

Argyll and Bute Council

Marc MacFarlane

From: Bain, Peter (Planning) <Peter.Bain@argyll-bute.gov.uk>
Sent: 05 October 2023 13:18
To: MD Marine Renewables
Subject: FW: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023 <23/01702/S36> [OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM
Objective: -1

Classification: OFFICIAL

Dear Sir/Madam,

I refer to your consultation dated 23rd August and welcome the opportunity afforded to Argyll and Bute Council to provide comments in respect of the EIA Scoping request for the Nova Oran na Mara Tidal Energy Project in the Sound of Islay.

The project relates to a development which will deliver up to 10MW of installed electricity generation capacity comprising up to 30 tidal stream turbines installed on the seabed between Islay and Jura; when installed the turbines will be fully submerged with nothing visible above the surface. The power generated by the turbines will be brought to shore via cable however at the present time the landfall location has not been finalised and the EIA Scoping document identifies four different 'landfall' options (3 on Islay and 1 on Jura) which are currently being explored further. A small onshore substation located in close proximity to the landfall point will export power either to the National Grid network or by private wire to end users.

It is further noted that Nova Energy have submitted a separate request for an EIA Scoping Opinion to the Council as Planning Authority – it is however the Council's understanding that this request creates unnecessary duplication of the Scoping process being undertaken by Marine Scotland. The EIA process is intended to look holistically at a development project – in this instance it is considered that the the means of connecting the proposed development to existing electricity infrastructure, including elements of terrestrial based infrastructure (onshore cable and substation) is integral to the project and within the scope of the EIAR. It is therefore the understanding of the Council that Marine Scotland, in adopting a Scoping Opinion on this project will seek to consider the requirements of all relevant regulatory process in reaching a view on the scope of the EIAR content (regardless of whether or not the applicant intends to seek deemed permission via a S36 application or apply separately for planning permission for onshore elements) as opposed to focussing solely on the matters that relate to their own consenting regimes within the marine environment. Accordingly, it is advised that the Council has declined to issue a response to the separate request for Nova Energy for an EIA Scoping Opinion and expects that Marine Scotland in defining the scope of the EIAR will also make appropriate reference to any matters impacting upon the terrestrial environment as identified by Statutory Consultees including the Council, Nature Scot, Historic Environment Scotland, and SEPA.

The Council's observations on the planning policy background and Scoping Report provided by the applicant are set out below.

Peter Bain
Development Manager,
Development & Economic Growth,
Argyll and Bute Council

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Further detail on Planning Service Status is available on the Council website.

British Sign Language (BSL) users can contact me direct by using [contactSCOTLAND-BSL](#)



ABC Response to Scoping Consultation 05.10.2023

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation

ABC Ref. 23/01702/S36

Development Proposal

- S36Scope – comments on EIA Scoping Report for 10MW (30 tidal stream turbines).

Overall scoping comments

- The applicant's Environmental Impact Assessment Report (EIAR) will be welcomed.
- The proposal must conform to all relevant provisions of the Development Plan (National Planning Framework 4 (NPF4) and ABC Local Development Plan 2015) policies and to include those highlighted below.

National Planning Framework 4 (NPF4) overarching policies

Policy 1: Tackling the climate and nature crises

- The development will need to demonstrate reduced emissions as far as practically possible and adapt to current and future risks of climate change by promoting nature recovery and restoration in the area. In this respect, the applicant must aim to conserve and recycle assets where possible.

Policy 3: Biodiversity

a) The development proposal will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

b) Proposals for development that require an EIAR will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention, including any requirement for future management.

d) Any potential adverse impacts, including cumulative impacts, of the development proposal on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 4: Natural places

- b) The development proposal that is likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an “appropriate assessment” of the implications for the conservation objectives.
- c) Development proposals that will affect a National Scenic Area will only be supported where the objectives of the designation and the overall integrity of the area will not be compromised, or where any significant adverse effects on the qualities of the area are clearly outweighed by social, environmental or economic benefits of national importance.
- e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
- f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

Policy 5: Soils

- a) Development proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy, and in a manner that protects soil from damage.
- c) Development proposals on peatland, carbon rich soils and priority peatland will only be supported for i. essential infrastructure (subject to a specific locational requirement being demonstrated), ii) generation of energy from renewable sources
- d) Where development on peatland, carbon rich soils, or priority peatland is proposed this will be accompanied by a site specific assessment.

Policy 7: Historic Assets and Places

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. Various provisions relate to archaeology, scheduled monuments and setting of listed buildings.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.

Policy 11: Energy

- a) Provides general support in principle for all forms of development of renewable, low-carbon and zero emissions technologies.
- c) Development proposals will only be supported where they maximise net economic impact, including local and community benefits such as employment, associated business and supply chain opportunities.
- e) Sets out criteria requirements that project design and mitigation will address impacts on communities and individual dwellings; significant landscape and visual effects; public access; impacts on aviation and defence interests; impacts on telecommunications; impacts on road traffic including during construction; impacts on

historic environment; effects on hydrology, the water environment and flood risk; biodiversity including impacts on birds; impacts on trees, woods and forests; proposals for decommissioning of developments including ancillary infrastructure and site restoration; the quality of site restoration plan and measures in place to guarantee effective implementation; and cumulative impacts.

f) Consents for development may be time limited.

Policy 12: Zero waste

- a) The development proposal will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- b) The development proposal will be supported where they:
 - i. reuse existing buildings and infrastructure;
 - ii. minimise demolition and salvage materials for reuse;
 - iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
 - iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
 - v. use materials that are suitable for reuse with minimal reprocessing.
- c) The development proposal that is likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
 - i. provision to maximise waste reduction and waste separation at source, and
 - ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Policy 22: Flood Risk and Water Management

Policy 29: Rural development

- a) The development proposal that contributes to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:
 - i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
 - ii. diversification of existing businesses;
 - iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
 - iv. essential community services;
 - v. essential infrastructure;
 - vi. reuse of a redundant or unused building;
 - vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
 - viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
 - ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or
 - x. improvement or restoration of the natural environment.
- b) The development proposal in a rural area should be suitably scaled, sited and designed to be in keeping with the character of the area. The applicant should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

- c) The development proposal is in a remote rural area, where new development can often help to sustain fragile communities, will be supported where the proposal:
- i. **will support local employment;**
 - ii. supports and sustains existing communities, for example through provision of digital infrastructure; and
 - iii. is suitable in terms of location, access, siting, design and environmental impact.

Local Development Plan (LDP)

- The proposal must conform to all relevant general policies of the adopted LDP (2015) and Supplementary Guidance (2016), and in particular with the policies stated below:
 1. Policy LDP 3 - Supporting the Protection, Conservation and Enhancement of our Environment;
 2. Policy LDP 4 - Supporting the Sustainable Development of our Coastal Zone;
 3. Policy LDP 6 - Supporting the Sustainable Growth of Renewables;
 4. Policy LDP 9 - Development Setting, Layout and Design;
 5. Policy LDP 10 - Maximising our Resources and Reducing Our Consumption;
 6. Policy LDP DM1 - Development within the Development Management Zones.

 7. SG LDP ENV 1 - Development Impact on Habitats, Species and our Biodiversity;
 8. SG LDP ENV 7 - Water Quality and the Environment;
 9. SG LDP ENV 9 - Development Impact on Areas of Wild Land;
 10. SG LDP ENV 12 - Development Impact on National Scenic Areas (NSAs);
 11. SG LDP ENV 13 - Development Impact on Local Landscape Areas (LLAs);
 12. SG LDP CST 1 - Coastal Development.

In terms of SG LDP CST 1, note that there is a presumption against development of the Natural Foreshore unless:

1. there is a specific operational purpose for the proposal's Natural Foreshore location;
 2. there is no effective alternative location for the development landward of the natural foreshore;
 3. the development does not damage or undermine the key features of the natural foreshore area including:
 - the dynamics and balance of the ecology of the foreshore, and
 - the effective functioning of the foreshore in providing access between land and water activity.
- It is further highlighted that the Council's Proposed Local Development Plan 2 is currently at an advanced stage in the Development Plan preparation process and should also be afforded significant weight as a material consideration. At the time of writing, the Council is in receipt of an Examination Report provided by the DPEA and has initiated the final process for adoption of the finalised plan, adoption is currently expected to be concluded during mid-late November 2023. [Local Development Plan 2 | Argyll and Bute Council \(argyll-bute.gov.uk\)](#) In particular:
 1. Policy 02 – Outwith Settlement Areas;
 2. Policy 04 – Sustainable Development;
 3. Policy 22 – Economic Development;
 4. Policy 30 – Sustainable Growth of Renewables;
 5. Policy 56 – Land Erosion;
 6. Policy 59 – Water Quality and the Environment;
 7. Policy 63 – Waste Related Development and Waste Management;
 8. Policy 70 – Development Impact on National Scenic Areas (NSA's);
 9. Policy 71 – Development Impact on Local Landscape Areas (LLA);
 10. Policy 72 – Development Impact on Areas of Wild Land; and
 11. Policy 73 – Development Impact on Habitats, Species and Biodiversity.

Marine Planning Policy

- The proposed development extends into the marine environment and therefore the Council as a public body is required to take authorisation decisions in accordance with the National Marine Plan (NMP), unless relevant considerations indicate otherwise.
- The proposal must be consistent with General Policies of the NMP, that include:
 - GEN 1 General planning principle,
 - GEN 2 Economic benefit,
 - GEN 3 Social benefit,
 - GEN 5 Climate change,
 - GEN 7 Landscape/seascape,
 - GEN 8 Coastal process and flooding,
 - GEN 9 Natural heritage,
 - GEN 10 Invasive non-native species,
 - GEN 11 Marine litter,
 - GEN 12 Water quality and resource,
 - GEN 13 Noise,
 - GEN 14 Air quality,
 - GEN 21 Cumulative impacts.

Scoping Report comments

6. Marine Physical Processes

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

7. Marine Water and Sediment Quality

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

8. Benthic Ecology

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

9. Marine Mammals

- Welcome the proposed assessment, including the embedded mitigation, underwater noise assessment, HRA, and EIA methodology.
- In relation to the generation of underwater noise, the Applicant is advised to review The Protection of Marine European Protected Species from Injury and Disturbance - Guidance for Scottish Inshore Waters (July 2020) document on the following web link:
<https://www.gov.scot/publications/marine-european-protected-species-protection-from-injury-and-disturbance/>
- It will be important for the Applicant to demonstrate that any generated underwater noise will be minimal and mitigated against during site operations.
- It will also be important that the Applicant apply for an EPS Licence for the potential injury and disturbance to marine mammals.

10. Marine Ornithology

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

11. Fish and Shellfish Ecology

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

12. Commercial and Local Fisheries

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

13. Shipping and Navigation

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

14. Archaeology and Cultural Heritage

- In terms of the marine environment, welcome the proposed assessment, including the embedded mitigation, and EIA methodology.
- In terms of the cultural heritage assessment, the Applicant is advised to review the relevant NPF4 policies.

15. Underwater Noise

- Welcome the proposed assessment, including the embedded mitigation, underwater noise assessment, and EIA methodology.
- The results of the underwater noise modelling should be presented in an Underwater Noise Technical Report.

16. Assessment of Likely Significant Effects for Onshore Topics

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology. No comments to add.

17. Assessment of Further Effects for Onshore Topics

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology.
- It is requested that clarification is provided within 17.2 Traffic and Transport on the means of delivering major components to the locality, if there is a requirement to deliver significant components to Islay/Jura via the existing road/ferry network then this should be identified and an assessment provided of the impact of the movement of extraordinary traffic upon the Trunk/local road/ferry network along with any required mitigation that may be required.
- Confirmation should also be provided whether the construction phase of project is expected to necessitate the requirement for the temporary formation of a shore base on either Islay or Jura to provide for the delivery, laydown and/or assembly of major components. The location of any required onshore facilities and consideration of any impacts arising upon the local road network from construction activities should be included within the scope of the EIAR if relevant.
- The Council has previously identified that large projects which will employ a significant number of workers over an extended construction phase have potential to give rise to a number of positive and negative impacts upon the local economy within which they are located. Whilst enhanced opportunities for employment and any prospective direct/indirect spend locally that might benefit local shops, restaurants, transport providers and businesses associated with the construction is to be welcomed it is also identified that any requirement for a significant importation of workforce has potential to impact adversely on a pressured housing market area through higher levels of demand for housing and a higher proportion of housing stock being used for short-term lets to support the important tourism sector of the local economy. The use of temporary accommodation, or loss of tourist accommodation to provide homes for construction workers has potential to impact adversely on local communities and the local economy. The Council has declared a 'housing emergency' and accordingly it is requested that the scope of the EIAR include information to quantify the expected direct/indirect economic benefits associated with the construction and operation of the development, to identify the scale of the workforce required during the construction phase of the project, to consider whether this is likely to give rise to any significant adverse impact upon the availability of housing locally or upon the tourism economy, and if so, to propose appropriate mitigation measures to address such impacts.

18. Climate Change and other EIA Matters

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology.

19. Information to Inform Habitats Regulations Assessment

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology.

20. Cumulative Impact Assessment

- Welcome the proposed assessment, including the embedded mitigation, and EIA methodology.

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>

Sent: 23 August 2023 14:49

To: MS.MarineRenewables@gov.scot

Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot

Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

(collectively referred to as the “EIA Regulations”).

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:

<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Argyll Fisheries Trust

Marc MacFarlane

From: Alyssa Stewart <as@argyllfisheriestrust.co.uk>
Sent: 20 September 2023 12:21
To: MS Marine Renewables
Subject: Nova Oran na Mara Tidal Energy Project Sound of Islay
Attachments: Nova Oran na Mara Tidal Energy Project Scoping Report 190923.docx.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please find attached a response from Argyll DSFB to the above consultation.

Regards,

Alyssa

Alyssa Stewart
Administrative Bookkeeper
Argyll District Salmon Fishery Board
Cherry Park
Inveraray
PA32 8XE

Tel: 01499 302322
<http://argyll.dsfb.org.uk>

My usual working days are:

Monday 10:30-13:30

Tuesday 10:30-13:30

Wednesday 10:30-13:30

Thursday 10:30-13:30

Friday 10:30-13:30

Please note – I work part-time hours. If you receive my out of office message I will respond as soon as I am able to. If you receive an email from me late at night, early in the morning, or at the weekend - it means I am working flexibly. Flexibility works for me, but please do not feel that you should have to pick this up outside of your own normal working hours.

ARGYLL DISTRICT SALMON FISHERY BOARD

Cherry Park, Inveraray, Argyll, PA32 8XE

Marine Directorate
Marine Planning & Policy
The Scottish Government

19th September 2023

Dear Marine Directorate,

Nova Oran na Mara Tidal Energy Project Sound of Islay - Scoping Consultation

I am responding to the scoping consultation for the proposed Tidal Energy Project in the Sound of Islay on behalf of Argyll District Salmon Fishery Board, utilising information gathered on fish populations and fish habitats by Argyll Fisheries Trust and associated project partners in the area.

