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JNCC Reference: OIA 09731
MD-LOT Reference: 00010501
Date: 26 September 2023

Dear Rebecca,

Cambois Connection Marine Scheme, Environmental Impact Assessment – Marine Licence Application

Thank you for consulting JNCC on the Environmental Impact Assessment – Marine Licence Application, which we received on 15 August 2023.

The advice contained within this minute is provided by JNCC as part of our statutory advisory role to the UK Government and devolved administrations on issues relating to nature conservation in UK offshore waters (beyond the territorial limit). We have concentrated our comments on impacts to offshore English waters, as a result of works being carried out in Scottish water as requested.

At present, we are unable to comment on the impact to offshore English waters as a result of works being carried out in English waters. However we wish to reiterate the recommendation from Natural England that the Marine Directorate liaise with the Marine Management Organisation (MMO) before issuing any consent, in order to avoid the risk of consenting a route that will result in adverse effects in English waters.

The advice provided below is based on the information provided in the Environmental Statement supporting the Marine Licence Application.

Key nature conservation considerations

JNCC notes the selection of Segment 12 (and its associated branch segments 05 and 07) or 'Option 2' in Volume 4, Figure 6.6 as the preferred Offshore Cable Corridor.

There are no English sites designated for nature conservation within close proximity to the border between English and Scottish waters. The closest site is the Farnes East Marine Conservation Zone (MCZ) which is 18.881km from the Scottish border.

Headline advice

General Comments

We agree with NatureScot's comments (CNS REN OSWF Berwick Bank – Application) regarding the quality of the application.

Benthic receptors

From Volume 3 Appendix 8.1: Benthic Survey Report (Phase 1 and 2), and Chapter 8: Benthic Subtidal and Intertidal Ecology, JNCC is aware that ocean quahog (*Arctica islandica*) were recorded at sample stations in close proximity to the Scottish and English border in offshore waters (station 108).

Potential pressures on ocean quahog in English waters resulting from works occurring in Scottish waters include changes in suspended solids and changes to smothering and siltation rates. Ocean quahog have high resilience and resistance to these impacts and are not thought to be sensitive to these impacts unless the smothering and siltation rates are heavy. It is advised that developers avoid known areas of high densities of ocean quahog where possible.

'Subtidal sands and gravels', a designated habitat of principle importance was also recorded at stations close to the Scottish and English border in offshore waters (stations 82 and 108).

It should be considered that activities taking place within Scottish offshore waters have the potential to impact the habitat in English waters through changes in suspended solids and through increased smothering and siltation rates. 'Subtidal sands and gravel' has a high level of resilience and resistance to changes in suspended solids (water clarity) and to light changes in smothering and siltation rates and the habitat also has a low sensitivity to this pressure. The habitat has a mid-level of resilience and resistance to heavy smothering and siltation rate changes and mid-level sensitivity to this pressure.

JNCC recognise that in Chapter 7: Physical Environmental and Seabed Conditions it is stated that high concentrations of increased suspended sediment concentrations (SSC) would only be within tens of metres of the disturbance and would be short-lived. We are therefore of the opinion that these pressures occurring in Scottish waters would not have a significant impact on benthic receptors in English waters.

Ornithology receptors

The Farne Islands Special Protection Area (SPA) is approximately 40km from the border between Scotland and England and any work being carried out in Scottish waters. Common guillemot is one of the designated seabird species for this site, and has a mean maximum foraging range of 55.5 +/- 39.7 km. We advise that breeding season foraging ranges for guillemot is that within appendix 1 of Woodward et al 2019¹ which excludes data from Fair Isle where foraging range may have been unusually high as a result of reduced prey availability during the study year. Therefore, there is potential for this species to be impacted

¹ Woodward, I., Thaxter, C.B., Owen, E. & Cook, A.S.C.P. 2019. Desk-based revision of seabird foraging ranges used for HRA screening. BTO Research Report No. 724

by work taking place in Scottish waters as a result of disturbance from vessel activities, displacement from prime foraging areas, as well as by changes in water quality which may affect prey availability.

Owing to the wide foraging range of guillemot and the temporary nature of the impacts, JNCC is of the opinion that the pressures resulting from works in Scottish water will not have a significant impact on guillemot from the Farne Islands SPA.

Marine Mammals

In line with JNCC's offshore remit and the specific advice request, the following comments relate to potential impacts to marine mammals in English offshore waters only. We defer to NatureScot and Natural England regarding potential impacts in territorial waters and impacts to protected sites within those waters.

Headline comments:

- Overall: JNCC is of the opinion that provided marine mammal mitigation discussed within the assessment are secured as a condition of consent, the pressures resulting from works in Scottish waters will not have a significant impact on marine mammals in English offshore waters.
- [North East of Farnes Deep MPA and HPMA](#): The North East of Farnes Deep MCZ was designated in November 2013. Following public consultation in 2022 on Highly Protected Marine Areas (HPMA), the area was also designated as a HPMA in June 2023. This new designation extended the existing protection to the entire marine ecosystem, with all marine flora and fauna, all marine habitats and all geological or geomorphological interests, including all abiotic elements and all supporting ecosystem functions and processes, in the seabed, water column and the surface of the sea now protected within this site.
Given the ecosystem level of protection provided by this site, and the ability of noise to disturb marine mammals at distance from the source of that noise, we recommend confirmation is obtained regarding the distance between this HPMA and the proposed works. High level conservation advice for this HPMA can be found on the Site Information Centre website and noise management advice is currently being developed.
- Unexploded ordnance: We agree with the approach of applying for a separate marine licence to cover UXO clearance and provide guidance below to support this should it be required.

General comments:

We provide the following comments with regard the information provided in the impact assessment (Chapter 11).

- JNCC are content that the data considered in the baseline (Section 11.7) are appropriate for this assessment. We also agree with the impacts scoped in/out of the impact assessment (Section 11.8).
- Section 11.11 Designed-in mitigation: we note the commitment to develop a Marine Mammal Mitigation Plan (MMMP) which will follow guidelines published by JNCC. As the

conclusions of the impact assessment are based on the assumption that this will be implemented, the development of, and compliance with this plan (or the JNCC mitigation guidelines) should be secured as a condition of consent.

We also note the commitment to implement a code of conduct to reduce collision risk to marine mammals. While some of the actions this will cover are included in Table 11.12, we recommend further information is sought regarding what this code could look like and whether it will be based on existing codes. Again, compliance with this should be secured as a condition of consent.

- Section 11.12 Assessment of impacts: We agree with the overall conclusions presented in the assessment however, we note inconsistencies with the terminology applied when drawing these conclusions, in particular the phrase low adverse significance, as this does not match the terminology presented in Table 11.11. The conclusions for noise and habitat loss are low adverse significance, but this table only refers for negligible or minor effects.

We also question how was it determined that the significance of an effect was negligible or low. All of the impacts assessed were considered to be low in magnitude and sensitivity, however some were considered to have a low significant effect and others negligible. This distinction could be made clearer.

- Section 11.14 Cumulative effects assessment: We are not able to provide advice regarding the cumulative noise assessment as we require further information to explain how the conclusions for piling associated with the Berwick Bank Wind Farm were obtained. For example, we question the decision to assume low sensitivity of marine mammals to piling.

We also question why the cumulative effects of the Cambois project with the Berwick Bank Wind Farm and EGL1 & 2 subsea cables have been considered separately. While the impacts from this project and the EGL projects may be considered insignificant when considered alone and cumulatively, no consideration is given to these projects occurring plus piling. Instead, the current project is assessed against piling alone. Further justification to support this approach is required.

