engineering activities in the water environment wherever possible. We require it to be demonstrated that every effort has been made to leave the water environment in its natural state. Engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams should be avoided unless there is no practicable alternative. Where a watercourse crossing cannot be avoided, bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used. Further guidance on the design and implementation of crossings can be found in our [Construction of River Crossings Good Practice Guide](#). Other best practice guidance is also available within the water [engineering](#) section of our website.
- 8.3 A site survey of existing water features and a map of the location of all proposed engineering activities in the water environment should be included. A systematic table detailing the justification for the activity and how any adverse impact will be mitigated should also be included. The table should be accompanied by a photograph of each affected water body along with its dimensions. Justification for the location of any proposed activity is a key issue for us to assess at the detailed planning stage.
- 8.4 Where developments cover a large area, there will usually be opportunities to incorporate improvements in the water environment required by the Water Framework Directive within and/or immediately adjacent to the site either as part of mitigation measures for proposed works or as compensation for environmental impact. We encourage applicants to seek such opportunities to avoid or offset environmental impacts. Improvements which might be considered could include the removal of redundant weirs, the creation of buffer strips and provision of fencing along watercourses. Fencing off watercourses and creating buffer strips both helps reduce the risk of diffuse water pollution and affords protection to the riparian habitat.

9. Borrow pits

- 9.1 Detailed information should be provided for any borrow pits which are required. If borrow pits are proposed, information should be provided regarding their location, size and nature.

10. Flood risk

- 10.1 The route and two substation sites and all supporting temporary works, such as construction compounds and access tracks, should be assessed for flood risk from all sources in line with Scottish Planning Policy (Paragraphs 196-211). Our [Indicative River & Coastal Flood Map \(Scotland\)](#) is available to view online and further information and advice can be sought from your local authority technical or engineering services department and

from our [website](#).

- 10.2 A high level Flood Risk Assessment should be carried out to identify the areas of the corridor where flood risk will be an issue. Temporary construction works such as compounds should avoid such areas. More detailed assessment will be required to demonstrate that works that have to occur in areas thought to be at risk of flooding will not increase the risk of flooding elsewhere. For example consideration will need to be given to the design of access tracks and location of temporary storage of materials. The assessment should follow the guidance set out in our "Technical flood risk guidance for stakeholders" and (if relevant) "Technical Guidance Revision Note 1 - the Estimation of Coastal Sea Levels" both of which can be found on the planning and flood risk section of our [website](#).

11. Pollution prevention and environmental management

- 11.1 We have requested the finalised CEMP by planning condition which will be required as part of both the planning permission and the marine license. We note that working corridor and associated infrastructure has not yet been finalised, therefore some elements of the CEMP may not be required if the final route does not require it.
- 11.2 As part of the CEMP, we have requested a water management plan. Such a plan should identify all proposed river crossings (to include plans), locations where impact on surface water may occur and a detailed discussion of control measures.
- 11.3 The impact of any borrow pit facilities (including dust, blasting and impact on water) should be appraised. Information should cover, in relation to water; at least the information set out in [Planning Advice Note PAN 50 Controlling the Environmental Effects of Surface Mineral Workings](#) (Paragraph 53). In relation to groundwater, information (Paragraph 52 of PAN 50) only needs to be provided where there is an abstraction or groundwater dependent terrestrial ecosystem within 250 m of the borrow pit. Additional information on groundwater is provided in Section 6 above.
- 11.4 We have also requested that a Waste Management Plan. If excess soils exist that need to be spread other than from the area they were excavated then they should be directed to an appropriate Landfill or A Waste Management Licence Exemption obtained.
- 11.5 Works at the landfall e.g. causeways or bunds, should be removed on completion of the works and the beach restored to as near its former condition as reasonably possible.
- 11.6 We would prefer that cable trenches are kept to a minimum with doubling up considered.

Regulatory advice for the applicant

12. Regulatory requirements

- 12.1 The applicant should also be advised once it has been decided where to come on-shore, that appropriate authorisations under CAR will need to be obtained for each river crossing, other engineering work in or near any controlled water. The applicant should also be advised that they will have to comply with the relevant CAR GBRs for silt control associated with construction activities.
- 12.2 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you

need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at Shaw House, Mid Street, Fraserburgh, AB43 9JN; tel: 01346 510502

If you have any queries relating to this letter, please contact me by telephone on 01224 266655 or e-mail at planning.aberdeen@sepa.org.uk

Yours sincerely

Rebecca Raine
Senior Planning Officer
Planning Service

Ecopy to:

Peter Moore at edp renewables: Peter.Moore@edpr.com

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. If you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found in [How and when to consult SEPA](#), and on flood risk specifically in the [SEPA-Planning Authority Protocol](#).