The Argyll DSFB has a responsibility to conserve and improve stocks of Migratory salmonid fish (Atlantic salmon and sea trout) on the mainland of Argyll & Bute and the Isle of Arran.

We note and welcome the inclusion of Atlantic salmon and sea trout in section 11.3.3 of the scoping report. From the information on the migration pathways of salmon smolts derived from the first year of the West Coast Salmon Tracking Project (2021), we understand that smolts leaving rivers from many of the rivers on the mainland may take many different pathways as they move west and north toward their feeding grounds in the North Atlantic Ocean. Therefore, we urge the developer to be aware and responsive to the new information on smolt migration derived from this project as it becomes available over the next few years. We also understand that the Marine directorate are undertaking studies of smolt swimming depth during migration that should better inform the development in minimising any potential impact on migrating fish. We also note the potential for returning adult salmon and the resident sea trout in the Sound of Islay may be affected if they use of the deeper part of the water column in the sound, although we have no information on this potential interaction. We would also like to make the developer aware that Argyll Fisheries Trust hold data on the juvenile salmon, trout, and eel populations in the rivers adjacent to the proposed project on both the isles of Islay and Jura which may also be of use in better informing the development.

Please let us know if you require further input at this stage.

Yours Sincerely,

Robert Younger
Clerk to the Argyll District Salmon Fishery Board

Crown Estate Scotland

Marc MacFarlane

From: Caitlin Byers <Caitlin.Byers@crownestatescotland.com>
Sent: 25 September 2023 16:07
To: MS Marine Renewables; Marc MacFarlane
Cc: Ben Walker; Jane Renwick
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
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Dear Marc,

Thank you for consulting Crown Estate Scotland regarding the Scoping Report recently submitted by Nova Innovation Ltd for the Òran na Mara tidal energy project located in the Sound of Islay.

I can confirm that Òran na Mara Limited currently hold an Option Agreement with us for the area specified in Table 5-1 of the Scoping Report. A cable corridor is still to be agreed as part of the Option. At present, the aggregated installed capacity associated with the Option Agreement is 3MW.

When determining projects to be considered in any cumulative impact assessment, Crown Estate Scotland's Spatial Hub, available through our website – [Crown Estate Scotland Spatial Hub \(arcgis.com\)](https://arcgis.com), may prove to be a useful resource.

We have no further comments to make at this time.

Kind regards,
Caitlin

Caitlin Byers
Development Manager (Integration & Transition)
Crown Estate Scotland
0131 376 1575 / [Redacted]
www.crownestatescotland.com
@crownestatescot

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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS.MarineRenewables@gov.scot
Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

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Dear Sir/Madam,

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the “EIA Regulations”).

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Defence Infrastructure Organisation

Marc MacFarlane

From: White, Andrew E1 (DIO Estates-SafegdgOffr2) <Andrew.White209@mod.gov.uk>
Sent: 15 September 2023 13:28
To: MS Marine Renewables
Subject: 20230915_Nova Òran na Mara Tidal Energy Project_Sound of Islay_Scoping Consultation_MOD_Response_DIO_10059850

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM

Good afternoon,

Further to your Email below regarding the Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation. After our review, I can confirm that the MOD has no concerns regarding this activity.

Please ignore the extension request sent earlier. Our advisors responded promptly.

Regards,

Andy

Andy White | Assistant Safeguarding Manager
Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY
MODNET: andrew.white209@mod.gov.uk

Working days; Monday to Friday 07:00 – 15:00.

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>

Sent: 23 August 2023 14:49

To: MS.MarineRenewables@gov.scot

Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot

Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

**REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the “EIA Regulations”).**

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

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Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot



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**Department for Agriculture,
Environment and Rural Affairs**

Marc MacFarlane

From: DAERA Marine Information Requests <Marine.InfoRequests@daera-ni.gov.uk>
Sent: 21 September 2023 15:45
To: MS Marine Renewables
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - ~ Response
Attachments: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - ~ Response.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi
Please see attached Marine and Fisheries Division NI response to the above consultation. Thanks
Eamonn

Eamonn Brady | Marine Plan Team | Department for Agriculture, Environment and Rural Affairs
Level 1 | Klondyke Building | Cromac Avenue | Belfast | BT7 2JA



*Sustainability at the heart of a
living, working, active landscape
valued by everyone.*

Marine and Fisheries Division Response

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation – Marine and Fisheries Division Response

Marine Conservation Response

DAERA Marine and Fisheries Division, Marine Conservation Branch advises the inclusion of The North Channel SAC for Harbour porpoise within the scoping report. The screening range for Harbour porpoise is 100km and although the proposed Nova Òran na Mara Tidal Energy project lies slightly outside this range, consideration of this SAC would be welcomed.

Historic Environment Scotland

Marc MacFarlane

From: Heritage - Consultations Mailbox <HMConsultations@hes.scot>
Sent: 22 September 2023 10:13
To: MS Marine Renewables
Subject: Nova Òran na Mara Tidal Energy Project, Sound of Islay – Offshore Environment - EIA Scoping (Marine)
Attachments: 20230922 HES Response - Marine EIA Scoping.pdf

Please find attached our response to the above consultation.

Regards

Sandra

Sandra Archer | Casework Technician | Heritage
Historic Environment Scotland | Àrainneachd Eachdraidheil Alba
Longmore House, Salisbury Place, Edinburgh, EH9 1SH
T: 0131 668 8770
E: sandra.archer@hes.scot
www.historicenvironment.scot

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Historic Environment Scotland - Scottish Charity No. SC045925
Registered office: Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Historic Environment Scotland Enterprises Ltd – Company No. SC510997
Registered office: Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scran Ltd – Company No. SC163518
Registered office: John Sinclair House, 16 Bernard Terrace, Edinburgh, EH8 9NX

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By email to:

MS.MarineRenewables@gov.scot

Marine Scotland (Marine Renewables)
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300067874

22 September 2023

Dear Marine Scotland

**The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Nova Òran na Mara Tidal Energy Project, Sound of Islay – Offshore Environment
Scoping Report**

Thank you for your consultation about the above scoping report which we received on 23 August 2023. We have reviewed the proposals in terms of our advisory role for Marine Scotland on cultural heritage matters.

Proposed Development

The proposed development is a tidal energy turbine array in the Sound of Islay between the islands of Islay and Jura. The array would comprise up to 30 subsea turbines plus subsea cable routes, connection works on shore and a substation. We understand that the current consultation deals only with the marine element of the development and does not consider the terrestrial connection works. We also understand that the ultimate destination of the cable routes taking the power onshore has yet to be finalised.

Scope of assessment

Potential direct impacts

The development has the potential to impact on heritage assets in the form of wrecks, submerged landscapes, finds and artefacts, and archaeological remains in the intertidal zone. These assets are not covered by any formal designation with the exception of a wrecked aircraft (Canmore ID 301248) which may be protected under The Protection of Military Remains Act 1986.

Potential setting impacts

We are content that the marine aspects of this proposed development would not result in any setting impacts on cultural heritage assets.

Potential cumulative impacts

We are content that this development would not result in any cumulative impacts on cultural heritage assets.



Scoping Report

We welcome that cultural heritage effects are scoped in to the assessment.

We are content that the methodology proposed for assessing cultural heritage impacts is suitable and we note and welcome the commitments given to embedded mitigation through design and the production of a Written Scheme of Investigation and a Protocol for Archaeological Discoveries to address any remaining impact risks.

We consider the policies, guidance and data sources cited in the Report are appropriate.

We are content with the matters to be scoped in and scoped out of the EIA process shown in Table 14-4.

The Scoping Report includes commitments to assessing marine geophysical surveys and geotechnical datasets (14.5.2) as part of the desk-based assessment and mitigation process. It does not include a specific commitment to undertake geophysical and geotechnical survey work in a manner that would facilitate archaeological interpretation e.g. sonar survey should be undertaken an appropriate resolution to allow for detailed analysis of seabed features, core samples should be assessed, reported and stored in a manner that would allow for archaeological interpretation and re-examination if necessary. This would allow surveys to be undertaken in a manner that would provide maximum benefit for the EIA process.

The Report does not make it clear how any gaps in the survey record will be addressed for cultural heritage matters. This issue is illustrated in Figure 6-1 which shows a white unsurveyed zone around the coastline where the bathymetry survey vessel could not operate. This exactly the zone most likely to contain wrecks and other archaeological deposits. We would expect the EIA process to address this issue and put forward alternative techniques. The proposed Written Scheme of Investigation could address this matter.

We have some additional comments on other minor matters in the Report and these can be found in the attached annex.

Our Advice

We are content that cultural heritage matters are addressed in an appropriate manner in the Scoping Report. The information provided indicates that there is no significant risk of adverse impacts on cultural heritage assets and that any risks that do exist can be mitigated through design and the implementation of suitable working procedures.

We recommend that the exact parameters for the study areas should be clarified before the EIA process proceeds.



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Further information

Guidance about national policy relating to cultural heritage can be found on our website at <https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/historic-environment-policy-for-scotland-heps/> .

We hope this is helpful and we would be happy to provide further information and advice to the applicants as they work through the EIA process. Please contact us if you have any questions about this response or require further information on any matter raised. The officer managing this case is Deirdre Cameron who can be contacted by phone on 0131 668 8896 or by email on Deirdre.cameron@hes.scot

Yours sincerely

Historic Environment Scotland



Annex

We are mostly content with the detail and approach outlined in the Archaeology and Cultural Heritage chapter but wish to highlight the following matters –

- Figures 14-1 and 14-2 – the use of a 2km map grid on these plans is confusing. We recommend that the EIA Report should use standard 1km grid lines if possible.
- The nature of the existing record – the existing records for marine archaeology in this area are of very variable quality. In particular there are a number of records for “casualty” wrecks; ships where the only record we have of the loss is a vague location like “the Sound of Islay” or “off Port Askaig”. There are at least 15-20 such casualties within the EIA 2km study zone. Their location is often depicted on the Canmore and Local Authority Historic Environment Record as a marker dot in the south-west corner of the nearest OS grid square. Any desk based assessment of existing records needs to be aware of this issue to ensure that all records are considered, as there is a risk that the locational information for some casualty incidents within the study area may be depicted by a dot beyond the 2km boundary. Although casualty incident records do not denote a known wreck site, they give an indication of the potential for remains to be encountered in an area.
- Crashed aircraft (Canmore ID 301248) – the information available for this aircraft does not make it clear whether it was in military or civilian service at the time of its loss. As such, it is not certain whether the Protection of Military Remains Act 1986 is relevant in this case. If the applicants have additional information about the nature of the aircraft it would be useful if they could provide this. If not, they would be best to state that the status of the aircraft is unknown but they will apply a precautionary principle and assume it is protected under the PMRA 1986 for the purposes of the EIA process.
- There are a few minor issues that we have spotted in Table 14-1 that it would be useful to amend for the final EIA report –
 - Wyre Majestic (Bow) is Canmore ID 116867, not 1166867
 - Wyre Majestic (Stern) is Canmore ID 323633
 - UKHO 57779 is not Canmore ID 102474 but we are not sure what the correct ID is
 - HER 60258 may be a duplicate record for the Wyre Majestic (Stern) Canmore ID 323833

We have not checked the locational information for these records.



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We would be happy to provide further information or advice on any of these issues to Marine Scotland, the applicants or their contractors.

Historic Environment Scotland

22 September 2023

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

MachairWind Limited

Marc MacFarlane

From: Wilson, Kiera <kiera.wilson@scottishpower.com>
Sent: 21 September 2023 17:18
To: MS Marine Renewables
Cc: Andrieu, Pauline
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - MachairWind Response
Attachments: Nova Òran na Mara Tidal Energy Project_MachairWind Scoping Report Response_21 September 2023.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please find a letter from MachairWind Limited attached in connection with the scoping report submitted by Nova Innovation Ltd for the Nova Òran na Mara Tidal Energy Project.

If you have any queries then please let us know.

Kind regards,
Kiera.



Kiera Wilson | Senior Project Manager | Offshore Development | MachairWind
Tel: 0141 614 0450 | Mob: [Redacted]

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

Submitted via email to: ms.marinerenewables@gov.scot

21 September 2023

Ref: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

Dear Sir / Madam

Thank you very much for your email dated 23 August 2023 regarding the scoping report submitted Nova Innovation Ltd in relation to the Nova Òran na Mara Tidal Energy Project. We have reviewed this scoping report and can confirm that we have no comments to make in relation to it but would be very grateful if you could continue to keep us updated on key developments, as appropriate.

Yours faithfully,
[Redacted]

Kiera Wilson
Senior Project Manager,
MachairWind Offshore Windfarm Project

**Marine Directorate Science, Evidence,
Data and Digital - 20 September 2023**

Marc MacFarlane

From: Inga Freimane
Sent: 20 September 2023 15:55
To: MS Marine Renewables
Cc: Ben Walker; Jane Renwick; Marc MacFarlane; Amy McQueen; Reme Diaz; William Ellison; Kay Barclay
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Marc,

Please find our response to the Nova Òran na Mara Tidal Energy Project here:
<https://erdm.scotland.gov.uk:8443/documents/A45126652/details>

Many thanks,
Inga

From: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:51 PM
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Ben Walker <Ben.Walker@gov.scot>; Jane Renwick <Jane.Renwick@gov.scot>; Marc MacFarlane <Marc.MacFarlane@gov.scot>; Inga Freimane <Inga.Freimane@gov.scot>; Marine Analytical Unit <MarineAnalyticalUnit@gov.scot>
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Good afternoon,

Please see attached scoping consultation email in relation to the Nova Òran na Mara Tidal Energy Project in the Sound of Islay. MD-LOT requests advice in relation to the socioeconomic aspects.

The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

We require a response by 22 September 2023, if you have any concerns then do let us know.

If you require a pro-forma to be completed, require any further information or want to discuss anything, then please don't hesitate to get in touch.

Please be advised that the Scottish Ministers' scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Kind regards,
Marc

Marine Directorate – Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



Nova Òran na Mara Tidal Energy Project

Science, Evidence, Data and Digital (SEDD¹) Response Marine Directorate

The Nova Òran na Mara Tidal Energy scoping report includes a descriptions of a range of potential impacts. This response focuses only on the assessment of social and economic impacts.

We recommend that a full Socio-Economic Impact Assessment be scoped in. We provide general advice on how to deliver this at Annex 1.

1. Overview

1.1. *Local study areas*

We welcome identification of the following as relevant local impact areas (page 261, paragraph 17.4.2. of the report):

- Argyll and Bute Council;
- Isles of Islay and Jura (where possible).
- Effects on tourism assessed approx. 5km of the proposed landfall options.

1.2. *Data sources*

Please provide a list of data sources used to assess potential socio-economic impacts (see Annex 1 for examples). Please use the most up-to-date data sources. For example, NRS population data mentioned in the report is up to date, but NOMIS data is out-of-date. The report mentions economic activity rates as at 2018 but more recent data is available.

1.3. *Stakeholder engagement and primary data collection*

The report states that ‘no site-specific surveys are proposed to inform the socio-economic, tourism and recreation assessment’ (page 264, paragraph 17.4.7).