Unexploded ordnance:

With regard UXO clearance, we agree with the approach of applying for a separate marine licence and provide the following guidance should this be required:

- As per the Governments [position statement](#), we expect the use of low noise technology (e.g. low order deflagration) to be the primary method of clearance. Note, an update to this statement is expected by the end of this year.
- To help facilitate our review process, as much information as possible regarding the clearance activities should be provided. For example, the location and type of each UXO, its expected volume of explosive content (TNT equivalent), its level of degradation, degree of marine growth on the device, the method of clearance for each device and distance to any sensitive features.
- If high order is included as a contingency, this must be clearly justified and the number requested should be limited to a percentage of the total number of clearances requested

(e.g. 5-10%). It will not be acceptable to us to assume a high order contingency for all clearances required.

- If clearance is required within an MPA, or within 26km of a site with marine mammal features, an HRA will be needed. If high order clearance is included in the application as a contingency and the level of information described above is not provided, the precautionary principle requires us to assume the worst-case scenario will occur i.e. that all clearances will be undertaken using high order regardless of how likely this. This will have implications for the HRA.
- A noise assessment will be required to understand potential injury and disturbance to marine mammals. When predicting ranges within which the onset of permanent auditory injury could occur, the Southall et al 2019 injury thresholds and functional hearing groups should be applied. Note, if the predicted injury ranges cannot be mitigated, we advise the marine licence should only be issued if in conjunction with an EPS licence for injury.
- When assessing disturbance to harbour porpoise, JNCC recommend using Effective Deterrence Ranges (EDRs) as described in the [noise management approach](#) for harbour porpoise SACs. Note, this document does not currently include an EDR for low order deflagration. JNCC have previously accepted a 5km EDR for deflagration tools supported with evidence that its application will result in reduced noise levels compared to a high order equivalent clearance. This recommendation is currently under review and we recommend advice is sought at the time to agree how to assess this impact.
- The marine mammal mitigation discussed within the current application is for noise impacts associated with geophysical surveys. Should UXO clearance be required, a new MMMP will be needed to support the clearance application. If high order clearance is requested, noise abatement must be included as a mitigation option. Also note a consultation to update JNCCs current mitigation guidelines for explosives is due for release this year.
- Potential impacts to the seabed and any sensitive benthic features following clearance should also be assessed.

Please contact me with any questions regarding the above comments.

Yours sincerely,

Daisy Leadbeater

Offshore Industries Adviser

Email: daisy.leadbeater@jncc.gov.uk

From: [Inga Freimane](#)
To: [MS Marine Renewables](#)
Cc: [Rebecca Bamlett](#); [Emma Lees](#); [Rebecca Ross](#)
Subject: RE: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 25 August 2023 09:41:57
Attachments: [image001.png](#)

Dear Becca,

Socio-economics were scoped out of this application during the scoping report stage. So, it is a 'nil response' from the MAU for this application.

Many thanks,
Inga



Vaughan Jackson
Maritime and Coastguard Agency
UK Technical Services Navigation
105 Commercial Road
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SO15 1EG

www.gov.uk/mca
25th September 2023

Marine Scotland - Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
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By email to MS.MarineRenewables@gov.scot

Dear Rebecca Ross

APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 (AS AMENDED), MARINE LICENCES UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT BERWICK BANK CAMBOIS EXPORT CABLE CONNECTION SCHEME.

Thank you for the opportunity to comment on the application for consent under Section 36 of the Electricity Act 1989 and marine licence under the Marine (Scotland) Act 2010 for the Berwick Bank Cambois Cable Connection Scheme. The MCA's remit for Offshore Renewable Energy Installations (OREIs) is to ensure that the safety of navigation is preserved, and our Search and Rescue capability is maintained, whilst progress is made towards government targets for renewable energy. The Navigation Risk Assessment (NRA) and the shipping and navigation elements of the Environmental Impact Assessment Report have been reviewed and we would like to comment as follows:

Navigation Risk Assessment

Anatec Limited has undertaken a detailed Navigation Risk Assessment (NRA) in accordance with MCA guidance (MGN 654) and NRA risk assessment methodology. We are satisfied that appropriate traffic data has been collected in accordance with MGN 654, in this case six months seasonal AIS data from November 2021 – January 2022 and May - July 2022 with additional vessel traffic data from the Berwick Bank Offshore Windfarm EIAR from January 2021 and August 2022.

We note, and welcome, that outdated reference to MGN 543 which was highlighted in the scoping response, has been addressed and that MGN 654 has been referred to throughout the Environmental Statement (ES), Volume 2, Chapter 13, and annex 13.1, NRA.

A relevant MGN 654 Checklist with completed required fields for cable installation has been provided as part of the NRA in Volume 3 Appendix 13.1 (Appendix A, Table A.1 and A.2). We are content that the recommended NRA process has been followed.

Cumulative Impacts

Section 12 of the NRA and the subsequently informed section 3.14 of the Chapter 13, gives a cumulative overview with the inclusion of 11 developments for cumulative consideration. These have been derived from Volume 3, Appendix 3.4: Long-list of Cumulative Developments. The MCA is content that the cumulative effect of the scheme has been adequately considered on this occasion.

Emergency Response and Search and Rescue

As there are to be no permanent structures as part of the connection scheme and as summarised after consultation with the MCA in table 13.3, Volume 2, Chapter 13, a SAR checklist and full Emergency Response Co-operation Plan (ERCoP) are not required. A Marine Emergency Action Card (MEAC) is considered appropriate. This position is also recorded in the MGN 654 checklist, Appendix A, Table A.1 of the NRA.

Cable Routes and Reduction in Surrounding Depth Referenced to Chart Datum

Section 5.1 of the NRA and table 13.8 of volume 2 Chapter 13, informs the Offshore Export Cable Corridor length will be up to 40 km in Scottish waters and up to 140 km in English waters. The target burial depths for the cables will be 0.5m to 3.0m with final target burial depths or additional protection methods to protect against external hazards being informed by a Cable Burial Risk Assessment (CBRA). It is noted that there will be no cable crossing within Scottish waters, however 6km of external protection per cable may be required. Any consented cable protection works must ensure existing and future safe navigation is not compromised. The MCA would accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum.

As noted in Table 13.3, volume 2, a compass deviation assessment will be carried out post consent. As a reminder of the parameters, we inform the applicant of the following:

High Voltage Direct Current (HVDC) transmission infrastructure will be used. It should be noted that there is a potential impact on ships compasses from the electro-magnetic field generated. A pre-construction compass deviation study may be required on the expected electro-magnetic field, and we would be willing to accept a three-degree deviation for 95% of the cable route. For the remaining 5% of the cable route no more than five-degree deviation in water depths of 5m and deeper will be attained. If this requirement cannot be met, further mitigation measures may be required including a post installation deviation survey of the cable route. This data must then be provided to the MCA and UKHO, as a precautionary notation may be required on the appropriate Admiralty Charts regarding possible magnetic anomalies along the cable route.

Hydrographic Surveys

MGN 654 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 and the UKHO. Further information can be found in MGN 654 Annex 4 supporting document titled 'Hydrographic Guidelines for Offshore Developers', available on our website: <https://www.gov.uk/guidance/offshorerenewable-energy-installations-impact-on-shipping>. This includes surveys during the pre-construction, post-construction and post-decommissioning stages.

Embedded Mitigation

We have the following comments on the proposed measure in section 3.11, Table 13.13.

