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[REDACTED]
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Inverness
IV2 6AW

21 July 2016

E-copy: info@affriclimited.co.uk

Dear [REDACTED]

**Marine (Scotland) Act 2010, Part 4 – Marine Licensing
Affric Ltd – Northconnect Cable, Scotland to Norway - MS LOT Response to Scoping Report**

I refer to your letter dated 27 April 2016 with accompanying Scoping Report. In the letter you request a scoping opinion from Marine Scotland, with respect to the proposed installation of a subsea cable from Peterhead to Simadalen in Norway.

Although the installation of subsea cables is not listed under Annex I or II of Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended), regulation 5 states that

An environmental impact assessment is required in relation to a regulated activity if the applicant so agrees with the appropriate authority.

As Affric Ltd have committed to undertaking an Environmental Assessment and producing an Environmental Statement, this project will, constitute an 'EIA development' and therefore will be subject to the requirements of the Marine Works (EIA) regulations 2007 (as amended).

Background

Marine Scotland understands the works to consist of the following:

- The installation of two subsea HVDC offshore cables and a fibre optic cable which will be bundled with one of the HVDC cables.
- Horizontal direction drilling at Scottish landfall site.

Scoping

One objective of the Scoping process is to seek agreement from all the key stakeholders on the assessment methodologies. This includes the scope of issues to be addressed and the method of assessment to be used. The Scoping process also allows consultees to have early input into the EIA process, to specify what may be required to be addressed and to supply information that could be pertinent to the EIA process. In association with any comments herein, full regard has been paid to the information submitted in the Scoping Report submitted.

The Scoping Report includes an assessment of whether the following factors should be scoped within the ES:

- Air Quality
- Archaeology and Cultural Heritage
- Ecology and Nature Conservation

- Electric and Magnetic Fields
- Landscape, Seascape and Visual
- Land and Seabed Quality
- Local Community and Economy
- Noise and Vibration in Air
- Noise and Vibration Underwater
- Resource Usage and Waste
- Shipping
- Traffic and Access
- Water Quality
- Cumulative Impacts

The Scoping Report has concluded that the following technical aspects are subsequently scoped out of the ES:

- Landscape, Seascape and Visual
- Shipping
- Traffic and Access

MS-LOT does not agree that shipping is scoped out in light of advice provided by the MCA and RYA. Specifically, the MCA advise that a Navigational Risk Assessment should be undertaken and the RYA advise that the cable route crosses an important recreational sailing route. Please see the individual responses (Appendix 1) for further detail.

Regulation

The Marine Scotland-Licensing Operations Team administers the licensing function under Part IV of the Marine (Scotland) Act 2010 (the Act) on behalf of the Scottish Ministers. Under the Act the following are examples of “licensable marine activity”:

- To scuttle any vessel or floating container in the Scottish marine area;
- To deposit or use any explosive substance or article within the Scottish marine area either in the sea or on or under the seabed;
- To deposit any substance or object within the Scottish marine area, either in the sea or on or under the seabed, from a vehicle, vessel, aircraft, marine structure or a container floating in the sea;
- To construct, alter or improve any works within the Scottish marine area either in or over the sea, or on or under the seabed;
- To use a vehicle, vessel, aircraft, marine structure or floating container to remove any substance or object from the seabed within the Scottish marine area;
- To carry out any form of dredging within the Scottish marine area (whether or not involving the removal of any material from the sea or seabed).

The following activities described in the Scoping Report are therefore considered to require a marine licence(s):

- All deposits below Mean High Water Springs (MHWS);
- All construction below MHWS;

Therefore, you are required to apply for a marine licence for

- Marine Construction

Please note that beyond 12 nautical miles, the relevant marine licensing legislation is the Marine and Coastal Access Act 2009. The Marine Scotland-Licensing Operations Team also administers the licensing function under Part IV of the 2009 Act on behalf of the Scottish Ministers.

Section 81 of the 2009 Act states Part 4 (Marine Licensing) does not apply to

'anything done in the course of laying or maintaining an offshore stretch of exempt submarine cable'.

Power cables such as the proposed Northconnect cable are 'exempt submarine cables' and therefore do not require a Marine Licence. However, any additional protection activity requirements such as rock placement or concrete mattresses are licensable marine activities.

There is no requirement to apply for separate licences under each Act, but information should be provided in support of the marine construction application that will enable MS-LOT to make a determination in relation to activities out to 200nm and further details are provided in this response.

Consultation

MS-LOT has consulted the following bodies:

Association of District Salmon Fishery Boards (DSFB)
Buchan Community Council (BCC)
Chamber of Shipping (CoS)
Crown Estate (CE)
Health and Safety Executive (HSE)

Local Authority

Historic Environment Scotland (HES)

Inshore Fisheries Group (IFG)

Joint Nature Conservation Committee (JNCC)

Fisheries Office

Maritime and Coastguard Agency (MCA)

Marine Safety Forum (MSF)

Marine Scotland Planning and Policy (MSPP)

Ministry of Defence (MOD)

Northern Lighthouse Board (NLB)

Royal Society for the Protection of Birds (RSPB)

Royal Yachting Association Scotland (RYA Scotland)

Scottish Creelers and Divers Association (SCDA)

Scottish Environment Protection Agency (SEPA)

Scottish Fishermen's Federation (SFF)

Scottish Fishermen's Organisation (SFO)

Scottish Natural Heritage (SNH)

Scottish Wildlife Trust (SWT)

Scottish Water

Transport Scotland (TS)

Visit Scotland (VS)

Ugie District Salmon Fishery Board (UDSFB)

Whale and Dolphin Conservation (WDC)

Ythan District Salmon Fishery Board (YDSFB)

Marine Scotland Science (MSS), adviser to MS-LOT, was also asked for comment on the scoping report

The parties highlighted in **bold** in the above list have submitted responses to the request for scoping advice and copies are attached for your reference (Appendix 1). Any further replies will be sent to you on receipt.

The consultation responses raise various matters that you must address in the final ES. Please complete the table in Appendix 2 listing the consultee comments and detailing where these have been addressed in the ES. The completed table should be incorporated as part of your ES submission.

MS-LOT Comments

Your attention is drawn to Schedule 3 of the Marine Works (Environmental Impact Assessment) Regulations 2007 – Information To Be Included In An Environmental Statement (ES). Along with the ES requirements detailed in Appendix C, the following must also be considered:

- Effects upon fish and fisheries (including consideration of diadromous fish monitoring strategy)
- Cumulative impacts must consider both environmental and socio economic impacts.
- A report to inform the appropriate assessment. Where HRA is required, in combination effects must be considered.
- Effects on compass deviation and navigation
- Commercial Fisheries should be included as a stand-alone section rather than as part of the 'Local Community and Economy' section.
- Section 13.4 states that underwater noise associated with cable installation is scoped out as it is not likely to have significant environmental impacts, yet table 18.1 indicates it will be included in the assessment. MS-LOT support the position that underwater noise should be scoped in for cable installation (including additional protection requirements).