¹ As a result of the organisational development in 2023, Marine Scotland has been re-named to Marine Directorate, and Marine Analytical Unit (MAU) was merged with Marine Science to form Science, Evidence, Data and Digital (SEDD) delivery area. This advice on socio-economics comes from what used to be the MAU team.

In the 'Stakeholder engagement to date' section (page 38), the report states that *'Some stakeholder engagement has been carried out prior to the EIA scoping process, including with local stakeholders, to ensure that the PDE takes into account early feedback'* (page 38, paragraph 4.2). Furthermore, the report states that *'Extensive Public Consultation events are planned throughout the design and EIA processes. These will include hybrid community events attended in person and online illustrating the progress of the Project and will seek feedback from the local communities and general public for consideration in the design and EIA processes where possible. Nova is committed to consulting and communicating with the community throughout the lifecycle of ÒnM project'* (page 42, paragraph 4.2).

We note that there has been extensive engagement with local distilleries, as the project aims to provide energy to local business(es) and visitor centre(s). This is a welcome initiative. However, project's engagement with residents from local communities is limited (only Jura Community Council was mentioned in the table 4-1). We believe that this list of stakeholders is insufficient. Consider conducting stakeholder mapping for the assessment, this should include all the people, groups and stakeholders who may be affected by the development. Stakeholder mapping is a first step in order to conduct effective stakeholder engagement. A broad approach is recommended. Stakeholders are likely to include local communities, businesses, workers, other users of the sea, interest groups, community councils and so on.

In addition to stakeholder engagement for purposes of informing stakeholders about the development, we would encourage the developer to conduct primary data collection with identified stakeholders in order to assess how potential socio-economic changes might impact particular stakeholder groups.

Stakeholder engagement and primary data collection are different activities with different aims. We would expect to see the collection of primary social data to provide evidence upon which to base the assessment. Stakeholder mapping would be required for both. In other words, we stress the importance of employing not only desk-based methods to complete the analysis, but also do social research and collect primary data. This could be organised in a form of focus groups with communities and stakeholders representing different organisations and sectors likely to be affected by the development. Focus groups could explore stakeholders' and communities' responses to different types of socio-economic impacts (including potential economic impacts).

Consider hiring a social scientist to design a qualitative primary research study with communities to supplement desk-based research.

We expect to see methodologies that were used to conduct primary research with stakeholders in the EIA license application. This should include description of: how locations were chosen, sampling considerations, methods to collect data, how data was recorded, how data was analysed, how ethical considerations were addressed.

Although we recommend this more thorough approach is followed, the overall assessment exercise within it does not need to be disproportionate to the expected impacts. To ascertain those impacts however we recommend this approach is followed.

2. Scoping of impacts

2.1. Economic impacts

We broadly agree with the scoping report's proposed approach for assessing economic impacts (page 264, paragraph 17.4.7). It is welcomed that the assessment will include direct, indirect and induced impacts.

With regards to the number of FTE jobs, please supply additional information about the types of jobs that are expected to be created (e.g. part-time, full-time, skilled) and how these compare to the existing jobs in the study area. This will add further depth to the analysis.

We expect to see a detailed description of the methodology used to assess economic impacts in the EIA, including specific details about the methodological approach taken and any key assumptions that underpin any estimates. This may be supplied in a technical annex if necessary.

2.2. Scoping of social impacts

We note that only potential effects on local tourism or recreational amenities have been scoped into the assessment (page 263, table 17-4).

We note that some impacts identified in the general advice (see Annex below), such as impact on housing, local services, and other potential impacts have not been scoped in. Even though the project is relatively small, we recommend a full Socio-Economic Impact Assessment, because potential impacts mentioned above have not been considered in the report and no justification or evidence was given for scoping out these potential impacts. For example, it is mentioned that the project will create jobs, but it is not clear whether these opportunities will be available for local people or if people will move into the area, and thus create impacts within a small community. Please consult Annex 1 and scope in all potential socio-economic impacts.

Please also scope in potential impacts identified by stakeholders and communities during primary data collection exercise described above.

We note scoping out of human health (page 271, paragraph 18.1.6).

If there are significant changes to commercial fisheries, we would like to see the assessment of any knock-on socio-economic effects. For example, if there is displacement leading to gear conflict, this could lead to drop in income and tensions within community.

3. Conclusions

We broadly agree with the scoping report's proposed approach for assessing economic impacts. In addition to this, sensitivity analysis is required. With regards to

social impacts, we hold that it is insufficient to assess only potential tourism impacts. Please follow the guidance set out in the Annex 1 (see below) with regards to potential impact types. Please conduct primary data collection with stakeholders and communities, and explain the methodological choices (how data from stakeholders and communities was collected and analysed) in the EIA application. Stakeholder mapping is necessary for the assessment. We would like to encourage the developer to be transparent with regards to their methodological choices. This information will help us understand whether social impacts have been adequately assessed. Please hire a social researcher with qualitative research expertise to collect primary data from communities to understand their responses to potential socio-economic changes resulting from the development.

Annex 1: General Advice for Socio-Economic Impact Assessment Science, Evidence, Data and Digital (SEDD²) Marine Directorate September 2023

This document sets out some suggestions for delivering socio-economic impact assessment drawing on the professional expertise of the Science, Evidence, Data and Digital (SEDD), Marine Directorate.

Section 1. Some general best practice tips

- Take a proportionate approach to SEIA in line with the size and generating capacity of the development
- Consider offshore and onshore components of the development in the same assessment.
- Employ experts to design and carry out the assessment. The relevant expertise would include:
 - Social research and economist training, qualifications and experience
 - Familiarity and experience with appropriate methods for each discipline (including economic appraisal, social research methods such as surveys, sampling, interviews, focus groups and participatory methods)
- Consider potential secondary socio-economic impacts of any changes that affect the other relevant receptor groups covered in the wider EIA e.g. commercial fisheries, cultural heritage and archaeology and visual impacts.
- Include consideration of the cumulative impact of multiple offshore developments.
- Outline the rationale for scoping out impacts that are deemed to be minimal, including any evidence or analysis that has been used. If this is not provided it can be difficult for SEDD to understand why impacts have been scoped out and we may suggest scoping them back in.

Section 2. Key components of a Socio-economic Impact Assessment

We set out below what we consider to be the key steps to an assessment. We recommend a combined approach so that social and economic impacts are covered together in the assessment, whilst acknowledging that different methodologies for social and economic impacts assessment are needed at certain stages, and that the two disciplines are distinct.

We wish to highlight the importance of stakeholder engagement throughout the assessment, and the use of social research methods to gather primary data and first hand perspectives from particular groups and communities that are affected. These are helpful in order to better understand the nature and degree of impacts that might be caused by changes that are expected occur. A change in itself may or may not bring about tangible impact, impacts may vary for different people or be perceived in

²As a result of the organisational development in 2023, Marine Scotland has been re-named to Marine Directorate, and Marine Analytical Unit (MAU) was merged with Marine Science to form Science, Evidence, Data and Digital (SEDD) delivery area. This advice on socio-economics comes from what used to be the MAU team.

different ways, are affected by individual values and attitudes, and conditioned by the context.

Stakeholder engagement and data collection can occur at a number of stages in the SEIA process and may involve similar methodologies but there are important differences to note. The primary aims of stakeholder engagement are to inform, consult or involve key stakeholders, and to communicate information and gather feedback. Data collection, in contrast is a more rigorous analytical process involving:

- Setting out a planned methodology in advance with clear objectives of what you wish to achieve through data collection
- Sampling strategies that take account of the demographic variations in the population and the need to include difficult to reach groups
- Robust methods to collect information from people in a neutral and unbiased way
- Awareness of how data will be analysed and reported on to obtain and disseminate robust conclusions
- Taking account of research ethics including informed consent, and data protection requirements under GDPR

The stages below are divided into the activities that we suggest are **before** the developer submits a request for a scoping opinion and those that are done **after** the scoping phase. We recommend an iterative approach which means that steps inform each other, information is built up over time, and some steps may be repeated or done in a different order.

The key steps should include:

Pre-scoping activities

- 1) **Getting started:** Employ economist and social research experts and work with them to develop a plan for the SEIA that sets out data requirements, and the proposed social and economic data collection and impact assessment methodologies, timescales, any data protection considerations, risk assessment and ethical issues that might arise from the work.
- 2) Develop a **detailed description** of the planned development and consider the project phases where socio-economic impacts might be experienced (covering development, construction, operation and maintenance and decommissioning phases). Start to map out potential socio-economic impacts and initial consideration of areas of impact on land that will need to be covered.
- 3) **Initial scoping of impacts:** develop a broad list of potential impacts informed by experts (including social researcher, economist, local representatives from key groups, community stakeholders and others).
- 4) **Define potential impact areas on land** taking into account locations and connections between activities. Different types of impacts may be experienced at different geographic levels, some in the area nearest the landfall or the nearest coastline to the development at sea, and others much further away (at Scotland

level, UK level and internationally). The geographical scale at which social impacts are experienced may be different for social impacts compared with economic impacts. There may be multiple epicentres from which impacts radiate including the site of the development, land-based areas such as landfall and grid connections, construction bases and places from which the development is visible. Activities that take place in the sea are also relevant for defining the impact area on land, for example the location of fishing activity and ports where fish are landed. The definition of the impact area will inform which communities and which sectors are included in the assessment and vice versa, so this exercise needs to be done iteratively with step 3, the initial scoping of impacts.

- 5) **Stakeholder mapping** is required to identify all the people, groups and stakeholders who may be affected by the development and is a first step in order to conduct effective stakeholder engagement. This exercise is informed by the definition of the impact area. A broad approach is recommended. Stakeholders are likely to include local communities, businesses, workers, other users of the sea, interest groups, community councils and so on.

Steps 4 and 5 may lead to a change in the list of potential impacts so this will need refined/checked.

- 6) **Stakeholder engagement (with those affected by the development, sea users, communities etc)** is a key requirement of SEIA that is done at different stages of the process. We recommend doing some initial stakeholder engagement before submitting the scoping report. Stakeholder engagement will fulfil a number of requirements:

- **Provide information about the development** so that those who might be affected are able to make an informed judgement about potential impacts
- **Present and refine list of potential impacts based on feedback** - identify impacts that are most relevant and add any additional ones that are identified
- **Collect initial data/ insights from stakeholders** on what potential socio-economic impacts (to be developed later)
- **Build relationships** with the community and key groups affected for later stages of the SEIA process so that they can understand the decisions making process and how they can influence it.

There are many **participatory methodologies** that can be used for effective stakeholder engagement that provide a deliberative space for community discussions.

This stage may also require the setting up of governance structures and a community liaison officer. **Early engagement** with those who might be affected is very important, as is meaningful and inclusive engagement where people feel that they are being listened to and that their feedback will be acted upon. It is important to set out clearly how stakeholder engagement is being done for the SEIA specifically.

- 7) Gather contextual information** to develop a social and economic profile of the area prior to the development that will help with setting the baseline and impact prediction, identifying potential industries and communities that might be affected and sources of data that can be used in the assessment. This might include primary data collection using social research methods (such as surveys, interviews, focus groups) as well as desk based analysis (of existing data sets such as fishing data, population data).

Primary data collection may occur alongside participatory activities (e.g. engagement events) but must be done in a rigorous and systematic fashion and the findings should be robustly analysed and incorporated into the SEIA. Impacts that are identified for the other receptors in the wider EIA may also have socio-economic consequences and so it may be important to include these in the SEIA.

- 8) Produce list of anticipated impacts to be covered in the scoping report** setting out the range of potential impacts that could occur, building on what has already been done using data and insights that have been collected from various activities described above. Details of the methods that have been used should be included to enable Marine Directorate to determine if the analysis is based on a robust and appropriate approach. Justification should be provided for any impacts that are scoped in or out. This could be based on suggestions made by stakeholders and the public during stakeholder engagement or an assessment based on the analysis of primary and secondary data.

It is helpful if the scoping report includes details on the approach to be used for the SEIA including methods for data collection, planned stakeholder engagement activities and data-sets to be used.

Post scoping activities for the SEIA

The scoping opinion will advise on the final list of socio-economic impacts to be assessed in the SEIA. This may require additional data collection/ social research to enable a more rigorous assessment of a narrower set of anticipated impacts. It may also require further stakeholder engagement in order to check the significance of impacts with different groups, and the acceptability of mitigation options.

The data and information that has been collected throughout the scoping phase will be used to conduct steps 9, 10 and 11 below.

- 9) Conduct baseline analysis** to assess the situation in the absence of the development, to provide a point of comparison against which to predict and monitor change. Appropriate social and economic measures should be used for the baseline and cover relevant issues (see section 4 for suggested data sources). Key stakeholders and other interested parties including affected communities and sectors may be aware of baseline data to be included, and this can be explored in the participatory approaches described above. The findings from social research can also be included in the baseline. Note that baseline data can be presented in the scoping report but is also the first stage of the SEIA and so should be included in the SEIA report.

10) Predict impacts and assess their significance (otherwise known as impact appraisal or options appraisal): Through analysis, estimate the social and economic changes and their expected impacts, considering any alternative development options and how significant the impacts might be. This is the core part of the assessment and forms the main part of the assessment report. Different methodologies and both primary and secondary data inform this part of the exercise.

Different phases of the development should be covered (development, construction, operation and maintenance) and also transitions between phases (if relevant).

The knock on socio-economic consequences of impacts in other parts of the EIA assessment should be assessed here, such as the impact on commercial fisheries, and impacts on related industries such as tourism could also be included.

It is important to consider distribution of impacts among different social groups (covering protected quality characteristics, socio-economic groups and geographic area where relevant to do so).

Economic impact appraisal should include consideration of:

- Direct, indirect and induced impacts
- Leakage, displacement and substitution effects
- Deadweight
- Cumulative impacts
- Sensitivity analysis to account for risk, uncertainty and optimism bias

There are a range of methodologies for calculating direct, indirect and induced impacts. These include the appropriate use of multipliers, a local content methodology, stakeholder involvement and expert opinion.

Modelling approaches should be realistic, based on robust data, and avoid over promising the economic impacts.

All prices should be presented in real terms (excluding inflation) and should state which year the prices represent.

11) Development enhancement, mitigation strategy and complete SEIA report.

There may be an opportunity for adaptation or other approaches to mitigate potentially adverse impacts and to maximise positive opportunities. This may include engagement with the community to develop a strategy for enhancing benefits and mitigating against impacts; or development of a Community Benefit Agreement (CBA). Again these activities should be done collaboratively with stakeholders where relevant and appropriate.

The SEIA report should clearly set out the methods used in the assessment, justification for decision made such as scoping certain impacts in or out of the assessment, and the approach to analysis. The report should cover the baseline

analysis and results of the impact prediction or appraisal, and distributional impacts . Social and economic impacts can be set out separately (where this makes sense) and together where they overlap.

It is good practice for the report to be reviewed by the people (i.e. the wider group of stakeholders and communities) who were involved in providing data for its production.

Section 3. Examples of different types of socio-economic impacts

In the literature social and economic impacts are defined in many different ways. Sometimes social and economic impacts are covered separately, whilst other sources refer to socio-economic impacts.