1. Cable Burial Risk Assessment (under the heading '*Cable Plan (CaP)*')
 - In case of damage to, or destruction or decay of, the authorised project seaward of MHWS or any part thereof, excluding the exposure of cables, notification must be issued

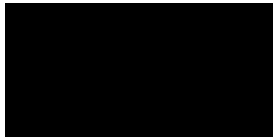
to MCA, NLB, the Kingfisher Information Service of Seafish and the UKHO within 24 hours of becoming aware.

- In case of exposure of cables on or above the seabed, the undertaker must within three days following identification of a potential cable exposure, notify mariners and inform Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MCA, NLB, and the UKHO within 5 days.
- The plan must include proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised scheme which includes a risk-based approach to the management of unburied or shallow buried cables.
- Attention should be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed and subject to the traffic volumes, an anchor penetration study may be necessary.

Conclusion

The comments detailed above are not considered to be blocks to development, but they are provided to highlight areas of concern. Subject to the applicant meeting requirements addressed in this letter, and meeting licence conditions which will be provided to Marine Scotland, it provides a cautious acceptance of the application for consent.

Yours sincerely,



Vaughan Jackson
Offshore Renewables Project Lead
UK Technical Services – Navigation

From: [Stephanie G Porter](#)
To: [MS Marine Renewables](#)
Subject: RE: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 15 August 2023 09:20:54
Attachments: [image001.png](#)

Dear Sir/Madam,

**MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2007
00010501 – Berwick Bank Cambois Connection Scheme – Construction of
Offshore Export Cables – Firth of Forth**

I refer to the above consultation and having reviewed the submitted information, as the development lies some distance from Angus, Angus Council has no comment to make in this case.

Yours sincerely,

Stephanie Porter | Team Leader – Development Standards | Planning & Sustainable Growth | Angus Council | Angus House | Orchardbank Business Park, Forfar, DD8 1AN | (01307 492378)

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From: [Alistair Hilton](#)
To: [MS Marine Renewables](#)
Subject: RE: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 16 August 2023 10:34:37
Attachments: [image001.png](#)

Thank you for your email. I can advise that Dundee City Council has no comment on these documents.



Alistair Hilton

Principal Planning Officer (Planning & Economic Development) at City Development

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A [Dundee House, 50 North Lindsay Street, DUNDEE, DD1 1QE](#)

From: [Martin MCGroarty](#)
To: [MS Marine Renewables](#)
Cc: [Rebecca Bamlett](#); [Emma Lees](#); [Rebecca Ross](#)
Subject: 23/02244/CON- KW- 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 08 September 2023 17:03:40

FAO Rebecca Ross

MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007

00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth

Good afternoon Rebecca, thank you for your email.

Having examined the information provided in relation to this matter, I can confirm that Fife Council has no substantive comment to make on this matter.

As ever, we expect the expert advice of NatureScot to be taken in these matters, and the east coast fishing fleet to have been fully consulted on all new proposals. We would also take this opportunity to remind the offshore wind operating companies that Fife is well placed in terms of site availability and skilled workforce to accommodate manufacturing, decommissioning and other renewables related engineering works.

Kind regards,
Martin

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Fife Council



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By email to:

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Marine Scotland (Marine Renewables)
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Longmore House
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Enquiry Line: 0131-668-8716
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Our case ID: 300044396
Your ref: 00010501
04 October 2023

Dear Marine Scotland

[The Marine Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017
Berwick Bank Cambois Connection Scheme - Construction of Offshore Export Cables
Environmental Statement](#)

Thank you for your consultation which we received on 11 August 2023. We have considered it and its accompanying Environmental Statement in our role as a consultee under the terms of the above regulations and for our historic environment remit. Our remit is World Heritage Sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories, and Historic Marine Protected Areas (HMPAs). In this case, our advice also includes matters relating to marine archaeology outwith the scope of the terrestrial planning system.

This response relates solely to the area of the proposed export cables within Scottish waters.

Our Advice

We do not wish to object to the application. Our detailed comments on the application and Environmental Statement are contained in the annex to this covering letter.

Our comments should be treated as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national interest and therefore we do not object. Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



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Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Victoria Clements who can be contacted by phone on 0131 668 8730 or by email on Victoria.Clements@hes.scot.

Yours faithfully

Historic Environment Scotland



ANNEX

Proposed Development

We understand that the proposed development would consist of the construction, operation and maintenance of up to 4 High Voltage Direct Current (HVDC) subsea cables from within the Berwick Bank Wind Farm (BBWF) array to a landfall near Cambois in Northumberland. Up to 40km of the cable corridor would be located within Scottish waters with the remaining 140km located within English waters. The cable corridor is proposed to be approximately 1km wide outside the BBWF array with a target cable burial depth of between 0.5m and 3m.

Background

We have previously provided scoping advice for this proposed development in January 2023. At that stage we agreed with the issues to be scoped in for detailed assessment and also with the methodology to be used within Scottish waters.

Our interest

Our key interests in this case relate to the potential impacts on marine archaeology within the proposed development boundary and in the surrounding vicinity. We are content that there will be no impacts on the setting of terrestrial assets within our remit from the section of the proposals within Scottish waters.

Having reviewed the assessments in chapter 14 of the ES we are content to agree that for the short section of the proposals within Scottish waters significant adverse impacts on marine archaeological assets are unlikely.

We are satisfied that the baseline information provided for Scottish waters and the impact pathways scoped in to the assessment are appropriate. We are content that the proposed mitigation measures, including the implementation of the WSI, PAD and AEZs, which have been embedded within the design of the project would be sufficient to avoid significant adverse impacts on marine archaeological assets within Scottish waters. We are content that these measures are designed in to the scheme and have therefore been included within the assessment of impacts and effects.

We are satisfied with the assessments of impact from the construction, operation and maintenance, and decommissioning phases of the proposed scheme and we agree that direct and indirect effects will be of minor adverse significance of the scheme within Scottish waters, which is not significant in EIA terms. We are also content with the conclusions regarding cumulative effects with regard to the main BBWF array and agree that significant cumulative effects in Scottish waters are unlikely.



Environmental Statement

We are satisfied that sufficient information has been supplied in the ES for us to come to a view on the application. We are content that the methodology used in the assessment is appropriate for our requirements and that the assessment provides an appropriate level of detail for the area within Scottish waters. As noted above, we are content with the baseline information provided for Scottish waters and with the inclusion of embedded mitigation as part of the designed scheme for the assessment.

We have also reviewed the Marine Archaeology Technical Report (Appendix 14.1) and we are satisfied with the level of information provided for the area within Scottish waters.

Mitigation

We are content with the Outline Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries (PAD) and we welcome that we will be consulted on method statements for further archaeological works for the scheme in Scottish waters.

We are content that the site of the Swedish steamship *Oswin* (marine heritage asset 2004) and the geophysical anomalies BBMB_SSS_2020_0254 and BBMB_SSS_2020_0255 are protected by an Archaeological Exclusion Zone (AEZ) within the Berwick Bank Wind Farm archaeological WSI and welcome that there will be adherence to the wind farm WSI as part of mitigation measures for the proposed scheme.

We also welcome the proposal of AEZ's of 100m for the sites of the unknown wreck (marine heritage asset 2015) and a large piece of associated debris (marine heritage asset 2019), prior to the clarification by archaeological review of marine geophysical data for the proposed scheme in Scottish waters.

Our position

We do not object to the proposed development. We consider that following the implementation of the embedded mitigation measures there will not be any adverse effects on marine or terrestrial assets within our remit in Scottish waters which would raise issues of national interest.