MS-LOT also notes that decommissioning has been largely scoped out based on the assumption that the cable will be left *in-situ* at the end of its operational life. If there is a requirement to remove the cable for any reason, this will be subject to separate assessment.

Additional documentation required to support a cable installation application

The following documents must be supplied at the time of your application to install a submarine cable.

(Fisheries) Liaison Mitigation Action Plan (FLMAP)

The (F)LMAP should describe the liaison procedures that will be followed prior to, during and after the installation of the cable.

The document

- must be applicable to all legitimate users of the sea – it is not limited to commercial fishing
- must contain credentials of the Fisheries Liaison Officer / Fisheries Liaison Manager.
- must refer to relative timeframes. To allow for timeline shifts, it should not be date-specific but should refer to times in relation to construction activities.

Communication Strategy

The Communication Strategy must document clearly defined procedures for the distribution of information relating to all cable installation, protection and survey activities to the fishing industry and other legitimate users of the sea. The Communication Strategy must include the following:–

- Details of the timing, format and method(s) of distribution of notices of all operations relating to the licence including, but not limited to, horizontal directional drilling (HDD), boulder clearance, trenching, cable laying, jetting, backfill and additional protection;
- Details of the timing, format and method(s) of distribution of notices of hazards to other legitimate users of the sea;
- Details of the timing, format and method(s) of distribution of details of any protection requirements including expected berm heights relative to the sea bed (this information must be distributed at least four weeks prior to the commencement of any rock placement); and
- Details of the timing, format and method(s) of distribution of as laid position of cables and protection including berm heights relative to the sea bed.

The Communication strategy must give details of the following methods of notification

- Notice to Mariners (NtM)
- Notice to fishermen to allow for gear clearance (separate from NtM)
- Kingfisher bulletin
- MCA / radio notices

For each of the above notifications, the strategy must clearly describe the recipients and the timing of each type of notification. The timing should be given in terms of notification relative to project activity to allow for changes in timelines.

e.g. For xxxx activity, NtM will be issued using the following methods x days prior to the commencement of activity.....

The NtM will be issued to the following recipients...

The Communication strategy must also describe the method of handling information relating to updates and problems.

Protection plan

This document should clearly describe the cable route and identify areas where the cable will be buried and the estimated depth of burial. It should also identify areas where additional cable protection is likely to be required either because the cable cannot be buried, or the depth of burial is insufficient to remove the requirement for additional protection.

The document

- must be based on advice from fishing representatives (where reasonable steps can be demonstrated that such advice has been sought) and other marine users as well as available survey data.
- must include depth profiles of any burial.
- must include charts showing locations of cable burial and additional protection requirements along the route in relation to fishing effort. This should include the expected height of any rock berms.
- must include justification for areas which are not buried and show route options considered in line with Cables 2 (Scotland's National Marine Plan)
- must include details of all additional protection methods considered and justification for the selected method(s)
- must include contingency protection measures for cases where planned burial is found to be unsuccessful.

Construction method statement

This document must include as a minimum

- details of the staging of the works
- proposed techniques for construction and plant used, etc.
- Unexploded Ordnance (UXO) strategy

Post installation survey plan

The document must include

- the immediate post lay survey and longer term survey and inspection programme
- the proposed timescales and frequency of inspections
- the survey type
- the proposed mitigation if spans or movement or other dangers to legitimate use of the sea are identified.

Navigation

A navigational risk assessment must be undertaken and your attention is drawn to the advice provided by the MCA to inform this process.

Cumulative Impacts

MS-LOT is aware of the following works or proposed works that should be included in your assessment of cumulative effects in the ES (please note that this list is not exhaustive):

- Aberdeen Harbour Expansion Project (Aberdeen)
- Beatrice STW Offshore Wind Farm (Outer Moray Firth)
- European Offshore Wind Deployment Centre (Aberdeen)
- Forthwind (Methil) Offshore Wind Demonstrator (Firth of Forth)
- Hywind Scotland Pilot Park Offshore Wind Farm (Offshore Peterhead)
- Inch Cape STW Wind Farm (Outer Firth of Forth)
- Kincardine offshore Wind Farm (Aberdeen)
- Moray Firth Eastern Development Area (Outer Moray Firth)
- Moray Firth Western Development Area (Outer Moray Firth)
- Neart na Gaoithe STW Wind Farm (Outer Firth of Forth)
- Peterhead Carbon Capture and Storage Project (Peterhead to Goldeneye Field)
- Peterhead Harbour Masterplan (Peterhead)
- Port of Ardersier (Inner Moray Firth)
- Seagreen Alpha Round 3 Wind Farm (Outer Firth of Forth)
- Seagreen Bravo Round 3 wind Farm ~ (Outer Firth of Forth)
- SSE HVDC cable, Noss Head to Portgordon (Moray Firth)
- North Sea Network Link Interconnector cable (NE England – Norway)

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Details of marine licence applications received by MS can be viewed on our webpage by using the following links: <http://www.gov.scot/Topics/marine/Licensing/marine/scoping/currentccnp> for major projects and <http://www.gov.scot/Topics/marine/Licensing/marine/scoping> for renewables projects.

Please note that this list is not exhaustive and that if you are aware of any additional works that may contribute to cumulative effects, these should be included. MS-LOT will contact you to advise you of any further information received that will help you in your assessment of cumulative impacts.

Habitats Regulations Appraisal

You are strongly advised to review the advice provided by SNH and JNCC on the construction of the habitats regulations appraisal in order to fully assess the various Natura interests that may be affected by the development. You are further advised to submit the HRA in advance of the ES so that this document can be fully reviewed.

Pre-Application Consultation

Certain activities are now subject to a public pre-application consultation requirement (http://www.legislation.gov.uk/ssi/2013/286/pdfs/ssi_20130286_en.pdf). The activities affected are large projects with the potential for significant impacts on the environment, local communities and other legitimate uses of the sea. This new requirement allows those local communities, environmental groups and other interested parties to comment on a proposed development in its early stages – before an application for a marine licence is submitted.