The following table sets out some commonly identified socio-economic impacts.

Examples of Socio-economic Impacts from Glasson 2017³

1. Direct economic:

- GVA
- employment, including employment generation and safeguarding of existing employment;
- characteristics of employment (e.g. skill group);
- labour supply and training; and
- other labour market effects, including wage levels and commuting patterns.

2. Indirect/induced/wider economic/expenditure:

- employees' retail expenditure (induced);
- linked supply chain to main development (indirect);
- labour market pressures;
- wider multiplier effects;
- effects on existing commercial activities (eg tourism; fisheries);
- effects on development potential of area; and

3. Demographic:

- changes in population size; temporary and permanent;
- changes in other population characteristics (e.g. family size, income levels, socio-economic groups); and
- settlement patterns

4. Housing:

- various housing tenure types;
- public and private;

³ Glasson J (2017a) "Socio-economic impacts 2: Overview and economic impacts" in Therivel R and Wood G (eds.), *Methods of Environmental and Social Impact Assessment*, Abingdon: Routledge

- house prices and rent / accommodation costs;
- homelessness and other housing problems; and
- personal and property rights, displacement and resettlement

5. Other local services:

- public and private sector;
- educational services;
- health services; social support;
- others (e.g. police, fire, recreation, transport); and
- local authority finances

6. Socio-cultural:

- lifestyles/quality of life;
- gender issues; family structure;
- social problems (e.g. crime, ill-health, deprivation);
- human rights;
- community stress and conflict; integration, cohesion and alienation; and
- community character or image

7. Distributional effects:

Distributional analysis is a term used to describe the assessment of the impact of interventions on different groups in society. Interventions may have different effects on individuals according to their characteristics such as income level or geographical location

- effects on specific groups in society (eg: by virtue of gender, age, religion, language, ethnicity and location); environmental justice

Section 4: Useful Data Sources for Socio-Economic Impact Assessments

Name	Summary	Link to Source
Statistics.gov.scot	Contains a wide range of data by local authority and other geographic breakdowns. Has a search by subject and area option.	statistics.gov.scot
Marine Economic Statistics, 2019	Annual economic statistics publication including GVA and employment data for marine economy sectors.	Scotland's Marine Economic Statistics 2019 - gov.scot (www.gov.scot)

Scottish Sea Fisheries Statistics, 2021	Provides data on the tonnage and value of all landings of sea fish and shellfish by Scottish vessels, all landings into Scotland, the rest of the UK and abroad, and the size and structure of the Scottish fishing fleet and employment on Scottish vessels.	Summary - Scottish Sea Fisheries Statistics 2021 - gov.scot (www.gov.scot)
Scottish Shellfish Farm Production Survey 2021	Statistics on employment, production and value of shellfish from Scottish shellfish farms.	Scottish Shellfish Farm Production Survey 2021 - gov.scot (www.gov.scot)
Scottish Annual Business Statistics 2020	Scottish Annual Business Statistics (SABS) presents estimates of employment, turnover, purchases, Gross Value Added and labour costs. Data are provided for businesses that operate in Scotland. Data are classified according to the industry sector, location and ownership of the business.	Scottish Annual Business Statistics 2020 - gov.scot (www.gov.scot)
Sub-Scotland Economic Statistics Database	The Sub-Scotland Economic Statistics Database provides economic, business, labour market and population data for Scotland, and areas within Scotland.	Sub-Scotland Economic Statistics Database - gov.scot (www.gov.scot)
Nomis Official Labour Market Statistics	Labour market statistics including data on employment, unemployment, qualifications, earnings etc.	Nomis - Official Labour Market Statistics (nomisweb.co.uk)
Economics of the UK Fishing Fleet 2020	Economic estimates at UK, home nation and fleet segment level for the UK fishing fleet. The estimates are calculated based on samples of fishing costs and earnings gathered by Seafish as part of the 2020 Annual Fleet Economic Survey.	Economics of the UK Fishing Fleet 2020 — Seafish

Scotland's Census, National Records of Scotland	Census data that provides information about the characteristics of people and households in the country.	Scotland's Census National Records of Scotland (nrscotland.gov.uk)
Scottish Index of Multiple Deprivation	Collection of documents relating to the Scottish Index of Multiple Deprivation - a tool for identifying areas with relatively high levels of deprivation.	Scottish Index of Multiple Deprivation 2020 - gov.scot (www.gov.scot)
The Green Book	HM Treasury guidance on how to appraise and evaluation policies, projects and programmes.	The Green Book: appraisal and evaluation in central government - GOV.UK (www.gov.uk)
The Magenta Book	HM Treasury guidance on evaluation. Chapter 4 provides specific guidance on data collection, data access and data linking.	The Magenta Book - GOV.UK (www.gov.uk)
Enabling a Natural Capital Approach (ENCA)	Supplementary guidance to The Green Book. ENCA resources include data, guidance and tools to help understand natural capital and know how to take it into account.	Enabling a Natural Capital Approach (ENCA) - GOV.UK (www.gov.uk)

Section 5: Further sources of guidance:

HM Treasury guidance on how to appraise and evaluate policies, projects and programmes: [The Green Book: appraisal and evaluation in central government](http://www.gov.uk)

Best practice in Social Impact Assessment according to the International Association for Impact Assessment: [Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects](http://www.iaia.org)

The project A two way Conversation with the People of Scotland on the Social Impacts of Offshore Renewables (CORR/5536) has developed elements of a conceptual framework on social values that can be used to support and inform existing processes for assessing the potential social impacts of offshore renewables plans: [Offshore renewables - social impact: two way conversation with the people of Scotland](http://www.gov.uk)

Best practice guidance for assessing the socio-economic impacts of OWF developments: [Guidance on assessing the socio-economic impacts of offshore wind farms \(OWFs\)](http://www.gov.uk)

**Marine Directorate Science, Evidence,
Data and Digital - 10 October 2023**

Marc MacFarlane

From: Abby Gray on behalf of MD-SEDD-RE Advice
Sent: 10 October 2023 11:59
To: Marc MacFarlane
Cc: Jane Renwick; Mariya Menova; MD Marine Renewables
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved to eRDM

Good Morning,

Please find MD-SEDD comments below.

2023-08-24- Nova Innovation Ltd - Nova Æ'ran na Mara Tidal Energy Project - Sound of Islay - Response Letter - <https://erdm.scotland.gov.uk/documents/A44977846/details>

Best Wishes,
Abby

Abby Gray (she/her)

Renewables Advice Support Officer, Marine Directorate

Scottish Government | Marine Laboratory | Aberdeen | AB11 9DB

E: Abby.Gray2@gov.scot



From: MS Marine Renewables

Sent: Wednesday, August 23, 2023 2:51 PM

To: MS Marine Renewables <MS.MarineRenewables@gov.scot>

Cc: Ben Walker <Ben.Walker@gov.scot>; Jane Renwick <Jane.Renwick@gov.scot>; Marc MacFarlane

<Marc.MacFarlane@gov.scot>; MSS Advice <MSS_Advice@gov.scot>; Paul Stainer <Paul.Stainer@gov.scot>; Abby Gray <Abby.Gray2@gov.scot>

Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Good afternoon,

Please find attached an MD-SEDD pro-forma in relation to the attached consultation email for the scoping report for the Nova Òran na Mara Tidal Energy Project in the Sound of Jura.

The scoping report submitted by the applicant can be found at:

<https://marine.gov.scot/node/24308>

Consultation closes on 22 September 2023 and a copy of the NatureScot response will be forwarded on to you once received, allowing an extra week for response if required.

Please let me know should you require any further consultee responses or further information. If MD-LOT requires any specific advice for receptors following consultation I will forward on relevant responses and an updated pro-forma.

Please be advised that the Scottish Ministers' scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Kind regards,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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

Frequently
Asked
Questions



T: +44 (0)131 244 2500

E: MSS_Advice@gov.scot

Marc MacFarlane
Marine Planning & Policy
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

10 October 2023

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

Marine Directorate advisers have reviewed the request from MD-LOT and provide the following advice.

General Comments

MD-SEDD note that throughout the sections reviewed by advisors there are numerous inconsistencies and as a result, these are the focus of responses. MD-SEDD advise that these inconsistencies are addressed in subsequent versions of the document.

MD-SEDD note that mitigation is not outlined for exposure to potentially harmful pin-piling during construction. MD-SEDD understand that it is currently not known if pin piling will be used however MD-SEDD advise that it should be included in more detail in the EIA and scoped in as the worst case scenario for underwater noise impacts for marine fish and marine mammal assessments. MD-SEDD advise referring to the JNCC guidance on mitigation of underwater noise during impulsive noise generation.

MD-SEDD note that the developers are waiting on the analysis of sound measurements taken from their other turbine site Bluemull Sound in Shetland, before final decisions on the requirement for noise modelling are made. MD-SEDD advise that further justification is



required from the developer on how the analysis of sound measurements taken from their other turbine site at Bluemull Sound in Shetland will be comparable to this tidal site in the Sound of Islay given that the underwater soundscape may be different.

Marine Mammals and underwater noise

MD-SEDD advise that more information is needed to justify the assumption that operational noise levels are not predicted to be significantly above ambient. Operational status, and by extension potential operational noise levels, at other sites have been shown to elicit behavioural responses in both seals and porpoises. Additionally, experiments exposing wild seals to the sounds emitted by an operational tidal turbine have also demonstrated avoidance behaviours. MD-SEDD would therefore advise it necessary to estimate operational noise levels at this site based on known parameters of the turbines or scope in operational noise monitoring to validate these assumptions. MD-SEDD advise that this assumption is reflected in the inconsistency in the text given the developers have identified operational noise affecting prey species as an impact pathway therefore would by extension assume that operational noise will be significantly above ambient.

Commercial fisheries

MD-SEDD advise that the current definition of the study area and wider area within the commercial fisheries chapter needs clarifying. In Figure 12-1 the study area is shown as ICES rectangle 40E3, and all surrounding ICES rectangles stated as the wider study area. However in the figure 12-2 this is contradicted: 40E3 becomes the 'wider region' and the study area is reduced to the Sound of Islay. The fisheries statistics from 40E3 are currently used within the chapter, but no further ICES square statistics are used, which suggests 40E3 is the wider region. However, the AIS plots cover more than just 40E3, but do not go as far as covering all surrounding ICES squares, which is inconsistent with both wider region descriptions.

In Table 12-2 'study area' and 'wider region' are referred to, but it is unknown if these are the areas shown in Figure 12-1 or 12-2. MD-SEDD note that if the Sound of Islay is to be the study area, and 40E3 the wider area, this excludes fishing activity shown in the AIS plots within 40E4, which is very close to the Sound. MD-SEDD advise the wider study area to include both 40E3 and 40E4.

MD-SEDD note the lack of available fishing data for small vessels within the Sound of Islay and agree that stakeholder engagement will be a priority for determining both the baseline activity of the area and the potential effects of the development, as well as for minimising the impacts. Although it appears only a small number of vessels are operating within the Sound it is important they are not overlooked due to the lack of available fisheries data.

MD-SEDD advise that the Scottish Government has recently published heat maps of fishing data (2017-2021) for Under 12 metre vessels, which may help to inform the baseline within the Sound of Islay. The layers are on [Marine Scotland Maps](#) and can be downloaded via [Spatialdata.gov.scot](#) . The layers can be quickly accessed from the links at the bottom of this page: [Fishing - Activity data and statistics | Marine Scotland Information](#).

The chapter text states the AIS figures cover fishing activity from January 2018 to November 2022, however the figure legends state January 2018 to November 2018, this needs to be clarified. MD-SEDD advise looking at the AIS data over at least the last 5 years, rather than only 2018, to get a better understanding of the commercial fisheries baseline. MD-SEDD also advise that AIS data is also used to produce maps of fishing vessel tracks as another way to visualise the fishing vessel movement and activity around the Sound of Islay, and to help to determine if steaming routes of fishing vessels in the wider area will be impacted.

MD-SEDD acknowledge there will be no VMS data for the smaller vessels operating in the Sound, but suggest VMS data is used to produce figures of fishing effort and value in the wider area to help inform the baseline and to better understand nearby fishing of larger dredge and trawl vessels. This may be of use when looking at potential displacement of vessels from the Sound, and mapping the larger vessels which may be impacted in their steaming times during construction and decommissioning.

MD-SEDD note that the Scotmap data from 2014 has been mentioned and advise that this dataset should not be relied upon to provide information on the commercial fisheries baseline for the inshore fleet as it is out of date. MD-SEDD agree that this dataset should be used only to validate information gathered from local fishers and stakeholders.

MD-SEDD note that the potential effect “displacement of fishing vessels” is stated to be just for the operation phase, however the description also mentions displacement during

construction and operation due to possible safety exclusion zones. This effect should be changed to cover all phases of the project, including decommissioning.

MD-SEDD advise that the potential effect of temporary disruption to fishing activity during the construction and decommissioning phases (e.g. due to increased vessel traffic or safety zones) is included within the assessment, as this is often assessed separately to the exclusion and displacement of fishing vessels. MD-SEDD also advise that the potential effect of increased steaming times for fishing vessels during construction and decommissioning is also included within the assessment. These effects may be found to be not significant, but should still be included and discussed, with justification as to why they have or have not been scoped in.

MD-SEDD note that interviews with local fishermen has determined that fishing within the Sound of Islay is most important during the winter season. MD-SEDD advise this is considered when designing the construction timeline, to minimise the disturbance to fishing activity.

Fish Ecology - Noise Advice

MD-SEDD note that whilst the effects of underwater noise and vibration has been scoped in for fish ecology, this potential effect is extremely broad with little detail in its description. MD-SEDD advise splitting this effect into the various noise sources (operational turbine noise, vessel traffic, pin-piling, etc) as it has been in the marine mammal chapter, or at a minimum clarifying the different noise sources within the effect description. Furthermore, within the underwater noise chapter, the potential effects from pin piling and UXO clearance are not included or scoped in, despite being mentioned in the potential effect descriptions within the fish ecology and marine mammal chapters. MD-SEDD suggest these are scoped in in the Underwater Noise chapter for consistency.

If noise propagation modelling is utilised within the EIA, MD-SEDD would advise that the model assumes fish remain stationary rather than fleeing in response to noise, to reflect the worst case scenario. MD-SEDD also advise that any mitigation proposed to reduce the effects of noise for marine mammals, such as soft starts, may not be effective for fish, and this should be taken into account within the EIA.



Yours sincerely,

Renewables and Ecology Team

Marine Directorate

Maritime and Coastguard Agency

Marc MacFarlane

From: navigation safety <navigationsafety@mcga.gov.uk>
Sent: 21 September 2023 09:54
To: MS Marine Renewables; Marc MacFarlane
Cc: Ben Walker; Jane Renwick; Nick Salter; Vaughan Jackson
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023
Attachments: Scoping Report Response- Oran na Mara.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Marc,

Please find the attached Scoping response from the Maritime and Coastguard Agency for the Oran Na Mara tidal energy project- Sound of Islay.