Historic Environment Scotland

04 October 2023



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Rebecca Ross

Marine Directorate Licensing Operations Team

Marine Laboratory

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28th September 2023

Berwick Bank Cambois Connection Scheme – Construction of Offshore Export

Marine Directorate advisers have reviewed the request from MD-LOT and provide the following advice in relation to the 160km of the proposed cable within Scottish waters only.

Marine Mammals

MD-SEDD have reviewed the documentation provided for the Berwick Bank Cambois Connection in relation to impacts to marine mammals from underwater noise only.

With regard to potential UXO clearance, MD-SEDD note that the Environmental Statement (ES) – Volume 1 Non-Technical Summary states that UXO will be avoidable and clearance of UXO is considered unlikely and therefore not included within the scope of the MLA or EIA. MD-SEDD note that the position of the Scottish Government and other UK administrations, is that where UXO clearance is required, low order alternatives are preferred. Please refer to the position statement on the DEFRA website: <https://www.gov.uk/government/publications/marine-environment-unexploded-ordnance-clearance-joint-interim-position-statement> .

MD-SEDD note that the ES states that noise-related impacts may occur through both the construction and decommission phases. Whilst these impacts have been presented for the construction phases, there is no further discussion of noise impacts for the decommission phase, as approaches to future handling and / or decommissioning of the export cable have yet to be established. MD-SEDD advise that, should any decommissioning activities be decided in the future, the ES will require updating to reflect these developments.

MD-SEDD consider that all of the geophysical survey equipment for pre-construction survey and construction phases should be scoped into the assessment regardless of operating frequencies. MD-



SEDD also have a specific role in the EPS licensing process, to screen activities that should go through this process. Our advice to MD-LOT is that due to their operational frequencies, the sub-bottom profiler (SBP) and ultrashort baseline (USBL) should be screened into the EPS process. We note that the details of the multibeam echo sounder are unclear and would recommend that MD-LOT return to us for a further screening opinion on this once the operating frequencies and source levels have been clarified.

MD-SEDD agree with the conclusions of the EIA with regard to impacts to marine mammals from underwater noise, noting that these conclusions rely heavily on adherence to the JNCC guidelines for minimising the risk of injury to marine mammals from geophysical surveys (2017).

Commercial fisheries

MD-SEDD are content with the proposed study area, data sources, impacts scoped in, EIA methodology and assessment.

MD-SEDD welcome the proposed range of mitigation measures including fishing-friendly cable protection measures, burial risk assessments and inspections and consideration of the cumulative impacts of overlap with other construction activities such as cables and windfarms, their associated safety zones and their construction times to reduce disturbance and periods of reduced access for fisheries.

With regards to the proposal for fishing-friendly cable protection measures, the developer is applying for a marine licence to deposit 180,000 m³ of stone/rock/gravel and 180,000 m³ of concrete bags/mattresses. However the developer has stated that the cable risk assessment will determine what cable protection measures are used and where. The fishing industry have raised concerns over the use of concrete mattresses in open areas of seabed and therefore MD-SEDD advise that the use of concrete mattresses is restricted to areas with minimal bottom contact fishing where possible, in particular the north of the project area where scallop dredgers are more prevalent.

MD-SEDD note that the developer is not proposing to carry out an overtrawl survey of the cable post-construction but that they recognise fishing will continue over cables. The developer has stated that they will follow industry best practice guidance, use graded rocks and berms designed with 1:3 gradients to minimise gear snagging.

Yours sincerely,

Renewables and Ecology Team

Marine Directorate

From: [SM-MMO-SH - MFA Marine Consents \(MMO\)](#)
To: [MS Marine Renewables](#)
Subject: FW: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 11 August 2023 13:57:00
Attachments: [image001.png](#)
[image002.png](#)

Marine Licensing, Wildlife Licences and other permissions

-
Dear Sir/Madam,

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the [coastal concordat](#) and operates in accordance with its principles. Should the activities subject to planning permission meet the above

criteria then the applicant should be directed to the follow pages: [check if you need a marine licence](#) and asked to quote the following information on any resultant marine licence application:

- local planning authority name,
- planning officer name and contact details,
- planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the [EIA Directive \(codified in Directive 2011/92/EU\)](#) is transposed into UK law by the [Marine Works \(Environmental Impact Assessment\) Regulations 2007 \(the MWR\)](#), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application>

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A [map](#) showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans

please visit our [Explore Marine Plans](#) service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the [Marine and Coastal Access Act](#) and the [UK Marine Policy Statement](#) unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our [online guidance](#) and the [Planning Advisory Service soundness self-assessment checklist](#). If you wish to contact your local marine planning officer you can find their details on our [gov.uk page](#).

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

Regards
Andy

Andy Davis| Administration Officer Business Support Team | Marine Management Organisation

Lancaster House, Hampshire Court, Newcastle Business Park, Newcastle upon Tyne, NE4 7YH

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Our MMO Values: Together we are **Accountable**, **Innovative**, **Engaging** and **Inclusive**



From: [DIO-Safeguarding-Offshore \(MULTIUSER\)](#)
To: [MS Marine Renewables](#); [Rebecca Ross](#)
Cc: [Rebecca Bamlett](#); [Emma Lees](#)
Subject: 20230925 00010501-Berwick Bank Cambois Connection Scheme, Construction of Offshore Export Cables
Firth of Forth - DIO10059661
Date: 25 September 2023 16:20:25
Attachments: [image001.png](#)

Good afternoon Becca

Further to your email below regarding the Marine Licence application 00010501 for the Cambois Cable Connection, Berwick Bank Offshore Wind Farm in the Firth of Forth. After our review, I can confirm that MOD Offshore Safeguarding has no objections regarding this activity.

Kind regards

Anne McGarva

Anne McGarva | Assistant Safeguarding Officer


Defence Infrastructure Organisation

Estates | Safeguarding

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Skype: +44 (0)3001623630 | Mobile: +44

 | email: anne.mcgarva369@mod.gov.uk

 Please consider the environment before printing this e-mail

Date: 05 September 2023
Our ref: 445605



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BY EMAIL ONLY

Dear Rebecca Ross

00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth Marine license request and Environmental Statement

Thank you for your consultation on the Berwick Bank Cambois Connection Scheme. Natural England has reviewed the associated documents and can provide the following response.

To inform this response, we have referred to:

- Environmental Statement - Volume 1 – Non-Technical Summary
- Environmental Statement - Volume 2 – Environmental Statement
- Environmental Statement – Volume 3 – Technical appendices and Annexes
- MPA/MCZ Assessment
- Report to Inform an Appropriate Assessment (RIAA)

Natural England advises that all matters related to English waters arising from the section of the cable in Scottish waters have been adequately considered in the documents reviewed.

Our advice to Marine Scotland only relates to the impacts on English MPAs from the proposal in Scottish waters. Natural England has not yet been consulted by MMO on the marine licence for the English part of the proposed cable route. At present we are unable to advise on whether there could be significant impacts on English MPAs from the proposal in English waters. We therefore recommend that Marine Scotland liaise with MMO before issuing any permission to avoid the risk of consenting a route that 'locks in' adverse effects on English MPAs, and also the risk of stranded assets should the MMO consultation result in proposal amendments that have implications for the Scottish part of the route.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely,

Bethan Rogers

Northumbria Marine Team

E-mail: bethan.rogers@naturalengland.org.uk

Date: 26 January 2024
Our ref: 464669
Your ref: 00010501



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BY EMAIL ONLY

Dear Rebecca

00010501 – Berwick Bank Cambois Connection Scheme – HRA

Thank you for your query on the Berwick Bank Cambois Connection Scheme, received on 9th November 2023. Natural England can provide the following response.