Ford A (Alexander)

From: Fiona Lord <F.Lord@sff.co.uk>
Sent: 14 August 2014 16:33
To: 'ms.marinelicensing@scotland.gsi.gov.uk'; Ford A (Alexander)
Cc: Malcolm Morrison
Subject: SFF Response: MORL Modified Offshore Transmission Infrastructure
Attachments: 2014-08-08 14-126 MORL Modified Offshore Transmission Infrastructure.pdf

Importance: High

Att: Alexander Ford

Good afternoon,

Please find attached the SFF Response to the Consultation MORL Modified Offshore Transmission Infrastructure.

The original is being posted this evening.

Regards,

Fiona

Fiona Lord
PA to Bertie Armstrong
Chief Executive Officer
Scottish Fishermen's Federation
24 Rubislaw Terrace
Aberdeen
AB10 1XE

Tel: 01224 646944
Fax: 01224 647058
Website: www.sff.co.uk

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Our Ref: MM/fl/14-126

Your Ref: FKB/Z267

8th August 2014

Alexander Ford
Marine Scotland (LOT)
Scottish Government
Marine Laboratory
PO Box 101
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Scottish Fishermen's Federation
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T: +44 (0) 1224 646944
F: +44 (0) 1224 647058
E: sff@sff.co.uk

www.sff.co.uk

Email: ms.marinelicencing@scotland.gsi.gov.uk

Dear Sirs

MORL: Modified Offshore Transmission Infrastructure

The Scottish Fishermen's Federation is pleased to respond on behalf of its nine member associations, the Anglo-Scottish Fishermen's Association, the Clyde Fishermen's Association, the Fishing Vessel Agents & Owners Association (Scotland) Limited, the Mallaig and North-West Fishermen's Association Ltd, the Orkney Fishermen's Association, the Scallop Association, the Scottish Pelagic Fishermen's Association Ltd, the Scottish Whitefish Producers' Association Ltd and the Shetland Fishermen's Association, and that response consists of an objection to the application.

It is clear that MORL have put a lot of effort into producing the application, including the Environmental Statement.

Given that, it is clear that much of the cable route is fished by most sectors of the fleet i.e.: Seine net, Trawlers, Nephrops, Scallop, Squid and Creels. It is therefore disingenuous, to the SFF at least, that fishing activity is described as low, particularly as there are tables in the document showing how important the value of landings attributed that activity is, to the overall business of many ports in the Moray Firth. Taken in combination these demonstrate the importance of the many different strands of fishing activity in socio-economic terms to the human environment of the Moray Firth.

Members:

Anglo Scottish Fishermen's Association
Clyde Fishermen's Association
Fishing Vessel Agents & Owners Association (Scotland) Ltd

Mallaig & North-West Fishermen's Association Ltd
Orkney Fisheries Association
Scallop Association

Scottish Pelagic Fishermen's Association Ltd
Scottish Whitefish Producers' Association Ltd
Shetland Fishermen's Association

VAT Reg. No: 605 096 748

The SFF fails to see the relevance of inclusion in Technical appendix 5.1A of speculation on future fisheries management measures. This is particularly evident in 5.7.2 Scallop Fishery, where our scallop members will take issue with the statements used which are attributed to Beukers-Stewart and Beukers-Stewart, 2009. The required standard of scientific evidence to back this up is not evident and seems to serve no other purpose than to attempt to lessen the value of the scallop industry.

The SFF appreciates that we are now discussing a cable of only 52 km as opposed to the previous application for 105 km, but it remains the case that we must protect the fishing industry over that 52 km.

Whilst the application states that there will be 4 cables transiting seabed which is mainly gravel, sand or mud, over clay, and states that there will be target burial of 1m, as the ES accepts "Installation of the OFTI will cause some habitat loss" the SFF objection must stand until the following proofs and mitigation are agreed and in place.

The SFF expects that MORL will continue to have discourse with those affected by each segment of the OFTI.

The SFF expects that all eventual works will be properly notified to the Fishing Industry.

The SFF expects that the route chosen for the cable will give 100% burial.

The SFF expects that where burial is deemed impossible, rock dumping, using rocks of an appropriate grade, built to an acceptable gradient will be the first choice for mitigation.

The SFF would expect a suitably experienced FLO would be onboard any cable laying ship to ensure clear and accurate communication with any fishing vessels in the vicinity.