Best Regards

[Redacted]

Vinu John

Navigation Policy Advisor
Marine Licensing and Consenting
UK Technical Services Navigation

[Redacted]

vinu.john@mcga.gov.uk



Maritime &
Coastguard
Agency

Maritime & Coastguard Agency

Spring Place
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www.gov.uk/mca

My working days are: Monday and Wednesday to Friday

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS.MarineRenewables@gov.scot
Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

CAUTION: This email originated from outside the UK Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. Please use the Report Message function to report suspicious messages.

Dear Sir/Madam,

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the “EIA Regulations”).

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Maritime &
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Marc MacFarlane

Marine Licensing Casework Officer
Marine Directorate - Marine Planning & Policy
Scottish Government, Marine Laboratory
375 Victoria Road, Aberdeen, AB11 9DB

22 September 2023

Dear Mr MacFarlane

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR THE ÒRAN NA MARATIDAL ENERGY PROJECT - SOUND OF ISLAY.

Thank you for your email dated 23 August 2023 requesting comments on the scoping report provided by Nova Innovation Ltd - **Nova Òran na Mara Tidal Energy Project** - Sound of Islay. The MCA welcomes the opportunity to provide comments under the above Environmental Impact Assessment Regulations, and we would comment as follows:

The MCA met with the project team and their navigation risk consultants in December 2022 as pre-scoping meeting for the Oran Na Mara project, although the plan was to develop a site with 3MW capacity and gradually increase, we note the project after consultation with Marine Scotland is now planning to apply for a 10MW site, with Agreement for Lease secured from Crown Estate Scotland in Dec-2020. We also note that the applicant intends to deploy approx. 30 turbines within the lease area and notes that this will be a phased development. We understand that the applicant intends to submit a s.36 application along with a marine license application. We would expect the project to carry out a Navigational Risk Assessment as per the current MCA guidance, MGN654. The NRA should be accompanied by a detailed MGN 654 Checklist which can be found at:

<https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping>

The Environmental Impact Report should supply detail on the possible impact on navigational issues for both commercial and recreational craft, specifically:

- Collision Risk
- 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
- The risk to drifting recreational craft in adverse weather or tidal conditions.
- The likely squeeze of small craft into the routes of larger commercial vessels
- Risk controls including those appropriate for deployment of device testing.

As mentioned within section 13.9 Proposed Approaches to EIA. We note, the applicant intends to use long term (at least 12 months) AIS data to capture seasonal variations in the vessel traffic patterns. As the scoping report clearly identified this may not capture the traffic fully, as suggested during the consultation meeting, we would recommend the applicant to consult with local operators, authorities, sailing clubs and fisheries organisations, we believe this will supplement the long-term

AIS data and will give a greater degree of clarity into the prevailing traffic conditions in the area and their concerns regarding the project.

The layout should be planned in such a way to ensure maximum clearance to any vessel navigating over the devices at all states of tide. *MGN 654 Annex 3- Guidance to Developers in Assessing Minimum Water Depth over Tidal Devices* should be consulted when calculating clearances. Maximum draught of vessels operating in the area should also be considered whilst doing these calculations. The layout should also be compliant with any additional navigation safety and/or Search and Rescue requirements, as per MGN 654 Annex 5, this will be agreed at the approval stage.

We note that the applicant intends to carry out a cumulative impacts assessment as per section 13.7.2 of the scoping report. This assessment should include other renewable developments in the vicinity particularly the SPR Tidal demonstration site and Islay community demonstrator further to the south.

Attention should still be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed. If cable protection measures are required e.g., rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. This will be particularly relevant where depths are decreasing towards shore.

We note that the tidal devices will be bottom mounted with concrete ballast. Suitable arrangements should be made to ensure the deployments remain secure to the seabed for the met-ocean conditions expected in the area, with a programme of regular inspection and maintenance of the works in place.

MGN 654 Annex 4 requires that hydrographic surveys should fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard, with the final data supplied as a digital full density data set, and survey report to the MCA Hydrography Manager. Failure to report the survey or conduct it to Order 1a might invalidate the Navigational Risk Assessment if it was deemed not fit for purpose.

We are content with the Table 13-4 Potential effects of the project on shipping and Navigation and the impacts scoped into the EIA and NRA. On the understanding that the Shipping and Navigation aspects are undertaken in accordance with MGN 654 and its annexes, along with a completed MGN checklist, MCA is likely to be content with the approach.

Yours sincerely,
[Redacted]

Vinu John,
Navigation Policy Advisor
UK Technical Services - Navigation

NatureScot

Marc MacFarlane

From: Malcolm Fraser <Malcolm.Fraser@nature.scot>
Sent: 05 October 2023 15:28
To: MD Marine Renewables
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023
Attachments: 2023 10 05 - Nova Sound of Islay - EIA Scoping Report - NatureScot response AS SENT.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Saved in eRDM
Objective: -1

FAO: Marc MacFarlane

Thank you for consulting us on the above EIA Scoping Report, and for providing extensions to the consultation deadline.

Our advice is attached to this email.

--

Malcolm Fraser (he/ him) | Marine Sustainability Adviser

NatureScot | malcolm.fraser@nature.scot | 0131 316 2629

nature.scot | [@nature_scot](https://twitter.com/nature_scot) | Scotland's Nature Agency | Buidheann Nàdair na h-Alba

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS.MarineRenewables@gov.scot
Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

**REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the "EIA Regulations").**

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:

<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Tha am post-dealain seo agus fiosrachadh sam bith na chois dìomhair agus airson an neach no buidheann ainmichte a- mhàin. Mas e gun d’ fhuair sibh am post-dealain seo le mearachd, cuiribh fios dhan manaidsear-siostaim no neach- sgrìobhaidh.
Thoiribh an aire airson adhbharan gnothaich, ‘s dòcha gun tèid suil a chumail air puist-dealain a’ tighinn a-steach agus a’ dol a- mach bho NàdarAlba.



NatureScot NàdarAlba

Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Marc MacFarlane

05 October 2023

Marine Directorate – Marine Planning &
Policy

Our ref: CNS/ REN/ OSWF/ NOVA – SOUND
OF ISLAY – PRE-APPLICATION

By email: ms.marinerenewables@gov.scot

Dear Marc

Nova – Sound of Islay – Òran na Mara – tidal turbine array

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report

Thank you for consulting NatureScot on the EIA Scoping Report submitted by Nova Innovation for the Òran na Mara tidal array, and for agreeing to extend the response deadline.

Our advice on the natural heritage interests to be addressed within the Environmental Impact Assessment Report (EIA Report) is outlined below.

Policy context

We are currently facing two crises, that of climate change and biodiversity loss and as the Scottish Government's adviser on nature, our work seeks to inspire, enthuse and influence others to manage our natural resources sustainably.

Proposal

The proposal uses a project design envelope approach, as such we recommend recent Scottish Government guidance on this approach¹. The proposal comprises of:

- an array of up to 30 tidal stream turbines with a mix of generating capacities, totalling up to 10MW capacity:
 - Nova's existing M100-D turbine (100-200kW capacity);
 - Nova's 'next generation' turbine (up to 500kW capacity);
- turbines mounted on gravity base substructures/ foundations;
- offshore electrical infrastructure, including inter-array cabling, potentially using hubs/ rings to minimise cabling;

¹ <https://www.gov.scot/publications/guidance-applicants-using-design-envelope-applications-under-section-36-electricity-act-1989/>

- Up to 5 export cables/ ‘private wires’, potentially:
 - to Whitefarland Bay area on Jura;
 - to the Port Askaig area on Islay;
 - to Caol Ila, Ardnahoe and/ or Bunnahabhain on Islay;
- onshore electrical infrastructure including:
 - infrastructure at the point(s) of export cable landfall;
 - an onshore substation;
 - grid connection infrastructure; and
 - other infrastructure potentially including battery storage.

We recognise that this project will be constructed incrementally, in phases, and that the EIA Report (EIAR) will explore possible approaches to project phasing, accompanied by monitoring of environmental effects. The EIA should ensure the layout and phasing approach used to inform the impact assessment is realistic and captures both a worst-case and a realistic worst-case scenario.

The current application does not include project elements located above Mean High Water Springs (MHWS), and we understand that these elements will proceed through a separate Town & Country Planning application process.

However we note that the EIA Scoping Report includes material relevant to the planning process in Chapters 16 and 17.

Content of the Scoping Report

We are generally content with the EIA Scoping Report, which is well laid out, easy to navigate and read. However we highlight a variable approach to defining study areas, and a lack of detail explaining the ‘evidence-based approach’ for assessment. We provide detailed comments on these issues in the relevant Appendices to this letter.

In addition, we advised during pre-scoping discussions that the SPR Sound of Islay Demonstration Tidal Array data should only be used for historical context. However the EIA Scoping Report suggests this data can contribute to quantitative analyses, which we do not support, due to the age of the data – over 10 years old and likely environmental changes that have occurred since this data was collected.

Assessment approach

The EIA Report should consider the project in its entirety as well as any potential phasing and the implications for both the assessment of impacts as well as any monitoring and environmental consent conditions. The impacts of the proposed development on the receiving environment should consider effects from pre-construction activities as well as the construction, operation and maintenance and decommissioning phases. This includes ensuring the layout and phasing approach used to inform the impact assessment is both realistic and also captures the worst-case scenario. We recommend that the following aspects are considered further and included in the EIA Report.

Climate change and carbon costs

The impact of climate change effects should be considered, both in futureproofing the project design, particularly the landfalls and any coastal infrastructure and how certain climate stressors may work in combination with potential effects from the proposed tidal array. The EIA Report

should also consider the carbon cost of the development (including supply chain) and to what extent this is offset through the production of green energy. We recognise that some aspects of this are addressed in Section 18 and Table 18-1 (Climate Change and other EIA Matters).

Habitats Regulations Appraisal

An HRA Stage 1 LSE screening report has not been provided alongside the Scoping Report, this will be submitted separately. We provide advice within our technical appendices to assist in the consideration of screening and assessment requirements for sites/ features under HRA.

Positive Effects for Biodiversity and nature inclusive design

We recommend consideration of potential Positive Effects for Biodiversity as well as nature inclusive design aspects at an early stage and following through into the EIA Report. We acknowledge that, whilst not policy, these aspects form part of our ability to address both the climate and biodiversity crises and as such we encourage developers to consider this as part of their application.

Mitigation

We welcome the intention to adopt embedded mitigation measures as described in each of the relevant sections of the EIA Scoping Report (for example Section 9.8). Section 21.3.3 refers to a summary of mitigation measures in Appendix D, however this Appendix is not included in the current version of the EIA Scoping Report. The EIA Report must clearly articulate those mitigation measures that are informed by the EIA (or HRA) and are necessary to avoid or reduce predicted significant adverse environmental effects of the proposed development. We advise that the full range of mitigation and monitoring measures are considered and discussed in the EIA Report.

Natural Heritage interests to be considered

We provide advice as detailed below within receptor-specific and impact-pathway specific technical appendices for key natural heritage interests to be considered in the EIA Report and HRA:

- Advice on marine physical processes is provided in **Appendix A**.
- Advice on benthic ecology is provided in **Appendix B**.
- Advice on marine mammals is provided in **Appendix C**.
- Advice on marine ornithology is provided in **Appendix D**.
- Advice on fish and shellfish ecology is provided in **Appendix E**.
- Advice on underwater noise is provided in **Appendix F**.

Further information and advice

We hope this advice is of assistance to help inform the scoping opinion, noting that there may be aspects where some further engagement is required to assist in undertaking the EIA Report.

Please contact me in the first instance for any further advice, using the contact details below, copying to our marine energy mailbox – marineenergy@nature.scot.

Yours sincerely

Malcolm Fraser

Marine Sustainability Adviser – Sustainable Coasts and Seas

malcolm.fraser@nature.scot

0131 316 2629

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report for Nova – Sound of Islay – Òran na Mara – offshore tidal array

Appendix A – Marine physical processes

Physical processes are considered in Section 6 of the EIA Scoping Report, and have links to Section 8 (Benthic Ecology). No specific scoping questions have been set out by the applicant.

Study area

The EIA Scoping Report does not set out a study area within which to inform the assessment for physical processes, which makes the one reference to “far-field” (Section 6.9.1) difficult to quantify.

It is essential that a study area is agreed with us prior to the commencement of the EIA assessment. As the principal potential effects identified relate to tidal flow, we suggest the study area should be defined in relation to distribution of tidal flow.

Baseline characterisation

We note the data sources to be used as described in Section 6.3. We are broadly supportive of the baseline characterisation that is set out in Sections 6.3.2-6.3.5, noting that further site-specific information remains to be obtained via metocean and geophysical surveys (Section 6.9.2).

Potential impacts

We are content that no specific physical-process receptors are identified. Similarly we are content with the range of potential effects/ impact pathways scoped in, and those scoped out.

Approach to assessment

The assessment method proposed is described as an “evidence-based approach... based on existing information from other projects and site data gathered...” (Section 6.9.1). This is not detailed enough to adequately describe the forthcoming assessment.

Furthermore, we do not support the rationale for not carrying out hydrodynamic modelling (Section 6.9.1). For clarity we advised on the need for hydrodynamic modelling by email dated 09 December 2022 (which we have included as Annex 1 at the end of this Appendix). This will enable assessment of the potential for physical process change, including reduced tidal energy flow and / or changes in flow patterns required to inform consideration of effects - based on the sensitivity of potential benthic receptors and the likely magnitude of effect.

The requirement for hydrodynamic modelling remains unresolved, and should be addressed as a matter of urgency.

Cumulative impacts

We note the proposed approach to cumulative impact assessment as described in Section 6.7.2, which is focused on changes in tidal flow.

Mitigation and monitoring

We welcome the embedded mitigation measures described in Table 6-4, and note that this includes production of a Cable Plan. We also welcome the measures described in Section 6.8, which include use of a worst-case scenario approach to assessment.

Transboundary impacts

Section 6.7.3 indicates that transboundary effects will be considered. We advise that there are unlikely to be any transboundary/ cross border effects on marine physical processes.

Appendix A: Annex 1 – hydrodynamic modelling advice provided by email dated 09 December 2022

Action 1 - NatureScot to provide a steer on whether physical process modelling is appropriate for this site

We are not currently able to advise whether hydrodynamic modelling is or is not required for this proposal – and we strongly recommend that you consult us on a short statement of your proposed approach to assessing physical process change, for the reasons set out below.

The direct physical process effects of the proposal would be reduced tidal energy, both from individual turbines and cumulatively from the array, and resulting changes to flow patterns in three dimensions. These could cause indirect physical process effects in terms of local sedimentation, in what is almost certainly a sediment-poor environment ('hard seabed' was discussed in the meeting).

There needs to be a two-way relationship between specifying the methods of assessing physical process change, and considering potential effects on receptors such as benthic ecology. That is to say, the sensitivity of the receptors has to be a main consideration in making sure the methods are adequate. The other main consideration is the potential magnitude of effect, taking account of distances involved.