Natural England advises on matters related to English waters arising from the whole length of the cable. Please note that we have not considered impacts in Scottish waters.

We have now been consulted on the cable by the MMO and have provided our advice as the Statutory Nature Conservation Body for English waters. I provide here excerpts of that advice pertinent to the English SACs, SPAs and Ramsar sites. Please note that this advice to the MMO and to yourselves is based on the HRA provided to us by the MMO. We expect this will be based on the developer's RIAA.

We have no additional comments pertinent to the developer's Report to Inform Appropriate Assessment which are not covered in our advice to the MMO on their Habitats Regulations Assessment. We did have significant comments on MCZs.

The following text in *italic* font is extracted from our advice to the MMO (our ref 456122 / 456716; MMO ref MLA/2023/00334)

Summary

We advise that if appropriate mitigation measures are adopted, and secured through conditions, for impacts on the Northumberland Marine Special Protection Area (SPA) and Ramsar, then an adverse effects on the integrity can be excluded.

The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)

We can confirm that the proposed works are located within the following National Site Network site:

- **Northumberland Marine Special Protection Area (SPA)**

Natural England is of the view that the maintain prey availability conservation objective for the

site may be hindered by the proposed cable installation work impacting upon supporting habitat and requests that further information is provided by the Applicant.

We can confirm that the proposed works are located in close proximity (~48 metres) of the following National Site Network site:

- **Northumbria Coast SPA and Ramsar site**

Natural England is of the view that adoption of relevant mitigation measures for the Northumberland Shore SSSI are also relevant to overwintering features of this designated site. In regards to breeding arctic and little terns the works are not located sufficient close to colonies to have a likely significant effect through disturbance.

We can confirm that the proposed works are located near the following English Nature Site Network sites have also been scoped in to the MMO's HRA:

- **Teesmouth and Cleveland Coast SPA / Ramsar site**
- **Coquet Island SPA**
- **Farne Islands SPA**
- **Tweed Estuary Special Area of Conservation (SAC)**
- **River Tweed SAC**
- **Berwickshire and North Northumberland SAC**

Based on the application documents as submitted, Natural England advises that AEoI on these designated sites are unlikely, but we reserve the right to review this position one further information is provided.

Annex 6

Detailed comments on MMOs Habitats Regulations Assessment

	Section	Detail	Comment	Advice
6.1	Table 3a (Northumbria Coast SPA)	Pressures and supporting habitats	It is unclear why certain pressures are assessed and others are not. For example the HRA includes all high risk, but also includes some, but not all low risk and some which are not analogous to conservation advice. Water column not included (although is it sensitive to one of the pressures assessed).	NE advises that clarification is provided as to why some pressures are assessed and why others have been scoped out. NB: if there is an impact pathway to a site feature then it should be scoped into the HRA.
6.2	Table 5	Purple sandpiper and turnstone no LSE	Asserted that due to HDD being 250m from HW and cable being 1km from birds, there is no LSE.	The marine scheme boundary is within 50m of the SPA and associated strandline in which these birds feed. Therefore we advise that depending on the timing of the works there is a likely significant effect. However, we believe that works would not

				<i>result in AEol for these features via changes in suspended solids, vessel disturbance or prey availability.</i>
6.3	<i>Tables 7a, b etc</i>	<i>Includes developers "embedded mitigation"</i>	<i>This mitigation is not specific. However, it is described in more detail in the developers document Environmental Statement – Volume 2 Chapter 16: Summary of Mitigation Measures and Commitments</i>	<i>Advise that the mitigation is conditioned with set parameters and included within the AA as evidence to support conclusions drawn</i>

We hope that the advice above, read in combination with the developer's RIAA clarifies our position on the HRA provided by the MMO for the project.

In your email to us (9th Nov 2023), you mention diadromous fish. We would expect diadromous fish which are designated features of Special Areas of Conservation to be considered wherever they are, similarly to the way in which designated birds are considered at a distance from an SPA.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely,

Ruth Cantrell

Marine Senior Adviser: Northumbria Marine Team

E-mail: ruth.cantrell@naturalengland.org.uk

Date: 14 June 2024
Our ref: 479148



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BY EMAIL ONLY

Dear Rosanne,

Follow-up to clarify conclusions of RIAA - Cambois Connection

Thank you for your query on the Berwick Bank Cambois Connection Scheme, received on 6th June 2024. Natural England can provide the following response.

The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)

Natural England advises that providing the works are carried out in strict accordance with the details of the application submitted, it can be excluded that the application will have a significant effect to the Southern North Sea SAC, either individually or in combination with other plans or projects.

Therefore we agree with the conclusion in the RIAA that there will be no AEoI.

For any queries relating to the content of this letter please contact me using the details provided below

Yours sincerely,

Bethan Rogers
Marine Lead Adviser, Northumbria Team
E-mail: bethan.rogers@naturalengland.org.uk



NatureScot
NàdarAlba

Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Rebecca Ross
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

26 September 2023

Our ref: CNS REN OSWF Berwick
Bank – Application

Dear Rebecca,

BERWICK BANK – CAMBOIS CONNECTION – ADDITIONAL EXPORT CABLES

APPLICATION FOR MARINE LICENCE UNDER MARINE AND COASTAL ACCESS ACT 2009

Thank you for consulting NatureScot on the Marine Licence application submitted by Berwick Bank Wind Limited. We provide our advice on the natural heritage interests addressed within the Environmental Impact Assessment Report (EIAR) and the Report to Inform Appropriate Assessment (RIAA) below for the proposed Cambois Cable Connection.

Our advice relates only to the Scottish elements of the proposed works, which is entirely within Scottish Offshore waters.

Policy context

As a statutory consultee, NatureScot works in support of the Scottish Government's vision for a Blue Economy¹ with its six outcomes acting as focal points to ensure the marine environment supports ecosystem health, improved livelihoods, economic prosperity, social inclusion and wellbeing. We provide advice in the spirit of Scottish Government's ambition and its aims to balance the promotion of the sustainable development of offshore wind, whilst protecting our biodiversity.

Working within the context of a climate emergency and a biodiversity crisis, we wish to provide advice that is enabling and secures the right development in the right place with most benefit for climate change reduction, and takes account of and lessens impacts in respect of the biodiversity crisis.

¹ A Blue Economy Vision for Scotland 2022 - <https://www.gov.scot/publications/blue-economy-vision-scotland/>

Proposal

The proposal, which includes a project design envelope approach, comprises:

- An export cable corridor approximately 180km in length and 1km width;
- Up to two Offshore Converter Station Platforms (OCSPs) within the Berwick Bank offshore wind farm array area;
- Up to four subsea High Voltage Direct Current (HVDC) cables; and
- Installation using a combination of burial (preferred) and cable protection (e.g., rock placement, concrete mattresses) where burial to target depth cannot be achieved.

The proposed additional export cables start from within the proposed Berwick Bank offshore wind farm array area, located 39.2km east of the East Lothian coastline, to a proposed landfall location near Cambois, Northumberland in England. The portion spanning Scottish Offshore waters is approximately 40km.

The accompanying Marine Licence application form indicates a licence duration for the Cambois Cable Connection from 2026 (commencement of offshore construction) to 2075 (described as the expected completion date). Given the assumed operational lifetime of the wind farm is 35 years, we are unclear why there is such a disparity. Our advice assumes an expected start date of 2026, with a 35-year operational period.