Given the size and type of this proposal, the pre-application consultation requirements will apply. A copy of the Guidance for this process is available on the Marine Scotland website at <http://www.scotland.gov.uk/Resource/0043/00439649.pdf>

National Marine Plan

Scotland's National Marine Plan (NMP) was published on 27th March 2015. This sets out Scottish Minister's policies for the sustainable development of Scotland's seas. The Plan will manage increasing demands for the use of our marine environment, encourage economic development of marine industries and incorporate environmental protection into marine decision making. The Plan covers the extent of the marine environment from MHWS to 200 nautical miles. The NMP is available on the Scottish Government's website at: <http://www.gov.scot/Publications/2015/03/6517>

Within the NMP there are a number of marine planning and general policies (GEN) which set out strategic policies for the sustainable development of Scotland's marine resources. While all the policies in the NMP should be considered, where applicable, in relation to this proposal the policies which will be of particular relevance are as follows

General policies

- GEN 2: Economic benefits
- GEN 3: Social Benefits
- GEN 4: Co-existence
- GEN 5: Climate Change
- GEN 7: Landscape/seascape
- GEN 8: Coastal Process and Flooding
- GEN 9: Natural Heritage

- GEN 13: Noise
- GEN 16: Planning Alignment B
- GEN 17: Fairness
- GEN 18: Engagement
- GEN 19: Sound Evidence
- GEN 21: Cumulative Impacts

Relevant Sectorial Policies

- Cables
- Sea Fisheries 1,2 and 3
- Wildfish 1

Consultation Responses

The consultation responses raise various matters that you must address in the final ES. A table summarising specific points for inclusion is attached (Appendix 2). Please complete the table (example included in Appendix 2) and append to the final ES. These are attached in full for your reference (Appendix 1).

European Protected Species (EPS) Licensing

Certain activities may require a licence to disturb Marine European Protected Species (e.g. use of ploughs / trenching equipment, rock protection). Scottish Government Guidance for Scottish Inshore Waters can be found at the following link

<http://www.gov.scot/Resource/0044/00446679.pdf>

Draft guidance for the offshore area has been produced by JNCC and further information can be found at the following link.

<http://jncc.defra.gov.uk/page-4226>

Applicants must give serious consideration to/recognition of meeting the three fundamental tests set out in this Guidance. It may be worthwhile for applicants to give consideration to this immediately after the completion of the scoping exercise.

It needs to be categorically established which species are present on and near the site, and where, before the application is considered for consent. The presence of protected species must be included and considered as part of the application process, not as an issue which can be considered at a later stage.

Application forms for licences to disturb marine EPS (in both the inshore and offshore areas) can be found on the Marine Scotland website

<http://www.gov.scot/Topics/marine/Licensing/marine/guidance>

Please note that SNH are the licensing authority for all other EPS species (including otters) and you should contact their species licensing team if you have further queries in relation to this licensing@snh.gov.uk

What's next

The next step in progressing your marine licence application is for you to submit the final ES (including completed Appendix 2) along with a Pre-application Consultation Report (including completed PAC Regulations Schedule Form) and the appropriate marine licence application forms, which can be accessed via the following link: <http://www.scotland.gov.uk/Topics/marine/Licensing/marine/Applications>

The ES is required to be advertised by you for a period of 42 days. MS-LOT will send you a public notice

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template and instructions upon acceptance of your application.

Thank you for consulting with us on this matter and if you require any further assistance or advice on Marine Licence matters please contact MS-LOT at ms.marinelicensing@scotland.gsi.gov.uk.

Yours sincerely,

[Redacted Signature]

Marine Scotland – Licensing Operations Team

Appendix 1

Consultee responses

Aberdeenshire Council

Our Ref: B/ENQ/2016/0878_MS_Scoping

Your Ref:

Ask for:

Direct Dial:

Email: [\[REDACTED\]@aberdeenshire.gov.uk](mailto: [REDACTED]@aberdeenshire.gov.uk)

[REDACTED]
Marine Licensing Officer
Marine Scotland (Marine Planning and Policy)
375 Victoria Road
Aberdeen
AB11 9DB

2 June 2016

Dear Madam,

Scoping Consultation response from Aberdeenshire Council: MARINE (SCOTLAND) ACT 2010, MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)

Proposal: Installation of High Voltage Direct Current (HVDC) Interconnector Cable Route

Thank you for your consultation email of 06 May 2016.

Aberdeenshire Council consider that Marine Scotland are generally well placed to provide the expertise required to determine if the offshore elements of the Scoping Report are acceptable and if the proposals can be adequately managed with low risk to the marine environment. Officers from the Planning Service are working closely with the applicants in relation to the onshore elements of the proposal at Fourfields, Boddam, onshore cable route and the landfall site at Longhaven.

Having appraised the offshore element of the project, the following issues should be considered:

In terms of mitigation of any potential adverse effects associated with this proposed development, Aberdeenshire Council would suggest that following known industry best practice in terms of laying the cable at sea, would be appropriate.

A Design Statement, including cable trench reinstatement statement, and a development decommissioning plan would be beneficial in terms of identifying how any predicted adverse effects would be minimised and/or negated at all stages of the project.

Cognisance should be made to protected areas of coastline from a Natural Heritage standpoint, including regional and local nature conservation sites and areas with protected characteristics.

The environmental statement (ES) accompanying any application should fully assess any impacts of the works on the interests of all the protected areas. This should include, but not be limited to, potential impacts on habitats as a result of any pollution event and disturbance to relevant species as a result of noise, vibration and other construction activities.

Offshore Archaeology should be taken into account, but Aberdeenshire Council is in agreement with the approach outlined in section 6.4 of the HVDC Cable Route Scoping Report for the EIA, namely that an archaeological Desk-based Assessment of the proposed development site is undertaken alongside a subsea survey of the offshore section of the proposed route.

The results of the surveys will be used to inform whether further Archaeological mitigation, for example in the form of targeted watching briefs over key sections of the route, is required.

Aberdeenshire Council's Scoping response on the terrestrial elements of the proposal will be forwarded to Marine Scotland along with this response in order to provide further detail on terrestrial and shared interests.

If you have any queries relating to this letter please contact [REDACTED] on the number above.

Yours faithfully,

[REDACTED]

Head of Planning and Building Standards

Historic Environment Scotland

Dear [REDACTED]

Historic Environment Scotland has no comments to make on the offshore aspect of the proposal. We have already responded to Aberdeenshire Council in relation to terrestrial impacts on cultural heritage. A copy of our letter is attached.

Kind regards

[REDACTED] | **Senior Heritage Management Officer: Strategic Team | Heritage Management Directorate**

Historic Environment Scotland | Àrainneachd Eachdraidheil Alba
Longmore House, Salisbury Place, Edinburgh, EH9 1SH

T: [REDACTED]
E: [REDACTED]@hes.scot

www.historicenvironment.scot

Historic Environment Scotland - Scottish Charity No. SC045925

Registered Address: Longmore House, Salisbury Place, Edinburgh, EH9 1SH



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JNCC

Dear [REDACTED]

Thank you for consulting JNCC regarding the above scoping request. We have now had the opportunity to review the documents and provide the following comments:

- We assume that the proposed benthic survey plans will cover the cable corridor beyond 12nm and we commend the operator's commitment to assess the impacts of cable laying according to the sensitivity of species identified along the cable route.
- We note that the cable corridor will likely pass in close proximity to the Scanner Pockmark Special Area of Conservation (SAC), protected for its Annex I habitat 'submarine structures made by leaking gases.' Owing to the sensitivity of this feature to disturbance and potential smothering, we recommend that the most northerly boundary of the cable route is chosen where practicable. We would also welcome consultation as regards the cable laying plan so as to minimise any impacts.
- We request that the operator contacts JNCC if any survey work is planned in close proximity to the SAC and that best practice would suggest no invasive sampling occurs near the protected features of the site.