There don't appear to be any designated marine or coastal site interests which throw up obvious potential significant effects from physical process change:

- the Sea of the Hebrides MPA designated for marine mammals is only a few km N of the array area, but may not depend significantly on tidal flow in the Sound.
- marine SACs in the region are at least 15 km from the proposal and not likely to be sensitive to the effects of the proposal on tidal flow.
- the Coastal Geomorphology interests of nearby SSSIs on Jura and Islay are largely about relict (inactive) landforms, and aren't likely to be sensitive to the effects.

Therefore it's likely that the main receptors to be considered are non-designated (but PMF) benthic habitats in the vicinity.

Hydrodynamic modelling would provide the best assessment of physical process change, especially with the benefit of providing 'heat map' outputs. However, depending on the sensitivity and location of benthic habitats, non-modelling assessment based on established hydrodynamic formulae may be sufficient. This 'spreadsheet-based' approach may need to be directly applied (bespoke calculations for the proposed turbines and array), or possibly calculations from previous study could be applied if the situation was analogous enough.

Once we have sight of your proposed approach to assessment we will be able to advise more clearly whether a desk-based study is adequate.

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report for Nova – Sound of Islay – Òran na Mara – offshore tidal array

Appendix B – Benthic ecology

Benthic ecology is considered in Section 8 of the EIA Scoping Report, with links to the Marine Physical Processes section (Section 6). No specific scoping questions have been set out by the applicant.

Study area

The EIA Scoping Report does not set out a study area within which to inform the assessment for benthic ecology. It is essential that a study area is agreed with us prior to the commencement of the EIA assessment.

Baseline characterisation

We note the data sources to be used as described in Section 8.3. We are broadly supportive of the baseline characterisation that is set out in Sections 8.3.2-8.3.3, noting that further site-specific information remains to be obtained via geophysical, subtidal benthic, and intertidal surveys (Section 8.8.1).

We note that several PMF have been identified in the wider area during previous surveys (including maerl, horse mussels). The additional site-specific surveys (as noted above) should target PMFs and the detail and findings of these surveys should be shared as part of the project Survey and Evidence Strategy.

SPR data

EIA Scoping Report, Section 2.6.2.1, states an intention to incorporate some of the data collected from the previous SPR Sound of Islay Demonstration Tidal Array to inform baseline characterisation, and Section 8.3.1 lists the SPR Environmental Statement as a data source. Scoping Workshop discussions made it clear that this data is both quite old (13 years) and does not overlap spatially with the current application. As such we do not consider the SPR data will be robust enough to meaningfully contribute to the EIA Report. Instead, we would support the use of the SPR data as historical context only and advise that it should not be used in quantitative analyses.

Potential impacts

We are generally content with the range of potential effects/ impact pathways scoped in, and those scoped out (Section 8.6 and Tables 8-4 and 8-6).

Approach to assessment

The proposed “evidence-based approach” has been carried through from Physical Processes into the proposed assessment of benthic effects; the proposal to use a source-pathway-receptor approach does not add sufficient detail to provide confidence in the approach.

Section 8.8 sets out the proposed approach to EIA for benthic ecology, including the use of realistic worst-case approach to ensure a conservative approach to assessment. We support the proposed approach of grouping receptors (e.g. grouping all biotopes containing maerl) for the purposes of assessment.

Section 8.3.2.2 states that the export cable will be laid on the seabed, with some potential trenching as it approaches the intertidal area and the foreshore. Given ground conditions in the Sound of Islay it is unlikely that cable burial will be feasible across the entire cable corridor, however we are unclear whether there may be any requirement for additional cable protection. This aspect should be incorporated into the EIA assessment, e.g. when considering potential effects including “physical disturbance or change (substratum type) to habitats and species and habitat loss”, “Abrasion/ disturbance at the seabed surface causing habitat loss and disturbance” etc.

Cumulative impacts

We note the proposed approach to cumulative impact assessment as described in Section 8.6.2, which is focused on nearby developments.

Mitigation and monitoring

We welcome the embedded mitigation measures described in Section 8.7, which include use of a worst-case scenario approach to assessment, and micro-siting of turbines and export cables to avoid sensitive habitats and species. Micro-siting options however are only likely to be known post-consent and based on pre-construction surveys and therefore clarity on the process to be followed for micro-siting should be provided in the EIA Report.

Transboundary impacts

Section 8.6.3 indicates that transboundary effects will be considered, with a focus on invasive non-native species. We advise that there are unlikely to be any transboundary / cross border effects relating to benthic ecology, particularly if INNS protocols are followed.

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report for Nova – Sound of Islay – Òran na Mara – offshore tidal array

Appendix C – Marine mammals

Marine mammals are considered in Section 9 of the EIA Scoping Report, with links to the Underwater Noise section (Section 15). No specific scoping questions have been set out by the applicant.

Study area

The study area for marine mammals is the project area, including export cable corridors, plus a 50km buffer zone. The EIA Scoping Report situates the study area within the relevant marine mammal management units and seal management areas. This approach is based on the main impact pathways being underwater noise and collision risk, and is proportionate to the size of the development.

We advise that SCANS-IV results are now published and will be available for use in the forthcoming EIA Report. However please note that that SCANS data is not designed to cover near shore areas and this limitation should be discussed in the EIA Report.

Baseline characterisation

We note the data sources to be used as described in Section 9.3.6 and Table 9-4, and advise that some of the references are out of date or have been superseded (e.g. SMASS, SCOS reports, HWDT database). We recommend that a review of the most up-to-date references is carried out during production of the EIA Report. There are also some discrepancies in the start/ end dates of the VP survey between e.g. Section 9.3.5 and Table 9-4, and we advise these should be checked.

We are broadly supportive of the baseline characterisation that is set out in Sections 9.3.1-9.3.4. The lists of cetacean and pinniped species and abundances are as expected, similarly we support the list of protected sites requiring further consideration.

Section 21.3.2 in the Survey and Evidence Strategy chapter states: *At the time of writing, 1 year's marine mammal and bird surveys have been undertaken in the Project site. These surveys have been extended to July 2023 to capture a further breeding season. It is hoped that this, combined with the considerable existing information already available for the area will be adequate for the EIA and a full 2 years of data may not be required.*

Whilst we appreciate the surveys already undertaken (for marine mammals and birds) and are aware of previous work and additional data sources, we are unable to advise at this stage as to whether further work will be required until the project-specific data is presented in a complete form. It would be useful to see both the first year of vantage point data and any review undertaken of additional data sources as soon as it is available.

SPR data

Table 9-4 refers to the SPR Sound of Islay Environmental Statement as a data source that will inform the current proposal. Scoping Workshop discussions made it clear that this data is both quite old (13 years) and does not overlap spatially with the current application. As such we do not consider SPR data will be robust enough to meaningfully contribute to the EIA Report. Instead, we

would support the use of the SPR data as historical context only and advise that it should not be used in quantitative analyses.

Potential impacts

We are generally content with the range of potential effects/ impact pathways scoped in, and those scoped out (Section 9.7 and Table 9-7). However, due to the location of the proposed development we advise that potential barrier effects should be scoped into the EIA Report.

We support the scoping out of EMF for marine mammals, and note that it has been scoped in for fish and shellfish.

Approach to assessment

Section 9.9 sets out the proposed approach to EIA for marine mammals, which includes:

- underwater noise assessment;
- collision risk modelling (CRM);
- UXO impact assessment;
- Assessment of vessel collision and disturbance;
- Assessment of disturbance – noise above sea surface; and
- Assessment of indirect effects.

With regard to CRM – we welcome the inclusion of CRM, and note that the encounter rate model (ERM) has been used for 3 species: harbour seal, grey seal and harbour porpoise (Vallejo and McCarthy, 2021) however without seeing the results of the surveys and any other baseline data gathered, we are unable to advise whether other species should also be considered. For example, given the small size of the bottlenose dolphin population in the area (and note that current surveys reported this species), we would advise including at least bottlenose dolphin in any future assessments. Further discussion is required to agree species for which CRM will be required and whether any changes may be required to the parameters/ modelling used for CRM.

The above suite of assessments will be influenced by the layout of the array and the phasing of device installation. The EIA should ensure the layout and phasing approach used to inform the impact assessment is realistic and captures the worst-case scenario.

We welcome the inclusion of assessment of indirect effects related to prey species distribution.

Cumulative impacts

We support the proposed approach to cumulative impact assessment as described in Section 9.7.2, which is focused on nearby developments.

Mitigation and monitoring

We welcome the embedded mitigation measures described in Section 9.6.2, which include the production of various Plans, as well as use of ‘low order’ techniques for UXO disposal, if required. Please note our preference is for the use of deflagration for the disposal of UXO.

Transboundary impacts

We support the proposed approach to assessing transboundary/ cross border effects as set out in Section 9.7.3.

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report for Nova – Sound of Islay – Òran na Mara – offshore tidal array

Appendix D – Marine ornithology

Marine ornithology is considered in Section 10 and Appendix B of the EIA Scoping Report. No specific scoping questions have been set out by the applicant.

Highly Pathogenic Avian Influenza (HPAI)

The EIA Scoping Report does not mention the outbreak of HPAI. We acknowledge that HPAI is an ongoing mortality event and at this point it is challenging to quantify impacts on populations. However, a qualitative assessment of this proposal in light of HPAI must be presented in the EIA Report.

Study area

The study area for marine ornithology encompasses the project area plus a 500m buffer. This is proportionate to the size of the development, however, there is no coverage of the cable corridors. The EIA Report should also address characterisation of the cable corridors with respect to marine ornithology receptors. Noting also the marine / terrestrial interface may require some additional consideration of certain species in both the marine and terrestrial applications supporting information.

Baseline characterisation

We note the intention to use a combination of desk-based review of relevant data, including WeBS, BTO and SMP work, and site-specific bird surveys to inform the baseline of bird usage of the project area.

Data sources

Although not exhaustive, the sources presented in Table 10.1 and 10.2 appear to be relevant and appropriate for assessment.

SPR data

EIA Scoping Report Section 2.6.2.1 states an intention to incorporate some of the data collected to inform the previous SPR Sound of Islay Demonstration Tidal Array for baseline characterisation. Scoping Workshop discussions made it clear that this data is both quite old (13 years) and does not overlap spatially with the current application. In addition to this, HPAI impacts over the last three years will mean that this data is likely to be unreliable for informing any quantitative analysis of the baseline characterisation.

Site-specific surveys

During the pre-scoping period we advised that one year of surveys, capturing both the breeding and non-breeding season, was sufficient. A 15-month programme of monthly land-based vantage point (VP) surveys of the study area began in April 2022. The additional 3 months, which will finish in the middle of the 2023 breeding season, could be difficult to incorporate into the analysis.

No detail is provided on how the analysis will be undertaken to include the additional 3 months of survey effort. Further details, alongside justification for the proposed methods for inclusion of this data should be provided. Alternative options offering a more straightforward dataset for analysis

would be to continue surveys until the full 2 years of survey effort are completed, or the complete 2023 breeding season.

The survey method (3hr VP count, 1hr rest and 3hr VP count) is standard for VP surveys and should be appropriate for this project. We note that gannet are recorded differently (total number in flight at the end of each scan). The report states that this was because of advice from James Waggitt but no further justification or reasoning is provided. The EIA report should include justification for this approach and how consideration will be given to gannet feeding within the array area for CRM purposes.

Data analysis – kernel density estimation (KDE)

A kernel density estimation will be used to provide species densities across the survey area. This is a relative measure of density.

Although it is possible to apply KDE to vantage point survey data, the KDE analysis maps will only be as robust as the underlying data. There are inherent limitations in VP data and the following issues could influence the interpretation of the results of KDE on VP data:

- distance decay cannot be corrected with respect to VP surveys (consequently the underlying data is less robust the further away you move from the VP); and
- we don't know how precise the location data is and consequently the output is only as precise as the underlying data.

In order to use KDE for this analysis and to interpret it appropriately, we require more detailed information on the survey methods, with particular focus on the following to be presented in the EIA Application:

- the raw data from the survey with details of the tidal state and speed and time of day;
- the method for collecting location data and information on the precision of this data (was this data collected using laser-range finders or rangefinder sticks etc);
- the method for determining tidal speed and how regularly this was assessed;
- information on model fit and cross validation;
- the underlying data to be provided in the form of dot maps with distance bands superimposed; and
- information on the survey methodology including; whether the scanning was always done in one direction, or whether it went with or against the current.

In addition to the above, there are some additional factors in relation to VP survey of tidal streams that may need to be considered in the application. We specifically advise that correction factors for tidal flows should be considered (Robbins, 2017²).

Data analysis – hotspot analysis

The EIA Scoping Report states that the relative densities derived from the KDE will be used to carry out a hotspot analysis for key species, although key species are currently undefined. We support the use of the hotspot analysis but note that this will only be as reliable as the underlying KDE and

² Robbins, Alexandra Mary Claire (2017) Seabird ecology in high-energy environments: approaches to assessing impacts of marine renewables. PhD thesis.

therefore the above advice also stands, with particular emphasis on the need for information on location precision.

Data analysis – abundance analysis

The EIA Scoping Report states an intention to undertake an abundance analysis using a Poisson generalized linear mixed model (GLMM). The EIA Report should include justification of the use of GLMM versus other model types (e.g. GAMM), and should specify any random effects that have been included. We advise that model diagnostics are also presented, alongside a clear rationale/justification that the model assumptions are not violated with their data.

Data analysis – animal behaviour analysis

This is to enable an understanding of behaviour at various tidal flows and will be appropriate for this purpose.

Preliminary results

Preliminary results are based on 9 months of survey, however the report extracts qualitative and relative information from the surveys without presenting any actual data or records, so the species abundances recorded at the site are not readily understood. In species accounts under Appendix B, Section 1.5.2 references to species being present in high or moderate numbers are stated, but again this is relative, and no numbers are presented.

In addition, this data covers a whole breeding season but only half of the winter season so there may be species present at the site that were not detected in the first 9 months of survey.

A total of 14 species have been recorded so far, the species recorded in the highest numbers at the study site are:

- gannet;
- black guillemot;
- common eider;
- great northern diver; and
- shag;

However, we note again that no numbers of birds are presented.

Some useful contextual information is provided on roosts for shag and breeding locations for black guillemot but again numbers are not presented.

We advise that all raw data from the VP surveys must be presented in an annex to the EIA Report at application stage with the data recorded as well as information on the weather, time of survey, tidal state etc. This is required in order for us to have confidence in the analyses that will be presented in the EIA Report.

Potential impacts

Table 10.3 presents the scoping in and out of potential impact pathways. In general terms the standard pathways of collision, disturbance, and displacement have been captured. The pathways scoped in and out are appropriate for this type of development and no impacts or pathways are missing.

Approach to assessment

Section 10.9 briefly discusses the approach to EIA for marine ornithology, including the proposed use of a 'worst-case scenario' approach.

Very little detail is presented and so we advise that although collision and displacement are scoped into assessment, no information is presented on the methods that will be used, with the exception of the following from Table 10.3:

“There are currently three models that are accepted that are able to assess collision risk for bird species, these are: the Exposure Time Population Model (ETPM); the Collision Risk Model (CRM) and the Encounter Rate Model (ERM). The most appropriate model can be assigned during the EIA stage”.