Background

The proposed Cambois Connection is linked to the proposed Berwick Bank offshore wind farm, the application for which is currently undergoing an additional information consultation. The array area for the Berwick Bank wind farm and the existing planned connection to Branxton, East Lothian, are wholly within Scottish waters. The scoping boundary for the proposed Cambois Connection overlaps with the Berwick Bank wind farm array area, as part of the Cambois Connection will connect into the Offshore Converter Station Platforms (OCSPs) located within the Berwick Bank wind farm array area.

General comments

We are disappointed by the numerous mistakes located throughout the documents, including incorrect signposting to tables. For instance, paragraph 651 in the Report to Inform Appropriate Assessment (RIAA) Part 2 refers to the Outer Firth of Forth and St Andrews Complex SPA and signposts Table 2.8, but this table looks at the qualifying features of Teesmouth and Cleveland Coast SPA instead.

Furthermore, it is difficult to follow the narrative on the Scottish portion of the Marine Scheme across the EIAR. It would have been helpful to have a clearer distinction between impacts in Scottish waters and those in English waters to avoid confusion and unnecessary time delays. For instance, Table 10.7 in Chapter 10 lists several protected sites (Lindisfarne SPA/Ramsar, Flamborough and Filey Coast SPA, Teesmouth and Cleveland Coast SPA/Ramsar, Berwick to St Mary's MCZ and Northumberland Shore SSSI) under the Scottish sub-heading, however, these sites are within English waters.

Overall, the standard of Cambois Connection EIAR is poor and was difficult to navigate from a Scottish perspective, which is disappointing given the high quality of the previous Berwick Bank application.

Natural heritage interests

We provide detailed advice on each receptor as described below.

- Advice on physical processes is provided in **Appendix A**.
- Advice on benthic interests is provided in **Appendix B**.
- Advice on fish and shellfish interests is provided in **Appendix C**.
- Advice on ornithological interests is provided in **Appendix D**.
- Advice on marine mammal interests is provided in **Appendix E**.
- Advice on the accompanying MPA Assessment in **Appendix F**.
- Advice on the accompanying Report to Inform Appropriate Assessment (RIAA) in **Appendix G**.

This advice incorporates advice received from JNCC with respect to impacts in Scottish waters, in particular:

- Firth of Forth Banks Complex Nature Conservation Marine Protected Area (ncMPA)

Further information and advice

We hope this advice is helpful. Please contact myself, Caitlin Cunningham in the first instance for any further advice.

Yours sincerely,

Caitlin Cunningham

Marine Sustainability Advisor, Sustainable Coasts and Seas

caitlin.cunningham@nature.scot

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX A - PHYSICAL PROCESSES

Physical processes are considered in Chapter 7 of the Cambois Connection EIAR.

Baseline

Section 7.7 provides a clear and detailed summary of existing data and results of site-specific surveys.

Key impacts assessed

We agree with the impacts scoped in/out of the assessment as outlined in Section 7.8 and are content that the assessment has been carried out in accordance with our previous advice provided at Scoping.

Assessment of significance

We agree with the findings that the magnitude can be considered negligible or low, depending on the specific impact. We also agree that sensitivity of the relevant features is low or medium, depending on the specific impact, meaning that the overall effects are either negligible or minor and not significant under EIA regulations.

However, we do note one error in Table 7.21, that lists the impact on designated features as being 'minor (significant)' under significance of effect – we believe this should read 'minor (not significant)' instead.

Cumulative impacts

We agree with the conclusion that there are no significant cumulative effects from the proposed Cambois Connection.

Cable Burial Risk Assessment

We note that any need for cable protection will be informed by outputs from the Cable Burial Risk Assessment, to be completed post-consent. It is predicted that up to 15% of the cable route in Scottish waters will require additional cable protection. We have seen elsewhere in the Forth and Tay region that the amount of cable protection required may be more than predicted due to unexpected ground conditions. We recommend further consideration of this as early as possible and to plan accordingly.

The minimum target depth for cable burial is cited as 0.5m. This is considerably shallower than what has been employed elsewhere and we are concerned that cables could therefore be vulnerable to re-exposure and damage. Moreover, we advise that the minimal burial depth should be at least 1m to reduce potential EMF impacts, with further commentary on this provided in Appendix B and C.

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX B – BENTHIC INTERESTS

Benthic interests are considered in Chapter 8 of the Cambois Connection EIAR. We provide specific advice on the Firth of Forth Banks Complex nature conservation Marine Protected Area (MPA) and the associated MPA Assessment in Appendix F, with input from JNCC. Our advice in relation to Annex I habitats assessed in the accompanying Report to Inform Appropriate Assessment (RIAA) is presented in Appendix G.

Baseline

Section 8.7 provides a clear and detailed summary of existing data and results of site-specific surveys.

Key impacts assessed

We agree with the impacts scoped in/out of the assessment as outlined in Section 8.8 and are content that the assessment has been carried out in accordance with our previous advice provided at Scoping. We provide additional commentary on specific impacts below.

Colonisation of hard structures

Paragraph 192 describes the introduction of new hard substrate potentially having ‘beneficial effects, for example, increases in net-biodiversity and biomass’. This change in substrate represents a loss of functioning habitat, so we cannot assume that this is a beneficial effect. That said, we are content that this would not change the overall conclusion of the assessment, as this impact is predicted to occur across a very small area within Scottish waters.

Electro–Magnetic Fields (EMF)

We note that the minimum cable burial depth is currently proposed as 0.5m. However, through recent discussions and emerging research, we advise that the minimal burial depth should be at least 1m to reduce potential impacts, including EMF effects.

Assessment of significance

Noting our advice on EMF above, we agree with the conclusion for benthic interests that impacts will be either minor or negligible and we are content with the conclusion of no significant effects.

Mitigation and monitoring

In Table 8.15, we note that cable grouping is proposed as a potential mitigation measure to reduce impacts from EMF. This may include grouping cables of opposite polarity, bundling cables and/or reducing cable separation. We would welcome further information on the feasibility of this measure and potential modelled EMF reduction once details are refined post-consent, should consent be granted. If cable grouping is used it would be useful to monitor the resulting EMF strength, to validate modelled predictions. This should be considered further.

We recommend that this project contributes, where appropriate, to any strategic research (e.g. ScotMER), which helps to improve our understanding of impact pathways including EMF and to validate the assumptions of the assessment. We specifically welcome the ScotMER project “A Targeted Approach to Defining EMF from Subsea Cables and Understanding Potential Impacts on Fish and Benthic Species”.

Cumulative impacts

Overall, we agree with the conclusion that there are no significant cumulative effects from the proposed Cambois Connection. Further commentary regarding specific impacts is provided below.

Electro–Magnetic Fields (EMF)

Paragraph 380 states that ‘the potential for cumulative EMF effects is limited to areas where the Marine Scheme directly overlaps with other cables’. However, there may be cumulative impacts arising from a ‘network’ of cables in the area even though individually the effects may be localised. That said, we are content that this would not change the overall conclusion of the assessment, as this impact is predicted to occur in a very small area within Scottish waters.

Outline Invasive Non-Native Species Management Plan

We have also reviewed Appendix 5.1, Annex B – Outline Invasive Non-Native Species Management Plan. The outline INNS plan is currently high level, but we are content with the approach used at this stage and recognise, should consent be granted, that the plan will be updated and finalised before the start of construction following development of the final project design and in consultation with regulatory bodies and stakeholders.

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX C – FISH & SHELLFISH INTERESTS

Fish and shellfish are considered in Chapter 9 of the Cambois Connection EIA. Please also see Appendix G for further advice in relation to consideration of diadromous fish interests under HRA.