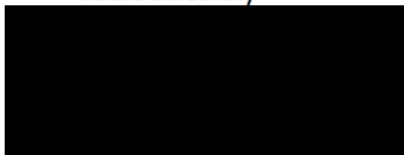
The SFF would expect that if for any reason an unburied section of cable is to be left unattended, the services of a guard vessel would be required, in order to protect both the cable and any fishing vessels working in the vicinity.

Upon completion of the cable installation the SFF would expect the developer to show proof that the cable is safely buried over the entirety of its route, or if not demonstrate the mitigation deployed.

If it is shown that the installation has created any new seabed hazards, these must be remediated, including if necessary by over trawling with a chain mat constructed for the purpose of eliminating berms.

Finally the SFF would expect that upon completion of the clean seabed work, that the accurate position of the buried cable and all crossing locations are disseminated by the usual means to the fishing industry.

Yours sincerely



Bertie Armstrong
Chief Executive
Scottish Fishermen's Federation

Ford A (Alexander)

From: Breaden, Annie <Annie.Breaden@thecrownestate.co.uk>
Sent: 03 July 2014 15:59
To: Ford A (Alexander)
Cc: Campbell, Naomi
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267: 03 July 2014

Alexander,


Thank you for the opportunity to comment on the proposal. We do not have any comments to make.

Regards,

Annie

Annie Breaden
Policy and Consents Manager (Scotland)



6 Bell's Brae, Edinburgh, EH4 3BJ
Tel: +44 (0) 131 260 6107 | Mob: [REDACTED]
www.thecrownestate.co.uk 

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From: Alexander.Ford@scotland.gsi.gov.uk [<mailto:Alexander.Ford@scotland.gsi.gov.uk>]
Sent: Thursday, July 03, 2014 2:52 PM
Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267: 03 July 2014

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING

Ford A (Alexander)

From: Winn P (Paul)
Sent: 10 September 2014 11:56
To: Ford A (Alexander)
Subject: Marine Scotland Consultation - A90 - Modified Offshore Transmission Infrastructure for the Consented Telford Stevenson and MacColl Wind Farms in the Moray Firth

Hi

Please find attached our response to this consultation



TS00173 - ES
Response - Mo...

Regards,
Paul



Paul Winn
Administrative Officer
Trunk Road Network Administration Team
Trunk Road and Bus Operations

T: 0141 272 7339
F: 0141 272 7350

Transport Scotland
Buchanan House
8th Floor North
58 Port Dundas Road
Glasgow
G4 0HF

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Our Ref TS00173B

4 September 2014

Alexander Ford
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Scottish Government
Marine Laboratory
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JMP Consultants Limited
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E glasgow@jmp.co.uk

www.jmp.co.uk

Dear Alexander,

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007
(AS AMENDED)
MODIFIED OFFSHORE TRANSMISSION INFRASTRUCTURE FOR THE CONSENTED
TELFORD, STEVENSON AND MACCOLL WIND FARMS IN THE MORAY FIRTH**

With reference to recent correspondence on the above development, we write to inform you of our involvement as Term Consultants to Transport Scotland – Trunk Road and Bus Operations (TS-TRBO) in relation to the provision of advice on issues affecting the trunk road network.

We have downloaded a copy of the Environmental Statement (ES) prepared by Moray Offshore Renewables in support of the above development. Having reviewed the document, we would make the following comments on behalf of Transport Scotland.

Project Background

We understand that consent was issued in March 2014 for 3 offshore wind farms in the Moray Firth called Telford, Stevenson and MacColl wind farms. Each wind farm site requires offshore grid infrastructure and an Environmental Statement (ES) was submitted in August 2012 to support the proposals. Since consent was issued we understand that a new location for the connection to the grid has been identified south-west of New Deer, Aberdeenshire which is approximately 75km south-east of the 3 offshore wind farms.

The ES submitted in 2012 assessed the potential environmental effects of constructing the offshore transmission infrastructure (OfTI) between the 3 wind farms and Fraserburgh. A new ES has since been prepared which seeks to assess the potential environmental effects constructing the OfTI between the 3 wind farms and New Deer.

In terms of onshore transmission infrastructure (OnTI) the applicant has applied for Planning Permission in Principle (PPP) rather than for detailed Planning Permission. Once detailed engineering has been advanced, the applicant will submit an application for detailed Planning Permission drawing upon the requirements set out at the PPP stage.

Development Proposals

We understand from the new ES that the development proposal is to connect the wind farms to the National Electricity Transmission System (NETS) and will require OfTI including 2 offshore substation platforms (OSPs) and 4 high voltage alternating current export cables.