We would accept the use of any of these three models in the EIA Report. However the assessment must present full details of the parameters used and justifications for their use. As there is no detail provided on the collision and displacement methods, tools or parameters that will be used we cannot advise on the suitability of the potential methods at this stage. This should be provided and agreed in advance of the EIA Report.

Connectivity to designated sites/ Habitats Regulations Appraisal (HRA)

We note that the EIA Scoping Report does not present a long list of SPAs or key sites with connectivity to the proposal, which we might have expected to see at this point. Section 10.9 states that a separate offshore HRA Screening Report will be produced

However, the report does state in Table 10.2 that Woodward et al. (2019) will be used to determine connectivity using the mean max +1SD to create a long list of connected sites. This approach is appropriate, and the correct sources have been identified. We require a full list of sites with connectivity to the project to be presented at application stage with a clear audit trail of any sites or species that have been scoped out and the justification for this.

Cumulative impacts

We note and support the intention to use the Cumulative Effects Framework (CEF) tool³. The list of developments to be considered should be agreed with Marine Directorate but must include those sites which are within the mean max +1 SD from the colonies with connectivity. NatureScot and Marine Directorate should be consulted with the proposed list prior to completing the cumulative assessment.

Mitigation and monitoring

We welcome the project's commitment to providing embedded mitigation measures, however we note that no embedded mitigation measures for bird receptors are presented at this stage.

Section 10.8 mentions the potential for use of scaring devices as a means of deterring diving seabirds, specifically Looming Eye Buoys. This is a new method of deterrence that has not been extensively tested. There is an ongoing project looking at the effectiveness of looming eye buoys in relation to fishing bycatch in Cornwall as part of The Cornwall Bycatch Project, but this has not yet reported. Birdlife international carried out a trial of these deterrent devices in Estonia. The

³ <https://www.ceh.ac.uk/our-science/projects/cumulative-effects-framework-key-ecological-receptors>

trials demonstrated that the Looming Eye Buoys deterred long-tailed ducks (and potentially other seabirds) in a 50 m radius, by about 25%. However, there was some evidence of habituation and it is as yet untested on other species or for other applications (i.e. tidal turbines). We are unaware of any evidence supporting the suitability of such mitigation in a narrow tidal channel.

Transboundary impacts

We support the intention to consider transboundary/ cross border effects. Given the scale of this project it is likely that any transboundary/ cross border effects will be negligible, however the assessment must be undertaken and justification for any conclusions drawn should be presented.

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report for Nova – Sound of Islay – Òran na Mara – offshore tidal array

Appendix E – Fish & shellfish ecology

Fish and shellfish interests are considered in EIA Scoping Report Section 11 (Fish and Shellfish Ecology), and Section 15 (Underwater Noise). Our advice below focusses on:

- fish and shellfish species, and their associated habitats where appropriate, that are protected features of European sites or Nature Conservation MPAs; and
- species of conservation interest including PMFs and key prey species.

No specific scoping questions have been set out by the applicant.

Study area

We are broadly content with the fish and shellfish study area as defined in Section 11.2 and Figure 11-1, which comprises:

- the project area;
- the study area (ICES square 40E3); and
- the wider study area (the 8 ICES square surrounding the study area).

Baseline characterisation

We support the proposed approach of characterising the fish and shellfish baseline primarily by means of desk-based literature and data sources review, however please see our advice on eDNA below. The data and literature sources detailed in Section 11.3 and Table 11-1 should be updated to include the following source:

- Developing Essential Fish Habitat Maps: Report⁴

Section 11.4 describes how DDV and benthic grabs will determine suitable habitat for herring and sandeel; analysis of fish or shellfish picked up via the drop down camera or video footage will also help better understand the baseline.

You may wish to consider the use of eDNA sampling within the project to help provide information on PMFs and prey fish species. This method may potentially offer significant benefits over traditional sampling methods that may be advantageous for the future of environmental monitoring, particularly around the detection of rare, cryptic, endangered or invasive species.

We welcome the identification of essential fish habitats for all species relevant to the development based on available data, e.g. Table 11-5 identifies spawning and nursery grounds for many species. Fish species that have connectivity to the seabed and therefore are most likely to be impacted by the development have been correctly identified. However, the importance of these species in the wider ecosystem, either as predators/ prey has not been included into the report and we advise that this ecosystem-scale approach is adopted in the forthcoming EIA Report.

Section 11.3.3.3 and Table 11-6 describes relevant protected sites designated for fish species. Basking shark is identified as a protected species of the Sea of the Hebrides NC MPA, however

⁴ <https://www.gov.scot/publications/developing-essential-fish-habitat-maps-fish-shellfish-species-scotland-report/>

there is minimal discussion of basking shark within the chapter, or indeed anywhere in the EIA Scoping Report. We note that basking shark are a target species for the site-specific surveys, however we recommend that this species is considered in detail in the forthcoming EIA Report due to the potential collision risks associated with tidal turbines.

Potential impacts

We are generally content with the range of potential effects/ impact pathways scoped in, and those scoped out (Section 11.6 and Table 11-8). However, it is not clear if basking shark will be included in the forthcoming assessment. We recommend that the EIA Report is clear on which effects/ impact pathways have been considered in relation to basking shark.

Approach to assessment

Section 11.8 sets out the proposed approach to EIA for fish and shellfish. It defines groups of species, including: commercial and recreational importance, or conservation interest. However, species of conservation interest have not been further defined - this group should include PMFs, and prey species for marine mammals and birds.

We welcome the proposed focus on species sensitive to seabed disturbance, including herring and sandeel; and species sensitive to underwater noise.

Cumulative impacts

We note the proposed approach to cumulative impact assessment as described in Section 11.6.2.

Mitigation and monitoring

We welcome the embedded mitigation measures described in Section 11.5.2, and note that this includes production of a range of supporting Plans. We note that these measures are broad and do not specifically target effects on fish and shellfish, however their implementation will mitigate negative effects on water/ sediment quality, upon which fish and shellfish depend.

We also welcome the measures described in Section 11.7, which includes production of an Environmental Monitoring and Mitigation Plan. However, again we note that no specific measures for fish & shellfish are described at this stage.

Transboundary impacts

We support the proposed approach to transboundary/ cross border impacts.

NatureScot advice on the Environmental Impact Assessment (EIA) Scoping Report for Nova – Sound of Islay – Òran na Mara – offshore tidal array

Appendix F – Underwater noise

Underwater noise is considered in Section 15 of the EIA Scoping Report, with links to the marine mammals and fish and shellfish sections (Sections 9 and 11). No specific scoping questions have been set out by the applicant.

Study area

We support the proposed approach, which does not define a study area for underwater noise, and instead is defined by those receptor groups affected by underwater noise (marine mammals, fish and shellfish).

Baseline characterisation

Section 15.3.2 sets out narrative on highly variable baseline noise levels and the knowledge gaps in understanding of the marine soundscape. We support the proposed approach to assessment based on absolute noise criteria, rather than using the difference between baseline noise level and activity-related noise.

Potential impacts

We are generally content with the range of potential effects/ impact pathways scoped in, and those scoped out (Section 15.6.1 and Table 15-1).

The generation of underwater noise from operational turbines and effects on marine life has been scoped in with the following commentary '*they are not predicted to be greater than the ambient noise or at levels likely to cause injury or significant behavioural changes*'. Whilst we agree in principle with that statement, we are also aware that previous studies for example at MeyGen (Palmer et al. 2021)⁵ have shown some avoidance at near field and distance by harbour porpoise which may or may not be attributable to operational noise or visual presence. Therefore, an understanding of the levels and type of operational noise is required as part of the assessment process.

Approach to assessment

Section 15.8 sets out the proposed approach to EIA for underwater noise, which will comprise:

- Desk based literature review;
- Estimation of the maximum (worst-case) scenario for each phase;
- Qualitative assessment of underwater noise sources; and
- Noise propagation modelling.

Reference is made to *Guidance on noise management in harbour porpoise SACs* (JNCC, 2020) as part of the relevant guidance and assessment tools (Section 15.4). This is relevant for rest of

⁵ Palmer, L., Gillespie, D., MacAulay, J.D.J., Sparling, C.E., Russell, D.J.F. & Hastie, G.D. (2021). Harbour porpoise (*Phocoena phocoena*) presence is reduced during tidal turbine operation. *Aquatic Conservation: Marine and Freshwater Ecosystems*, 31(12), 3543–3553. <https://doi.org/10.1002/aqc.3737>

United Kingdom waters only. The methods and thresholds used would not be appropriate for assessing this project, however it may be useful for context.

Cumulative impacts

We support the proposed approach to cumulative impact assessment of underwater noise as set out in Section 15.6.2. These should be sited in the relevant assessments for the relevant receptor groups, i.e. marine mammals, and fish and shellfish.

Mitigation and monitoring

We note that mitigation measures are not described in this section, and instead are included in the relevant section for marine mammals, and fish and shellfish, and that any additional mitigation measures for underwater noise will depend on the significance of any effects as identified in the EIA Report.

Transboundary impacts

We advise that there are unlikely to be any transboundary/ cross border impacts.

Northern Lighthouse Board

Marc MacFarlane

From: Adam Lewis <Adam.Lewis@nlb.org.uk> on behalf of navigation <navigation@nlb.org.uk>
Sent: 29 August 2023 14:58
To: MS Marine Renewables
Cc: Ben Walker; Jane Renwick; Marc MacFarlane
Subject: RE: [EXT] Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023
Attachments: O8_18_335 - NLB Response.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please find attached the NLB response to the above consultation.

Regards

Adam

Adam Lewis
Coastal Inspector
0131 4733197 / [Redacted]

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS.MarineRenewables@gov.scot
Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot
Subject: [EXT] Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the “EIA Regulations”).

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt a scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact

Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Northern Lighthouse Board

84 George Street
Edinburgh EH2 3DA

Tel: 0131 473 3100
Fax: 0131 220 2093

Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk

Your Ref: Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation
Our Ref: AL/OPS/ML/O8_18_335

Mr Marc McFarlane
Licensing Operations Team – Marine Directorate
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

29 August 2023

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 & REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (collectively referred to as the “EIA Regulations”)

Nova Innovation Ltd – Òran na Mara Tidal Energy Project – Sound of Islay – Scoping Consultation

Thank you for your e-mail correspondence dated 23rd August 2023 relating to the Scoping Report submitted by **Nova Innovation Ltd** for the proposed Òran na Mara tidal energy development in the Sound of Islay, between the islands of Jura and Islay in the Inner Hebrides, Scotland.

Northern Lighthouse Board note the inclusion of Chapter 13 (Shipping and Navigation) within the Scoping Report, with particular reference to Table 13-4 (Potential Effects of the Project on Shipping and Navigation) and Section 13.8 (Mitigation Measures).

NLB have no objection to the content of the Scoping Report, and have no suggestions for further subjects that require to be included within the EIA.

Yours sincerely
[Redacted]

Peter Douglas
Navigation Manager

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Royal National Lifeboat Institution

Marc MacFarlane

From: Stuart Hannell (Regional Estates Manager) <Stuart_Hannell@rnli.org.uk>
Sent: 25 September 2023 09:00
To: MS Marine Renewables
Cc: Ben Walker; Jane Renwick; Marc MacFarlane
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM
Objective: -1

Good morning Marc,

Apologies, I had meant to respond to let you know that we had no comment to add.

Kind regards / leis gach deagh dhùrachd,

Stuart

Stuart Hannell | Regional Estates Manager – Scotland

RNLI Regional Base Scotland | Unit 3 Ruthvenfield Grove | Perth | PH1 3GL

E: stuart_hannell@rnli.org.uk | M: [Redacted]

From: MS Marine Renewables
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Ben Walker <Ben.Walker@gov.scot>; Jane Renwick <Jane.Renwick@gov.scot>; Marc MacFarlane <Marc.MacFarlane@gov.scot>
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

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REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
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Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

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Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

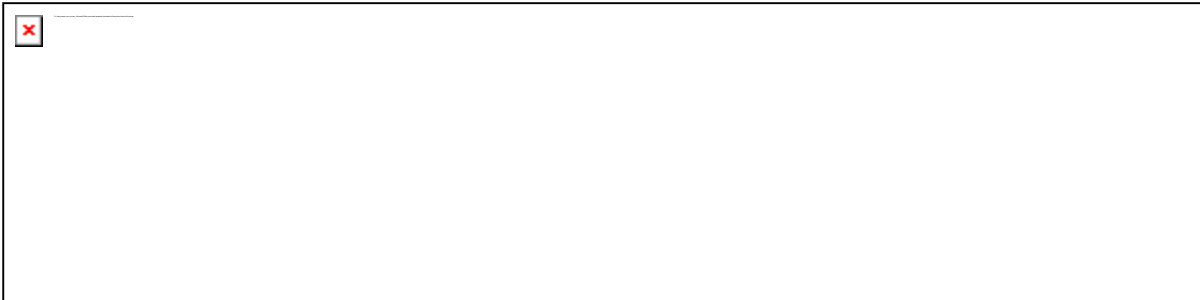
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General Email: MS.MarineRenewables@gov.scot
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>



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**Royal Society for the Protection of
Birds**

Marc MacFarlane

From: planning, scotland <scotland.planning@rspb.org.uk>
Sent: 27 September 2023 10:40
To: MS Marine Renewables
Cc: Ben Walker; Jane Renwick; Marc MacFarlane
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM
Objective: -1

Good morning,

Thank you for getting in contact again – we will not be responding.

Many thanks

Catherine

From: MS Marine Renewables
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Ben Walker <Ben.Walker@gov.scot>; Jane Renwick <Jane.Renwick@gov.scot>; Marc MacFarlane <Marc.MacFarlane@gov.scot>
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

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Yours faithfully,
Marc

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

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Royal Yachting Association

From: [Pauline McGrow](#)
To: [MS Marine Renewables](#)
Subject: RE: Nova Innovation Ltd - Nova Öran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023
Date: 28 August 2023 11:10:28
Attachments: [img003.png](#)
[img004.png](#)
[img007.png](#)
[Nova Öran na Mara Tidal Energy Project 28.8.23.pdf](#)

Dear Marc,

Please find attached RYA Scotland's response to the above noted Scoping consultation.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Mob: 

Royal Yachting Association Scotland
T: 0131 317 7388
E: pauline.mcgrow@ryascotland.org.uk



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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: 23 August 2023 14:49
To: MS.MarineRenewables@gov.scot
Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot
Subject: Nova Innovation Ltd - Nova Öran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

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Yours faithfully,
Marc

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



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RYA Scotland

Royal Yachting Association Scotland

Caledonia House
1 Redheughs Rigg
South Gyle
Edinburgh
EH12 9DQ

T +44 (0)131 317 7388
E admin@ryascotland.org.uk
W www.ryascotland.org.uk

28 August 2023

Marc MacFarlane
Marine Directorate – Marine Planning and Policy
Scottish Government
Marine Laboratory,
375 Victoria Road,
Aberdeen,
AB11 9DB
ms.marinerenewables@gov.scot

Dear Marc,

Scoping request Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

I have read the relevant parts of the scoping report and agree with the shipping and navigation effects which are proposed to be scoped in to the EIA. RYA Scotland will be happy to take part in the Navigational Risk Assessment and we will work with our colleagues in the Cruising Association on this. Antares charts (<https://www.antarescharts.co.uk/>) publishes detailed charts of several locations in the Sound of Islay for recreational boaters. These may assist in identifying suitable landfall locations for the power cables from the devices.