Baseline

Section 9.7 provides a clear and detailed summary of existing data, with reference to Priority Marine Features (PMFs) where appropriate.

The EIA refers to 'suitable habitat for sandeel spawning', however, sandeels are present all year round and not just during spawning. Thus, commentary should be around habitat that is suitable for sandeels instead. This is unlikely to change our overall advice or the outcome of the assessment.

Key impacts assessed

We agree with the impacts scoped in/out of the assessment as outlined in Section 9.8 and are content that the assessment has been carried out in accordance with our previous advice provided at Scoping.

Electro-Magnetic Fields (EMF)

Paragraph 250 provides modelling estimates for resulting EMF strength based on two different cable configurations. Within this section, it is stated that the EMF strength would decay to the natural baseline strength within 10-20m from the cables, which 'falls below the FeAST tool benchmark...within 10m of the Offshore Export Cable'. However, this is a misinterpretation of the FeAST tool². The pressure benchmark is not a threshold level for impact, rather a way to standardise the pressure (EMF) to enable like-for-like comparisons across different receptors.

As such, comparisons should be made to empirical data from studies of behavioural and physiological changes in species. We note that this has been provided to an extent throughout Section 9.12.2.1.2 and thus we are content with this approach.

We note that the minimum cable burial depth is currently proposed as 0.5m. However, through recent discussions and emerging research, we advise that the minimal burial depth should be at least 1m to reduce potential impacts, such as EMF effects.

Assessment of significance

Noting our advice on EMF above, we agree with the conclusion for marine fish and shellfish that impacts will be either minor or negligible and based on the available evidence agree with the conclusion of no significant effects.

For diadromous fish we have considered the applicants information and based on our knowledge from previous marine developments consider that this cable alone and cumulatively is unlikely to have significant adverse effects, when considered within an EIA context. This takes into account our advice on EMF above. Please see advice below with respect to consideration of mitigation.

² <https://feature-activity-sensitivity-tool.scot/>

Mitigation and monitoring

As part of the Cable Plan, we would expect consideration to be given to diadromous fish interests. Consideration of reducing EMF effects should be included as part of the Cable Plan development.

In Table 9.16, we note that cable grouping is proposed as a potential mitigation measure to reduce impacts from EMF. This may include grouping cables of opposite polarity, bundling cables and/or reducing cable separation. We would welcome further information on the feasibility of this measure and potential modelled EMF reduction once details are refined post-consent, should consent be granted. If cable grouping is used it would be useful to monitor the resulting EMF strength, to validate modelled predictions. This should be considered further.

We recommend that this project contributes, where appropriate, to any strategic research (e.g. ScotMER), which helps to improve our understanding of impact pathways including EMF and to validate the assumptions of the assessment. We specifically welcome the ScotMER project “A Targeted Approach to Defining EMF from Subsea Cables and Understanding Potential Impacts on Fish and Benthic Species”.

Cumulative impacts

Overall, we agree with the conclusion that there are no significant cumulative effects from the proposed Cambois Connection. Further commentary regarding specific impacts is provided below.

Electro–Magnetic Fields (EMF)

Paragraph 398 states that ‘the potential for cumulative EMF effects is limited to areas where the Marine Scheme directly overlaps with other cables’. However, there may be cumulative impacts arising from a ‘network’ of cables in the area even though individually the effects may be localised. That said, we are content that this would not change the overall conclusion of the assessment, as this impact is predicted to occur in a very small area within Scottish waters.

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX D – ORNITHOLOGICAL INTERESTS

Ornithological interests are considered in Chapter 10 of the Cambois Connection EIAR. Please also see Appendix G for further advice in relation to consideration of ornithological interests under HRA.

Baseline

Section 10.7 provides a clear and detailed summary of existing data and results from site-specific surveys.

Paragraph 25 discusses migrant birds and concludes 'it is not likely that these migrant birds would be affected by the Marine Scheme'. Whilst we agree with this conclusion, there is no reasoning provided to support this. Due to the transient nature of the vessel movements, limited number of vessels at any one time and slow speeds employed by construction vessels, we advise that it is unlikely that migratory birds to be impacted by the Marine Scheme.

Key impacts assessed

We agree with the impacts scoped in/out of the assessment as outlined in Section 10.8 and are overall content with the assessment approach.

Assessment approach

Paragraph 40 explains that the connectivity between the Marine Scheme and protected sites has been determined using the mean-maximum range +1SD, as published by Woodward et al., (2019) and recommended through our previous advice at Scoping. However, paragraph 95 later states that regional breeding populations (birds breeding in south-east Scotland and Northumberland) will be used as part of the assessment. This approach is not explained further and it is unclear how/if this has been applied.

Whilst we are content with the Scottish sites taken through to assessment, clarification on the assessment methodology and reasoning would be helpful.

Assessment of significance

We agree with the conclusion for ornithological interests that impacts will be either minor or negligible and we are content with the conclusion of no significant effects. Table 10.16 summarises this information, however, the readability of the headings is poor.

Mitigation

Paragraph 73 reads 'As part of the project design process, a number of measures have been proposed to reduce the potential for impacts on shipping and navigation'. It is unclear why there is mention of shipping and navigation within this section.

Cumulative impacts

Overall, we agree with the conclusion that there are no significant cumulative effects from the proposed Cambois Connection. Further commentary regarding specific impacts is provided below.

Changes to prey availability

Various projects are listed in paragraph 176 for consideration of cumulative effects on prey species. Projects with direct overlap and in proximity are included in paragraph 176, whilst other projects mentioned in Table 10.15 that also have the potential for direct overlap or in proximity are omitted. Whilst this is a minor point, the reason for this inconsistency is unclear.

Furthermore, we consider there to be a mistake in paragraph 177. This reads 'that there would be likely significant cumulative effects on prey species'. However, in Chapter 9, all impacts are deemed either minor or negligible and thus concludes no significant effects on fish or shellfish interests.

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX E – MARINE MAMMAL INTERESTS

Marine mammal interests are considered in Chapter 11 of the Cambois Connection EIAR. Our advice in relation to marine mammal interests assessed in the accompanying Report to Inform an Appropriate Assessment (RIAA) is presented in Appendix G.

Baseline

Section 11.7 provides a clear and detailed summary of existing data and results of site-specific surveys.

Key impacts assessed

We agree with the impacts scoped in/out of the assessment as outlined in Section 11.8 and are content that the assessment has been carried out in accordance with our previous advice provided at Scoping.

Underwater noise assessment

Noisy activities are identified as geophysical surveys, cable-laying, installation of cable protection, vessel noise, and operational acoustic surveys. Table 11.13 lists the underwater sound sources produced by the Marine Scheme activities. We agree that of those sources included in the table, only the sub-bottom profiler (SBP) and ultra-short baseline (USBL) require further assessment, as the other sources produce low level noise, unlikely to have significant effects on marine mammals.

We are content with the assessment approach for the SBP and USBL and we agree with the conclusion that with appropriate mitigation in place (i.e. JNCC 2017 guidance), the risk of injury is low. The risk of disturbance is likely for both the SBP and USBL, which will need to be considered separately under EPS licencing requirements.

Unexploded ordnance (UXO) detonation

We note that UXO clearance is not assessed, as it is intended that any UXOs will be avoided by micro-routing the cable. If UXO clearance is required, this will be assessed separately and a separate licence sought if needed. Our preference is to see the use of deflagration as a removal technique and there is currently a deflagration campaign ongoing in Scottish waters. However, in the absence of the outcomes of this campaign, we advise that currently, both high order and low order clearance should be modelled to ensure the worst-case scenario is assessed.