Please do not hesitate to contact me regarding any of the above comments.

Kind regards,

[REDACTED]

[REDACTED]

Offshore Industries Advisor

[REDACTED]

JNCC, Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA

[REDACTED]

jncc.gov.uk

Skype: [REDACTED]

My working days are: Monday to Friday



<http://jncc.defra.gov.uk>



25 years delivering innovative solutions to realise the value of nature.



Marine Licence Officer
Marine Scotland

Tel: +44 (0)23 8032 9184
Fax: +44 (0)23 8032 9204
E-mail: navigationsafety@mcga.gov.uk

Your ref: **North Connect HVDC**
Our ref: **MNA 053/008/0028**

02 June 2016

Dear [REDACTED]

North Connect HVDC Scoping Report: Longhaven Scotland to Simadalen Norway

Thank you for your email dated 06 May 2016 in which you invited our views on the above Scoping Report.

The documents have been examined by staff of the Navigation Safety Branch and, on the basis of the information provided, we are content that any navigational safety concerns can be addressed by suitably worded conditions in any consent at the formal application stage.

Subsea cables raise particular concern to the safety of navigation so a series of conditions will need to be complied with should the consultation progress to application. Key issues that will need to be addressed prior to consent are:

- A Navigation Risk Assessment (NRA) should be undertaken to supply detail on the possible impact on navigational issues for both Commercial and Recreational craft. The NRA should address issues such as:

- Collision Risk
- Navigational Safety
- Visual intrusion and noise
- Risk Management and Emergency response
- Marking and lighting of site and information to mariners
- Effect on small craft navigational and communication equipment

- Electromagnetic deviation on ships' compasses. The MCA would be willing to accept a three degree deviation for 95% of the cable route. For the remaining 5% of the cable route no more than five degrees will be attained. The MCA would however expect a deviation survey post the cable being laid; this will confirm conformity with the consent condition. The developer should then provide this data to UKHO via a hydrographic note (H102), as they may want a precautionary notation on the appropriate Admiralty Charts.

- The developer must ensure that 'the works' do not encroach on any recognised anchorage, either charted or noted in nautical publications, within the proposed consent area.

- Particular attention should be paid to cabling routes and burial depth for which a Burial Protection Index study should be completed and, subject to the traffic volumes, an anchor penetration study may be necessary.
- Any consented cable protection works must ensure existing and future safe navigation is not compromised, accepting a maximum of 5% reduction in surrounding depth referenced to Chart Datum.
- Reference should be made to any Marine Conservation Zones established or planned within the development area and adjacent coastline.

A detailed review of any application will be undertaken before consent is granted.

Yours sincerely,


Navigation Safety Branch

Ministry of Defence

Dear 

Your ref: **NorthConnect - High Voltage Direct Current Interconnector Cable Scoping Opinion Request**
Our ref: **DIO/10036059**

Thank you for consulting the MOD on this scoping request. I can confirm that the MOD has no offshore safeguarding concerns regarding this proposal, and no further comments to make at this time.

Regards,

 | Asst. Safeguarding Officer - Statutory & Offshore
Email  @MOD.UK
DIO Safeguarding | Building 49, Defence Infrastructure Organisation, Kingston Road, Sutton Coldfield B75 7RL




Defence Infrastructure Organisation



[REDACTED]
Licensing Operations Team
Marine Scotland
375 Victoria Road
Aberdeen
AB11 9DB

NORTHCONNECT - HIGH VOLTAGE DIRECT CURRENT INTERCONNECTOR CABLE ROUTE, FROM NEAR LONG HAVEN, SCOTLAND TO SIMADALEN, NORWAY - SCOPING REPORT

Marine Scotland Science (MSS) has reviewed the submitted scoping report and has provided the following comments.

marine mammals

MSS welcome the applicant's consideration of potential risks to marine mammals through the cable installation process, for example underwater noise from HDD and disturbance from construction vessels and active acoustic survey techniques. We are content that noise from HDD does not pose a risk of injury to marine mammals. We welcome further consideration of the impacts of acoustic survey methods during post-installation survey.

ornithology

MSS have no comments on ornithology.

marine fish ecology

MSS welcome the consideration of fish species within the scoping report and the commitment of the applicant to undertake both a desk study and a benthic survey to map relevant species, such as those of commercial or conservation importance, and the presence of fish spawning grounds to inform the EIA. Some sources of information that may be useful for the desk based study are provided at the end of these marine fish ecology comments (note that diadromous fish are covered separately).

Section 7.3.9 considers baseline fish species and identifies both sandeel and herring as sensitive but does not state the activities to which they are considered sensitive and does not incorporate those species that may be sensitive to electro magnetic fields (EMFs). Section 7.4.2 considers potential impacts from operation of the cable – specifically focusing on EMFs. Here, the applicant correctly identifies that significant changes in magnetic fields can impair the navigation and/or cause physiological effects to crustaceans and fish. Particular consideration should be given to the potential for barrier effects on elasmobranchs and crustaceans whilst providing any mitigation options, such as cable burial, that may help reduce any potential impacts.

MSS agree that the impact of construction noise and the effects of temporary habitat loss on adult fish can be scoped out and that increased sediment loads, release of sediment bound contaminants and electro magnetic fields are scoped in. MSS consider that should rock armouring be contained

within the design envelope then physical barrier effects should be scoped in with consideration given to potentially sensitive species such as elasmobranchs.

Information that may help identify fish spawning and nursery areas:

Aires, C., González-Irusta, J.M., and Watret, R. (2014). Updating Fisheries Sensitivity Maps in British Waters. Scottish Marine and Freshwater Science Report 5(10).

<http://www.gov.scot/Resource/0046/00465795.pdf>

<http://www.gov.scot/Topics/marine/science/MSInteractive/Themes/fish-fisheries/fsm>

Coull, K.A., Johnstone, R., and Rogers, S.I. (1998). Fisheries Sensitivity Maps in British Waters. Published and distributed by UKOOA Ltd., Aberdeen, 58 pp.

Ellis, J.R., Milligan, S.P., Readdy, L., Taylor, N. and Brown, M.J. (2012). Spawning and nursery grounds of selected fish species in UK waters. Sci. Ser. Tech. Rep., Cefas Lowestoft, 147: 56 pp.

González-Irusta, José M., and Peter J. Wright. "Spawning grounds of Atlantic cod (*Gadus morhua*) in the North Sea." ICES Journal of Marine Science: Journal du Conseil 73.2 (2016): 304-315.

commercial fisheries

Authors have decided to address commercial fisheries impacts as part of Section 11 on "Local community and Economics". Due to the dynamic nature and footprint of the fishing industry, as well as the dependency of Peterhead harbour on fisheries, it is advised to include a separate chapter on commercial fisheries.