With regard to the OfTI elements of the project, it is anticipated that transportation to site will be by sea although some elements may be transported via road before transfer to a vessel.

For the OnTI, it is likely that the largest pieces of infrastructure will be transported via vessel before being transported by road. The Port has not yet been identified, although it is expected to be based on the eastern coast of Scotland or northern England (we would expect further details to emerge throughout the detailed Planning Application Process).

Assessment of Impacts

As no information is provided with regard to expected activities and associated traffic flows, it is not possible to provide detailed comments on the proposals and the potential impacts on the trunk road network. However, Transport Scotland accepts that there is unlikely to be any significant environmental impacts in terms of increased traffic on the trunk road network and is satisfied that no further detailed assessment of effects is required.

Based on our review, we can confirm that Transport Scotland has no objection to the development in terms of environmental impacts on the trunk road network. However, Transport Scotland would ask that the following conditions are attached to any approval issued to cover the potential scenario whereby Abnormal Loads are transported via the trunk road network:

Condition 1: Prior to commencement of deliveries to site, the proposed route for any abnormal loads on the trunk road network must be approved by the trunk roads authority prior to the movement of any abnormal loads. Any accommodation measures required including the removal of street furniture, junction widening and traffic management must similarly be approved.

Reason

To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development.

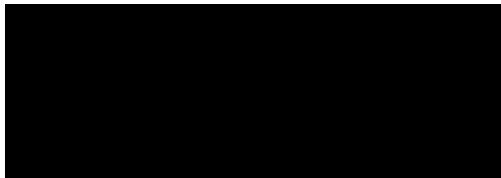
Condition 2: During the delivery period of the construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised QA traffic management consultant, to be approved by Transport Scotland before delivery commences.

Reason

To ensure that the transportation will not have any detrimental effect on the road and structures along the route.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me at our Glasgow Office.

Yours faithfully



Alan DeVenny
Associate Director

Tel 0141 226 6923

Email alan.devenny@jmp.co.uk

cc Malcolm Forsyth, Transport Scotland Development Management

Ford A (Alexander)

From: Fiona Read <fiona.read@whales.org>
Sent: 15 August 2014 00:55
To: Ford A (Alexander)
Cc: Catarina Rei (Catarina.Rei@edpr.com)
Subject: RE: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

Dear Alexander,

Thank you for providing WDC the opportunity to respond to the MORL Modified Transmission Infrastructure Environmental Statement.

Given our area of interest, we have only provided comments on the marine mammal sections of the ES.

We welcome the addition of harbour porpoises and minke whales in the analysis and overall, we are happy with the conclusions of the ES and HRA. However, we do have concerns about the use of vessels with ducted propellers during construction of the transmission infrastructure, especially during dredging for laying the cables. Ducted propellers should not be permitted unless they are guarded or potential impacts can be effectively mitigated in some other way, especially for harbour seals.

WDC feels that if ducted propellers are to be used, a Vessel Management Plan (VMP) with a proposed Seal Corkscrew Injury Monitoring Scheme (SCIMS) should be developed. The SCIMS should include informing ship crew about the possibility of interactions and a requirement to minimise use, as well as dedicated coastal Marine Mammal Observer searches for seal carcasses to determine if injuries to seals are occurring and bodies are washing ashore. Beach searches should be conducted regularly enough to allow the carcasses to be 'fresh' enough for a cause of death, where possible, to be determined. Any stranded marine mammals should be reported to the Scottish Marine Animal Stranding Scheme (SMASS).

WDC would like to request the involvement in any steering or advisory groups related to MORL.

We hope you find these comments useful and would be happy to discuss these comments further.

Kind regards,

Fiona

Fiona Read
Scottish policy officer

Telephone: +44 (0)791 869 3023
Working Hours: Monday, Tuesday, Wednesday AM.
whales.org

From: Alexander.Ford@scotland.gsi.gov.uk [mailto:Alexander.Ford@scotland.gsi.gov.uk]

Sent: 07 August 2014 08:51

Subject: 011/OW/MORLE - 8: MS LOT to Consultees: MORL Modified Transmission Infrastructure - Marine Licence and ES Consultation Ref FKB/Z267 - 1 Week Before Reminder: 07 August 2014

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)**

**MORAY OFFSHORE RENEWABLES LIMITED: MODIFIED OFFSHORE TRANSMISSION
INFRASTRUCTURE FOR THE CONSENTED TELFORD, STEVENSON AND MACCOLL WIND
FARMS IN THE MORAY FIRTH.**