Yours sincerely,

[Redacted]

Dr G. Russell FCIEEM(retd) FRMetS
Planning and Environment Officer, RYA Scotland

**Scottish Environmental Protection
Agency**

Marc MacFarlane

From: Planning.North <Planning.North@sepa.org.uk>
Sent: 13 September 2023 14:12
To: MS Marine Renewables
Subject: SEPA Ref: 10262 - SCOP-0029

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM
Objective: -1

OFFICIAL

Dear Marc,

**Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
SCOP-0029**

**Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation
Sound Of Islay**

In line with the advice in the [Transitional Arrangements for National Planning Framework 4 letter](#), issued by the Chief Planner, Fiona Simpson, on 8 February 2023 our position and advice given below is based on NPF4 policy.

Thank you for the above consultation. Based on the information provided, it appears that this application falls below the thresholds for which SEPA provide site specific advice. Please refer to our standing advice and other guidance which is available on our [website](#). In addition, please also refer to our SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations available [here](#).

If there is a significant site-specific issue, not addressed by our guidance or other information provided on our website, with which you would want our advice, then please reconsult us highlighting the issue in question and we will try our best to assist.

I trust these comments are of assistance - please do not hesitate to contact me if you require any further information.

Kind regards,
Barbara Olszowy
Planning Officer

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 this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar 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 or similar 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. For planning applications, 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 on our [website planning pages](#).

OFFICIAL

OFFICIAL

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>

Sent: Wednesday, August 23, 2023 2:49 PM

To: MS.MarineRenewables@gov.scot

Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot

Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

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Dear Sir/Madam,

**REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the “EIA Regulations”).**

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

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Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Scottish Fishermen's Federation

Marc MacFarlane

From: Mohammad Fahim Hashimi <f.hashimi@sff.co.uk>
Sent: 20 September 2023 10:43
To: MS Marine Renewables; Marc MacFarlane
Cc: Elspeth Macdonald
Subject: RE: SFF's Response on Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Marc

Thank you for the opportunity to comment on the Scoping Consultation. As section 12.3.2 suggests that local knowledge is key, therefore the SFF has no further comment to make, and will align with comments from the Clyde fishermen's Association (CIFA).

Best wishes

Fahim Mohammad Hashimi
Offshore Energy Policy Officer

From: MS Marine Renewables
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Ben Walker <Ben.Walker@gov.scot>; Jane Renwick <Jane.Renwick@gov.scot>; Marc MacFarlane <Marc.MacFarlane@gov.scot>
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
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consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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Scottish Water

Marc MacFarlane

From: Planning Consultations <PlanningConsultations@scottishwater.co.uk>
Sent: 25 August 2023 14:13
To: MS Marine Licensing
Subject: SW Ref: DSCAS-0093066-SSR - Your Ref: SCOP-0029- Nova Òran na Mara Tidal Energy Project - Sound of Islay
Attachments: DSCAS-0093066-SSR -Planning Consultation - SCOP-0029- Nova Òran na Mara Tidal Energy Proj.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Saved in eRDM

Dear Marine Licensing,

Please see the attached letter regarding SW Case: **DSCAS-0093066-SSR** (Your Ref: **N/A**).

If you have any questions then please do not hesitate to contact Scottish Water.

Kind Regards,

Ruth Kerr.

Ruth Kerr

Technical Analyst
North Regional Team

Strategic Development
Development Services
Dedicated Freephone Helpline: 0800 389 0379

DevelopmentOperations@scottishwater.co.uk

Scottish Water.

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Scottish Water

www.scottishwater.co.uk

Friday, 25 August 2023



Marine Licensing
375 Victoria Road

Aberdeen

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

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Nova Òran na Mara Tidal Energy Proj, Sound of Islay, PA46 7RJ
Planning Ref: SCOP-0029
Our Ref: DSCAS-0093066-SSR
Proposal: Nova Òran na Mara Tidal Energy Project - Sound of Islay
Scoping Consultation

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that 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 activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Sea Mammal Research Unit

Marc MacFarlane

From: Carol Sparling <ces6@st-andrews.ac.uk>
Sent: 25 September 2023 13:52
To: MS Marine Renewables
Cc: Ben Walker; Jane Renwick; Marc MacFarlane
Subject: {Disarmed} RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Completed

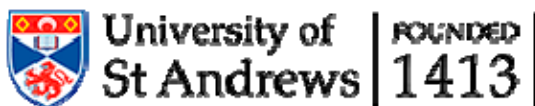
Dear Marc,
I'm afraid we do not currently have the capacity to respond to consultations. Please do not take this as being any indication that the Sea Mammal Research Unit are content with the scoping report and the proposed approach to the assessment,
With best wishes
Carol

Dr Carol Sparling
Director, Sea Mammal Research Unit
Biology Equality, Diversity and Inclusion Deputy Director

Scottish Oceans Institute
University of St Andrews
KY16 8LB

Pronouns: She/her ([why specify?](#))
twitter: @_SMRU_
<http://www.smru.st-andrews.ac.uk/>

I often work flexibly and therefore send emails at a range of times, please be assured I do not expect a reply outside your own normal working hours



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From: MS Marine Renewables

Sent: Wednesday, August 23, 2023 2:49 PM

To: MS Marine Renewables <MS.MarineRenewables@gov.scot>

Cc: Ben Walker <Ben.Walker@gov.scot>; Jane Renwick <Jane.Renwick@gov.scot>; Marc MacFarlane <Marc.MacFarlane@gov.scot>

Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

**REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
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Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

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The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

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Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

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Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

Website: www.scotland.gsi.gov.uk claiming to be
<http://www.gov.scot/Topics/marine/Licensing/marine>



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Sportscotland

Marc MacFarlane

From: Gillian Kyle <Gillian.Kyle@sportscotland.org.uk>
Sent: 20 September 2023 11:53
To: MS Marine Renewables
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for the consultation on the below.

I note RYAS and other sporting / recreational craft users will be included in consultation which is welcomed. At this point, I confirm **sportscotland** have nil response to the EIA scoping opinion request.

Kind regards,
Gillian

Gillian Kyle | Planner | **sportscotland**
Doges | Templeton on the Green | 62 Templeton Street | Glasgow | G40 1DA

t: [Redacted]
w: www.sportscotland.org.uk

My normal working days are Tuesday, Wednesday and Thursday.

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spòrsalba - am buidheann nàiseanta airson spòrs

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From: EPlanning <EPlanning@sportscotland.org.uk>
Sent: Wednesday, August 23, 2023 2:57 PM
To: Gillian Kyle <Gillian.Kyle@sportscotland.org.uk>
Subject: FW: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS.MarineRenewables@gov.scot
Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot
Subject: [EXTERNAL] Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

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Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

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Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

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General Email: MS.MarineRenewables@gov.scot
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>



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Aithris-àichidh – Tha am post-d seo dìomhair agus air a rùnachadh a-mhàin don neach gu bheil e air a sheòladh. Mura h-e thusa an neach sin, feuch gun cuir thu às don phost-d seo is ceangalan sam bith agus leth-bhreacan uile, agus cuir fios sa bhad gu an neach-seòlaidh. Cuimhnich mas e do thoil e gu bheil cleachdadh neo-ùghdarraichte sam bith air an sgrìobhainn seo air a thoirmeasg gu tur.

Mar bhuidheann poblach, tha **spòrsalba** a' tighinn fo riatanasan an Achd Saorsa Fiosrachaidh (Alba) 2002 a thaobh foillseachadh air fiosrachadh sam bith (a' gabhail a-steach conaltradh eileagtronaigeach) a dh'fhaodadh a bhith aige mu chuspair sònraichte, nuair a thèid sin iarraidh air le neach no buidheann sam bith. Ma bhios dragh ann mu dheidhinn seo, is urrainn do **spòrsalba** comhairleachadh mun chùis. Gus teagamh a sheachnadh, bidh co-dhùnadh **spòrsalba** deireannach a thaobh ceistean foillseachaidh is neo-fhoillseachaidh.

Is e **spòrsalba** a tha a' gleidheadh dàta pearsanta a bheir sibh dhuinn ann am puist-dealain sam bith.

Thoiribh an aire gum bi an dàta pearsanta a bheir sibh dhuinn air a stòradh agus/no air a ghiullachd le **spòrsalba** gus seirbheisean a lìbhrigeadh no conaltradh ribh. Feuch gun tèid sibh gu <https://sportscotland.org.uk/privacy/> airson tuilleadh fiosrachaidh mu làimhseachadh air an dàta phearsanta agaibh.

Transport Scotland

Marc MacFarlane

From: Iain Clement
Sent: 18 September 2023 14:25
To: MS Marine Renewables
Cc: DEVENNY Alan; Andrew Erskine; LOGAN Lesley; Gerard McPhillips
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Transport Scotland Comments - 18-Sep-23

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM

FAO Marc MacFarlane

Afternoon Marc,

On behalf of my colleague, Gerard McPhillips, thank you for the opportunity for Transport Scotland to comment on the proposed 10MW Òran na Mara Project which, I understand, will comprise up to 30 tidal stream turbines installed on the seabed in the Sound of Islay between Islay and Jura. I note that power generated by the turbines will be brought to shore via cable, with four 'landfall' options on Islay and one on Jura currently being explored.

As there are no trunk roads on Jura or Islay, I can confirm that Transport Scotland is satisfied that this proposal will not have any adverse impact on the trunk road network and no further information is required in this regard. I can also confirm that Transport Scotland would have no objection to this proposal.

Kind regards,

Iain

Development Management
Network Operations
Roads Directorate
transport.gov.scot

Transport Scotland, 2nd Floor, George House, 36 North Hanover St, Glasgow, G1 2AD



Transport Scotland, the national transport agency
Còmhhdhail Alba, buidheann nàiseanta na còmhhdhail

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From: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Sent: Wednesday, August 23, 2023 2:49 PM
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Walker B (Ben) <Ben.Walker@gov.scot>; Renwick J (Jane) <Jane.Renwick@gov.scot>; MacFarlane M (Marc) <Marc.MacFarlane@gov.scot>
Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
(collectively referred to as the “EIA Regulations”).

Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay

In respect of the proposed section 36 application (under the Electricity Act 1989) and marine licence applications under the Marine (Scotland) Act 2010, Nova Innovation Ltd has requested the Scottish Ministers adopt an scoping opinion in relation to the above proposed works under the EIA Regulations.

The scoping report submitted by the applicant can be found at:
<https://marine.gov.scot/node/24308>

To assist the Scottish Ministers in adopting a comprehensive scoping opinion, which will outline the scope and level of detail of information to be provided in the Environmental Impact Assessment (“EIA”) Report to be submitted by the applicant with their proposed section 36 consent and marine licence applications, please review the scoping report and advise on what you consider should be included within or excluded from the scope of the EIA for the proposed project. In doing so you may wish to consider any comments you may have regarding data sources, proposed methodologies or the requirement for specific studies.

Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

Please be advised that the Scottish Ministers’ scoping opinion will cover the offshore environment only. Consequently, responses to this consultation should focus solely on the offshore environment.

Yours faithfully,
Marc

Marine Directorate - Marine Planning & Policy

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

General Queries: +44 (0)300 244 5046

General Email: MS.MarineRenewables@gov.scot

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



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United Kingdom Chamber of Shipping

Marc MacFarlane

From: Robert Merrylees <RMerrylees@ukchamberofshipping.com>
Sent: 04 September 2023 11:25
To: MS Marine Renewables
Cc: Ben Walker; Jane Renwick; Marc MacFarlane
Subject: RE: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Marine Scotland,

The UK Chamber of Shipping welcomes the consultation on the abovementioned project.

The Chamber has reviewed Chapter 13 – Shipping and Navigation and offers the following comments:

- The Chamber recognises the importance of Under Keel Clearance for the project in maintenance of navigational safety and access. Engagement to agree a suitable UKC is essential pre-application.
- The Chamber agrees with the necessity to analyse a full 12 months AIS data to get seasonal variation
- The Chamber recommends anchoring activity be considered fully, in particular with the possibility for overlap with array area and export cable corridors out with designated anchorages.

The Chamber hopes these comments are of value but please revert should clarification be warranted.

Yours faithfully,

Robert

Robert Merrylees

Policy Manager (Safety & Nautical) & Analyst

UK Chamber of Shipping

30 Park Street, London, SE1 9EQ

DD +44 (0) 20 7417 2843

Mob [Redacted]

rmerrylees@ukchamberofshipping.com

www.ukchamberofshipping.com



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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>

Sent: Wednesday, August 23, 2023 2:49 PM

To: MS.MarineRenewables@gov.scot

Cc: Ben.Walker@gov.scot; Jane.Renwick@gov.scot; Marc.MacFarlane@gov.scot

Subject: Nova Innovation Ltd - Nova Òran na Mara Tidal Energy Project - Sound of Islay - Scoping Consultation - Response due by 22 September 2023

Dear Sir/Madam,

**REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
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Please submit your response electronically to ms.marinerenewables@gov.scot by 22 September 2023. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a “nil return” response.

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Yours faithfully,
Marc

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Public Representation

Marc MacFarlane

From: [Redacted]
Sent: 27 September 2023 12:57
To: MS Marine Renewables
Cc: [Redacted]
Subject: REGULATION 14 OF THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 REGULATION 12 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (collectively referred to as the "EIA Regulations").

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Saved in eRDM
Objective: -1

Dear Sir or Madam

Regarding the above proposed work, it has come to my attention that a scoping exercise has recently been undertaken with a deadline of 22nd September. Unfortunately, we were not able to submit to this review in time for that deadline.

We own a cottage, [Redacted], on the shore very close to where the proposed project would be. We have found it extremely difficult to access and understand the information given in the scoping report. However, from what I have read I have concerns about the impact on the wildlife in the bay. There is a substantial seal colony and resident otters. With the close proximity of the machinery to the bay, we are concerned that dead seals and otters are likely to wash up on the shore in front of the cottage, causing disposal issues and possible problems with vermin - not to mention the irradiation of the animals themselves.

Whilst the scoping exercise deals only with offshore works, I feel it is worth mentioning that we are also concerned about the disruptive effects associated with the installation/recovery/maintenance activities so close to our house. Since the cables need to get from Offshore to onshore it is unclear how this would happen or what would be involved, given that it is extremely rocky - and very quickly becomes bedrock, which means it would be difficult and expensive to dig a trench.

We would be grateful if our concerns could be added to the scoping report.

We have not been contacted by the company proposing these works and only found out about the scoping exercise from Islay Energy Trust. I am surprised that we have not been contacted directly about this scoping exercise and wonder if you can tell me how we might be included in all relevant communications going forward.

Yours
[Redacted]