Insufficient information was provided and a full scoping review regarding commercial fisheries was not possible. Additional information are required around scoped cable interactions with the fishing industry, data sources to be used as part of the desk based review, construction programme with an emphasis on the duration of spatial restriction to fisheries, a cable burial plan, areas of additional protection measures, any post-lay surveys and a fisheries liaison and mitigation plan listing past and future consultation with the fishing industry. As part of cumulative assessment, Table 4.3 refers to a series of offshore wind projects to be considered at the time of writing the ES. These projects should be explicitly mentioned to allow early identification of omissions.

benthic ecology

MSS is in total agreement with the methodologies and approaches to the benthic and geophysical surveys proposed for the cable route and look forward to reading the results and conclusions which will be presented in future reports.

physical environment

The Scoping report mentions water quality and a seabed survey. Further investigations need to include all aspects of the physical environment though. When commenting on the physical environment, it is necessary that the following will therefore be discussed as well: hydrodynamics (for example changes to tides and currents), and coastal processes. Impacts are expected to be minor and can eventually be scoped out but they will need to be discussed first.

It is expected that during the construction activities oceanographic and seabed conditions will get affected. Any impact on the water environment and possible mitigation measures need to be assessed. Also cumulative impacts will need to be discussed.

To conclude, all aspects of the water environment need to be taken into account and assessed to evaluate if they need to be scoped in or can be scoped out.

diadromous fish

The scoping report contains information for both onshore and offshore work. These comments relate only to the offshore elements.

There is an assumption (eg in 7.3.9) that diadromous fish will only be present in nearshore waters. Salmon, sea trout, eels and sea lamprey could occur anywhere on the cable route.

The main concerns would appear to be under consideration and appropriate mitigation specified. This includes horizontal drilling to 200m to 400m offshore, then cable burial to 1-1.5m depth with rock berms or concrete matting where burial is not possible in water depth less than 200m, which includes the whole length under UK jurisdiction, which would reduce EMF concerns.

A report Malcolm, IA, Godfrey J and Youngson AF (2010) Review of migratory routes and behaviour of Atlantic salmon, sea trout and European eel in Scotland's coastal environment: implications for the development of marine renewables. Scottish Marine and Freshwater Science Vol 1 No 14 available online at: <http://www.scotland.gov.uk/Resource/Doc/295194/0111162.pdf>.) which is not mentioned in the scoping report may contain useful information.

The scoping report correctly includes the River Dee SAC as needing consideration. In addition, adult salmon returning to the South Esk SAC, Tay SAC, Teith SAC and Tweed SAC and salmon smolts leaving these rivers will also be likely to cross the proposed cable and these SACs should be considered too.

This is a very large project and there will be uncertainties related to diadromous fish in the risk assessment. What monitoring is required will require consideration. MSS understanding is that those installing large interconnector cables will contribute to diadromous fish research and monitoring mainly if not entirely through the National Research and Monitoring Strategy for Diadromous Fish (NRMSD) - see <http://www.gov.scot/Topics/marine/marineenergy/Research/NatStrat>.

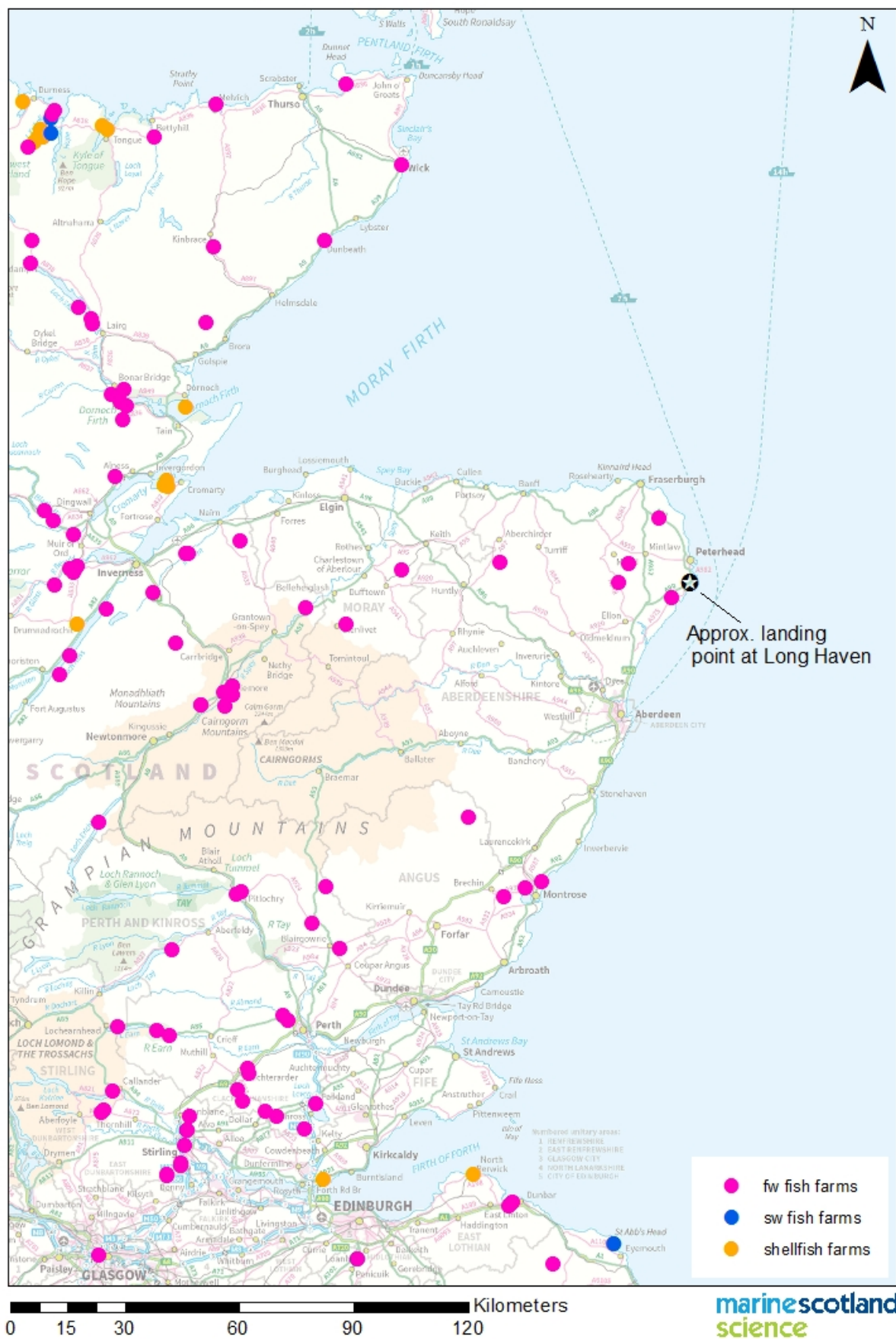
aquaculture

There are currently no aquaculture sites registered with Marine Scotland Science located in the close vicinity of the High Voltage Direct Current (HVDC) Interconnector cable route proposed by NorthConnect.

The closest aquaculture sites are located ~170km south and ~160km north of the proposed HVDC cables (see attached map).

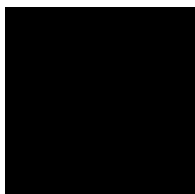
There are several land based freshwater sites displayed on the map but these are not expected to be affected by this development.

Location of aquaculture sites on the east coast of Scotland



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



Marine Scotland Science

13 June 2016

Northern Lighthouse Board

DIRECTOR OF MARINE OPERATIONS

Your Ref: Email 060516-KB – NorthConnect KS
Our Ref: AJ/OPS/CPA/S8_19_194

Marine Licensing Officer
Marine Scotland – Marine Planning & Policy
Scottish Government
Marine Laboratory
PO Box 101, 375 Victoria Road
ABERDEEN
AB11 9DB

20 May 2016

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

Dear [REDACTED]

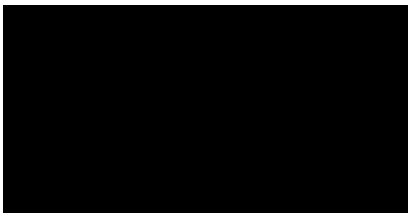
Thank you for your e-mail correspondence dated 09 May 2016 regarding the voluntary Environmental Statement submitted by Affric Ltd on behalf of **NorthConnect KS** prior to their application for a Marine Licence to construct a cable corridor route and deposit an electrical HVDC connection between Simadalen, Norway and Boddam, Scotland.

We would note that our comments relate only to our area of jurisdiction that is from the Norwegian meridian westwards to the Scottish coastline, and that any request for opinion on the area of the cable corridor to the east of the Norwegian meridian should be directed to the Norwegian Coastal Administration.

We note that the connection to the UK National Grid shall be made at a convertor facility onshore and that the HVDC cable route shall be passed through Horizontally Drilled Directional ducts, breaking through to the seabed approximately 800-1000mtrs east of the MLWS mark on the coast at Boddam. We would therefore require that the UKHO is informed of the break through point and the cable route in order that all relevant charts are updated accordingly.

With regards to any works being carried out in the marine environment, Northern Lighthouse Board would require that Notice(s) to Mariners, Radio Navigation Warning(s) must be promulgated prior to the commencement of any works, and also the publication in appropriate bulletins stating the nature and timescale of any marine works relating to this project.

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



RSPB



Thank you for consulting RSPB Scotland on the Scoping Report submitted by NorthConnect in relation to the proposal to install high voltage direct current (HVDC) cables from the landfall location near Long Haven Bay to the UK-Norway median line.

RSPB Scotland welcomes the commitment by NorthConnect to carry out a voluntary EIA and produce a voluntary environmental statement to support both the planning and marine licensing applications.

Our interest lies primarily in the potential of the proposals to impact – either directly or indirectly – on seabird populations along the route, and also upon seabirds and landbirds using the area of any landfall or other terrestrial element of the cable route.

We have also been consulted by Aberdeenshire Council on the scoping exercise in relation to the terrestrial planning aspects of the development. The potential impacts on cliff nesting peregrines and cliff nesting seabirds are likely to be our main species concerns in relation to the onshore works.

We broadly agree with the EIA proposals set out in section 7.5.2. 'Ornithology' of the scoping report. The offshore works assessment should include consideration of indirect impacts on seabirds such as those from sediment movement and associated effects on fish spawning grounds.

During installation of the marine part of the development there is some potential for adverse impacts through disturbance to birds or sediment disturbance, and we previously advised that routing should avoid designated sites such as Special Protection Areas (SPAs). We note that the proposed cable corridor/landfall crosses the Buchan Ness to Collieston Coast SPA, Buchan Ness to Collieston SAC, Bullers of Buchan Coast SSSI and Southern Trench pMPA.

Paragraph 2.4.2 of the scoping report confirms that a desktop options analysis identified the preferred route for the offshore cable, having considered aspects including designated sites and protected habitats. We consider it would be appropriate for the environmental statement to include a summary of the approach, considerations and findings of those studies, and explain the reasons for selecting the route. This would be consistent with Part 6 of Schedule 3 of The Marine Works (Environmental Impact Assessment) Regulations 2007, which require the ES to include an outline of the main alternatives considered (including alternative routes) and the main reasons for the applicant's choice.

Consideration should be given to the potential impact on birds associated with SPAs that use areas beyond the boundary of the designated site and within the proposed corridor areas. The potential impact of proposed routes that pass through areas that have been identified (by Scottish Natural Heritage, Joint Nature Conservation Committee (JNCC) and Marine Scotland) for further investigation as Marine Protection Areas (MPAs) should be assessed. These include the Southern Trench proposed MPA.

In order to minimise the possibility of negative impacts on seabirds, any aggregations of seabirds identified through the data search or surveys should be avoided, by route selection or by timing of the operations.

Please contact Redacted (Conservation Officer) at [REDACTED]@rspb.org.uk if you wish to discuss the scope of the EIA or any of the above comments.

I would be grateful if you could acknowledge receipt of this email.

Regards

[REDACTED]
Senior Conservation Planner

Scottish Headquarters 2 Lochside View, Edinburgh Park, Edinburgh, EH12 9DH
Tel [REDACTED]

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

9 June 2016

[REDACTED]
Marine Licensing Officer
Marine Scotland - Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Dear [REDACTED]

NorthConnect - High Voltage Direct Current Interconnector cable

I have read the relevant parts of the documentation relating to the scoping request for the above project. The route crosses a very important route for recreational sailors from the south to the Caledonian Canal and the Northern Islands and vice versa. This route is seasonal with few recreational vessels passing through in the October to April period. This should be dealt with in the Shipping Chapter but it needs to be borne in mind that probably only about 20% of recreational craft transmit an AIS signal. Nevertheless, I see no need for the project to collect new data on recreational boat movements. Although cable laying is covered in the International Rules for the Prevention of Collision at Sea, an important mitigation will be to disseminate widely the location of the cable laying vessel and associated safety zones for example to marinas and harbours between Wick and Blyth. Safety zones should be as small as possible to avoid the need for small craft to make large alterations of course. There are several developments proposed for these waters, which are in any case close to the busy port of Aberdeen, and it will be important to consider the cumulative effect on recreational sailors on passage up this coast.

Yours sincerely,

pp

[REDACTED]
Planning and Environment Officer, RYA Scotland

Scottish Environment Protection Agency (two responses)

Our ref: PCS/146735
Your ref: ENQ/2016/0878

[REDACTED]
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

If telephoning ask for:
[REDACTED]

20 May 2016

By email only to: ms.marinelicensing@gov.scot

Dear [REDACTED]

High Voltage Direct Current Interconnector cable route, from near Long Haven, Scotland to Simadalen, Norway - Scoping Opinion Request

Thank you for your consultation email which SEPA received on 6 May 2016.

SEPA does not now provide site specific advice on Marine Licence consultations. Instead, please refer to our standing advice on marine consultations within guidance document [SEPA standing advice for The Department of Energy and Climate Change and Marine Scotland on marine consultations](#).

If, after consulting this guidance, you consider that a particular development is novel or raises a particular environmental issue relevant to our interests which is not addressed by the standing advice, then we would welcome the opportunity to be re-consulted. Please note that the site specific issue on which you are seeking our advice must be clearly indicated in the body of your consultation request.

If you have any queries relating to this letter, please contact me by telephone on [REDACTED] or email at planning.aberdeen@sepa.org.uk.

Yours sincerely

[REDACTED]
Senior Planning Officer
Planning Service

Redacted

From: Planning Aberdeen <planning.aberdeen@sepa.org.uk>
Sent: 22 June 2016 13:49
To: [REDACTED]
Subject: PCS/146735, High Voltage Direct Current Interconnector cable route, from near Long Haven, Scotland to Simadalen, Norway - Scoping Opinion Request

Dear [REDACTED]

In follow up to your telephone call I have had a look again at our response of 20 May 2016 (PCS/146735) where we referred to our standing advice, and the response Redacted provided for a similar proposal to install a cable from Weisdale Voe to Noss Head (PCS/117243).

As highlighted in Reda response "SEPA's principle interest relates to landfall" and in this regard we have been consulted on the Interconnector Converter Station planning application and have most recently provided EIA screening/scoping advice to Aberdeenshire Council on 9 May 2016 on the Installation of the High Voltage Direct Current (HVDC) Interconnector Cable Route.

As noted in our standing advice "having reviewed the consultations we have received since 2010, we have concluded that a) DECC and Marine Scotland are generally well placed to provide the expertise required to determine if the proposals are environmentally acceptable and b) the activities can, in relation to our interests, be adequately managed with low risk to the marine environment if they adhere to relatively simple standing advice." As such while our standing advice does not have specific advice on proposed cable routes in this particular case we have no site specific advice to add to the general advice in section 3 of our standing advice.

I trust this information is of assistance to you.

Regards,

[REDACTED]
Senior Planning Officer

Planning Service, SEPA, Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA

Direct line: [REDACTED] email: [REDACTED]@sepa.org.uk

Are you using the new CIRIA SUDS manual C753 yet? After 31st May we expect all SUDS proposals to be designed in accordance with it – www.susdrain.org/resources/SuDS_Manual.html

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been received from an external party and

has been swept for the presence of computer viruses.



Our Ref: MM/fl: 16-042

Your Ref:

3rd June 2016

Scottish Fishermen's Federation
24 Rubislaw Terrace
Aberdeen, AB10 1XE
Scotland UK

T: +44 [REDACTED]
F: +44 [REDACTED]
E: sff@sff.co.uk

www.sff.co.uk

Marine Scotland Licensing Operations Team
Marine Laboratory
375 Victoria Road
ABERDEEN
AB11 9DB

By email: MS.MarineRenewables@gov.scot

Dear Sirs

Response to the Scoping Request for the North Connect HVDC Cable

The SFF would expect that going forward there would be more clarity on the cable, to confirm 1 trench or 2 and the surveys should be able to divert from problematic lines to find the best line of burial.

The SFF is concerned that the statement that there will be sufficient slack in the laid cable to allow for raising to the surface does not give much expectation of the as laid route being accurate enough or even buried in order to avoid interference with fishing operations.

The report in part 7.3.9 FISH, regarding herring does not take into account the current ICES advice on spawning, which is "..... that activities that have a negative impact on the spawning habitat of Herring should not occur, unless the effects of these activities have been assessed and shown not to be detrimental."

In parts 7.4.2 and 11.3.2 there is no consideration of any alternatives to concrete mattresses, which may be more appropriate for mitigation to fisheries in certain areas. There are also unsubstantiated claims about Reef effects and community growth.

On part 7.4.5 we would expect early consultation with the developers on the interaction with fishing as the cable will pass through many different fishing grounds between landfall and the median line.

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

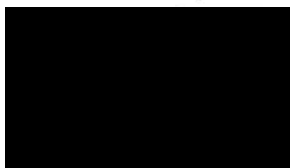
VAT Reg. No: 605 096 748



In 15.2 Baseline we would recommend early engagement with SFF to avoid any misunderstanding about fishing activity which may occur if the developer is to rely solely on AIS, especially as AIS is not mandatory for the whole fleet.

The SFF considers it insufficient to address the fishing interests on the route as part of the local community and economics study, fishing is a distinct activity in the marine environment and a community separate in its activity from any other.

Yours faithfully



Chief Executive
Scottish Fishermen's Federation



**Scottish
Water**

Trusted to serve Scotland

3 June 2016

██████████
Marine Scotland - Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

By email to: ██████████@gov.scot

SCOTTISH WATER

The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
G33 6FB

0141 414 7444
www.scottishwater.co.uk
EIA@scottishwater.co.uk

Dear ██████████

NorthConnect - High Voltage Direct Current Interconnector cable route, from near Long Haven, Scotland to Simadalen, Norway - Scoping Opinion Request

Thank you for consulting with Scottish Water regarding the above proposed development.

Drinking Water Protected Areas

There are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed development.

Scottish Water Assets

A review of our records indicates that there are Scottish Water assets within the onshore site boundary of the proposed development. This includes a 200mm rising main as well as a 4" Cast Iron distribution pipe that run alongside the A90. It is recommended that the developer confirms the location of all Scottish Water assets through obtaining detailed plans from our Asset Plan Providers. Details of our Asset Plan Providers are included in Annex 1.

All Scottish Water assets potentially affected by the development should be identified, with particular consideration being given to access roads and pipe crossings. If necessary, local Scottish Water personnel may be able to visit the site to offer advice. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with.

As Scottish Water assets are located within the onshore site boundary, early contact should be made with the Scottish Water Asset Impact Team (AIT) to discuss this further. The AIT can be contacted by email on service.relocation@scottishwater.co.uk. All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the AIT for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water.

Annex 1 includes a list of precautions to be taken when working within the vicinity of Scottish Water assets. This list of precautions is not exhaustive but should be taken into account as the development progresses through the planning and development process.

It should be noted that the development will be required to comply with Sewers for Scotland and Water for Scotland 3rd Editions 2015, including provision of appropriate clearance distances from Scottish Water assets.

If you have any questions relating to the above, or in relation to the information presented in Annex 1, please do not hesitate to contact me.



Yours sincerely



Strategic Planner – Environmental Impact Assessment
EIA@scottishwater.co.uk

Enc.



Scottish Natural Heritage

Dear [REDACTED]

Thank you for consulting us on the Scoping Report for the NorthConnect HVDC Cable Route. As requested in your email of 6 May 2016, this response is restricted to those sections of the Scoping Report which relate to marine licensing. This response relates only to that section of the proposal within 12nm. JNCC will provide separate advice on the section of the proposed route beyond 12nm.

The scoping report is clearly written and comprehensive. For the aspects of the environment within our remit we generally agree with the assessment of likely significant effects which will require to form part of the EA process. We also generally agree with the assessment of effects that are unlikely to be significant, but which merit consideration within the ES and those which do not merit inclusion within the ES. An exceptions is identified below in our comments on section 7.5.3 of the scoping report.

The following comments are arranged using the numbering of the scoping report.

3.5 Habitats Regulation Appraisal (HRA)

An appropriate assessment is required when a plan or project is likely to have a significant effect on a Natura site (rather than potentially affecting such a site as suggested in the Scoping Report). If installation of the NorthConnect development occurs during the breeding season of the qualifying seabirds of the Buchan Ness to Collieston Coast Special Protection Area (SPA) a significant effect is likely. We therefore agree with the Scoping Report's conclusion that an appropriate assessment is required.

7.3.8 Marine Mammals

The Scoping report refers to the Southern Trench pMPA, "designated in part for its importance to minke whales and white-beaked dolphins". This site remains as an MPA proposal. Further information on the MPA proposal is available on the SNH website <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/marine-protected-areas-%28mpa%29/scottish-mpa-network-advice/> This MPA has been proposed for its minke whale feature, (as well as burrowed mud, fronts, shelf deeps and geodiversity features). Although MPA proposals do not have the full policy protection given to possible MPAs, we understand that MS requires them to be taken into account in licensing decisions and so impacts on the MPA proposal should be assessed in the EA.

7.5.2 Ornithology

The scoping report proposes breeding seabird surveys and vantage point surveys of seabird aggregations on the water within 2km of the coast. These proposals appear to be in accordance with previous SNH advice to NorthConnect's consultant on this project. The proposed surveys should be adequate to provide data to allow completion of an appropriate assessment in view of the Buchan Ness to Collieston Coast SPA's conservation objectives.

7.5.3 Marine Mammals

The Scoping Report suggests that the impact of construction noise on marine mammals is not likely to be significant and so is scoped out. Our view is that construction is likely to cause disturbance, albeit relatively localised and short-term. We recommend that the effect of construction noise on marine mammals is scoped in and that an assessment of the effects of underwater noise on marine mammals is included in the EA and this should inform any relevant mitigation measures. A noise assessment would inform a decision on whether EPS licensing is necessary. A noise assessment would also inform our advice on whether construction is capable of affecting, other than insignificantly, the minke whale proposed protected feature of the Southern Trench MPA proposal.

7.5.4 Fish

We recommend that the assessment of impacts on fish should consider impacts on species which have been listed as Priority Marine Features (PMFs) <http://www.snh.gov.uk/protecting-scotlands-nature/priority-marine-features/> .

7.5.5 Benthic Ecology

The Scoping Report indicates that the benthic ecology survey will be undertaken in accordance with SNH advice provided to NorthConnect's consultant (attached to my email to Fiona Henderson dated 8 March 2016 and copied to MS-LOT). We can therefore confirm our view that the proposed benthic ecology survey methodology is appropriate. As indicated in our advice of 8 March, it will be particularly important that the survey provides sufficient information to assess impact on PMFs.

Please let me know if you have any queries regarding this response.

Kind Regards

[Redacted]

[Redacted] | Senior Casework Manager | Scottish Natural Heritage | Tel: [Redacted]
Mobile: [Redacted] | email: [Redacted] [@snh.gov.uk](mailto:[Redacted]@snh.gov.uk)

Ugie District Salmon Fishery Board

Hello [REDACTED]

We would like our concerns about the effects of this project on Migrating Salmon and Sea Trout, in both the construction phase and in the ongoing operating stage. Please take note of our objection to the project until our fears have been addressed.

Kind regards

[REDACTED]

[REDACTED]

Whale and Dolphin Conservation

Dear [REDACTED]

Sorry for the late reply, Sarah and I are both over committed at present so I have just had a very quick look at the Scoping Opinion for the marine mammal section. The section is not up to date with the most relevant information, I understand the white beaked dolphin pMPA has been removed by SNH due to the lack of information on this species in Scottish waters. Ideally, it would be better if the cable route could avoid the pMPA for minke whales.

Sorry that this is not a very detailed response.

Best wishes,

[REDACTED]

[REDACTED]

Scottish policy officer

Telephone: [REDACTED]
whales.org

Appendix 2: Summary of Consultation Considerations

Appendix 2 Summary of Consultation Considerations – to completed and submitted with ES

[illegible]

Appendix 3: ES Requirements

Marine Laboratory, PO Box 101, 375 Victoria Road,
Aberdeen AB11 9DB
www.scotland.gov.uk/marinescotland



In accordance with the Marine Works Regulations Schedule 3 Regulation 12(2), unless scoped out by the Scoping Opinion, Marine Scotland requests that any ES submitted in support of a marine licence application includes the below:

1. A description of the project and of the regulated activity, including details of the following matters—
 - (a) the location, size and nature of the project and the regulated activity;
 - (b) the quantity and nature and source of the materials to be used in the course of the project and the regulated activity;
 - (c) the quantity, nature and source of any items or materials to be deposited in the sea in the course of the project and the regulated activity; and
 - (d) the working methods to be used in the course of the project and the regulated activity.
2. A description of the aspects of the environment likely to be significantly affected by the project and the regulated activity, including—
 - (a) human beings, fauna and flora;
 - (b) soil, water, air, climate and the landscape;
 - (c) material assets and the cultural heritage; and
 - (d) the interaction between any two or more of the things mentioned in the preceding subparagraphs.
- 3.—(1) A description, complying with sub-paragraph (2), of the likely significant effects of the project and the regulated activity on the environment resulting from—
 - (a) the nature of the activities to be carried out and the manner in which they are to be carried out;
 - (b) the use of natural resources;
 - (c) the emission of pollutants;
 - (d) the creation of nuisances; and
 - (e) the elimination of waste.(2) The description should cover each of the following categories of effect—
 - (a) direct and indirect effects;
 - (b) secondary effects;
 - (c) cumulative effects;
 - (d) short-term, medium-term and long-term effects;
 - (e) permanent and temporary effects; and
 - (f) positive and negative effects.
4. The forecasting methods used by the applicant to assess the main effects that the project and the regulated activity are likely to have on the environment.
5. A description of the measures envisaged to prevent, reduce and offset any significant adverse effects of the project and the regulated activity on the environment.
6. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects of those alternatives and the project as proposed.
7. A non-technical summary of the information provided under paragraphs 1 to 6.
8. Any difficulties, such as technical deficiencies or lack of knowledge, encountered in compiling any information of a kind specified in paragraphs 1 to 6.

Marine Laboratory, PO Box 101, 375 Victoria Road,
Aberdeen AB11 9DB
www.scotland.gov.uk/marinescotland