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX F – FIRTH OF FORTH BANKS COMPLEX NCMPA – MPA ASSESSMENT

We have reviewed the MPA Assessment for the proposed Cambois Connection. We provide advice, as outlined below, for the Firth of Forth Banks Complex nature conservation Marine Protected Area (ncMPA) and its associated protected features, including:

- Offshore subtidal sands and gravel;
- Shelf banks and mounds;
- Ocean quahog aggregations; and
- Quaternary geology and geomorphology, including moraines representative of the Wee Bankie Key Geodiversity Area.

Baseline

Section 5.2 provides a clear summary of existing data in relation to the Firth of Forth Banks Complex ncMPA.

Assessment of impacts

The assessment of impacts is based on an assumption of a maximum total cable length of 160 km (four cables of 40 km each). The width of habitat disturbed during installation is predicted to span 25 m, therefore a total of 4 km² will be disturbed, with the assessments based on this figure.

Various impact pathways have been assessed, including: temporary habitat / species loss or disturbance; increased suspended sediments; permanent benthic habitat / species loss or disturbance; colonisation of hard structures and introduction of INNS; EMF effects; thermal emissions from operational cables; and changes in physical processes.

Temporary habitat disturbance

For the temporary habitat / species loss or disturbance impact pathway, there are inconsistencies in the calculations. Whilst unlikely to affect the overall conclusions of the MPA assessment, we request clarification on the impacted extents, with clear calculations provided, to ensure correct information is presented. Further detail is provided below under each specific feature to aid this clarification request:

- *Offshore subtidal sands and gravel and ocean quahog aggregations*
In paragraph 94, it is stated that the supporting habitat for ocean quahog and subtidal sands and gravels habitat within the ncMPA area is 1,230 km². This is incorrect – the area should be 2,130 km² as reported elsewhere (i.e. in Table 5.2). Furthermore, if we were to assume that the figure of 1,230 km² is correct, it is unclear how the extent of the features impacted from temporary habitat disturbance would be 0.002%. Using the correct habitat extent (2,130 km²), we calculate the impacted extent to be 0.19%.
- *Moraines*
In paragraph 96, it is unclear how the extent of the Moraines representative of the Wee Bankie Key Geodiversity Area feature impacted from temporary habitat disturbance would be 17%. We calculate the impacted extent as 0.53% using the extent of cable installation activities within Scottish waters (4 km²) divided by extent of the moraines feature of the

ncMPA (750 km²), multiplied by 100.

- *Shelf banks and mounds*

We agree with the calculations for the shelf banks and mounds feature, which results in temporary habitat disturbance of up to 1.52% of the extent of this feature within the ncMPA.

Clearance of sandwaves and other bedforms

We note that route preparation works would include seabed levelling at sandwaves, across approximately 20% of the route within Scottish waters. There is no consideration given as to how active or dynamic these bedforms are and thus, their ability to reform or the timescales over which this may take. However, we advise that the sandwaves are likely to be active rather than relict, based on:

- Modelling presented in the previous Berwick Bank EIAR Volume 2 Chapter 7, which indicates evidence of sand wave activity and therefore recovery;
- Statements in the Supplementary Advice on Conservation Objectives for Firth of Forth Banks Complex ncMPA³ that the seabed sediment is mobile, actively maintaining the MPA features; and
- Findings in the Seagreen OWF Appendix 3 – Geomorphological Assessment that other areas seaward of the outer Firth of Forth, with broadly similar depths, have active seabeds with accretion occurring.

Monitoring

Recovery of sandwaves

As proposed in the previous Berwick Bank EIAR – Marine Protected Area Assessment, it would be useful to monitor the recovery of sandwaves within the Firth of Forth Banks Complex ncMPA, at select places where sandwave clearance activity has occurred. This would provide an indication of the timescale over which recovery will have taken place. This should be considered further.

Conclusion

Overall, we agree with the conclusions that **whilst the proposal is capable of affecting the protected features of the ncMPA, this is not considered to be significant** (both project alone and cumulatively), based on the small scale of impact relative to the widespread nature of the features. This conclusion is based on the figures we have calculated above, where relevant.

³ <https://data.jncc.gov.uk/data/92fb7e5e-5e68-4e66-bde3-afd9c27d6b14/FFBC-3-SACO-v1.0.pdf>

NatureScot ADVICE FOR CAMBOIS CONNECTION

APPENDIX G – HABITATS REGULATIONS APPRAISAL – REPORT TO INFORM APPROPRIATE ASSESSMENT

We have reviewed the Report to Inform Appropriate Assessment (RIAA) – Part 1 and Part 2 for the proposed Cambois Connection. We provide advice, as outlined below, on those protected sites and their qualifying features that have been screened in at the likely significant effect (LSE) stage, either alone or in-combination with other plans or projects.

Annex I habitats

We are content that no sites with Annex I habitat features require further assessment within Scottish waters.

Diadromous fish

The following protected sites are considered in the RIAA for diadromous fish:

- Tweed Estuary SAC (sea and river lamprey);
- River Tweed SAC (Atlantic salmon, sea and river lamprey);
- River South Esk SAC (Atlantic salmon and freshwater pearl mussel);
- River Tay SAC (Atlantic salmon, sea and river lamprey);
- River Dee SAC (Atlantic salmon and freshwater pearl mussel); and
- River Teith SAC (Atlantic salmon, sea and river lamprey).

Freshwater pearl mussel have also been considered, as part of their life stage is reliant on Atlantic salmon and / or sea trout, and there is the potential for them to be indirectly impacted by the proposal.

Assessment Approach

As previously advised in our response to the Marine Licence and Section 36 application for the proposed Berwick Bank offshore wind farm (issued 21 February 2023) and in our HRA Screening advice for the proposed Cambois Connection (issued 5 May 2023), we cannot advise on these species under the HRA process.

The RIAA has attempted to assess the impact of electro-magnetic fields on diadromous fish only.

Assessment conclusions

Due to the absence of robust evidence about the behaviour and distribution of these species in the marine environment, we cannot advise on these species under the HRA process. We have reviewed the information provided within both the RIAA and EIAR and consider that this additional cable alone and cumulatively is unlikely to have significant adverse effects, when considered within an EIA context. Having considered the applicants information and based on our knowledge from previous marine developments, we advise that mitigation can be deployed to reduce any potential effects from both the construction and operation of the export cables.

We advise that offshore wind developers should be contributing to ScotMER research as well as other initiatives such as the Wild Salmon Strategy Implementation Plan⁴ and any other strategies that are developed for diadromous fish interests.

Mitigation

As part of the Cable Plan we would expect consideration to be given to diadromous fish interests. Consideration of reducing EMF effects should be included as part of the Cable Plan development.

Marine mammals

For marine mammals, the following protected sites are considered in the RIAA:

- Berwickshire and North Northumberland Coast SAC (grey seal); and
- Southern North Sea SAC (harbour porpoise).

We agree with the protected sites assessed for marine mammals in the RIAA. Natural England's advice should be sought on the Southern North Sea SAC.

Assessment conclusions

The assessment considers underwater noise impacts from the SBP and USBL. With appropriate mitigation in place (i.e. JNCC 2017 guidance), we agree that the risk of injury is low and that any disturbance will not be significant and will not hinder the Conservation Objectives. As such, we agree with the conclusions that there is no adverse effect on site integrity for the Berwickshire and North Northumberland Coast SAC from a Scottish perspective, noting that this site spans the Scottish / English border.

Ornithology

For ornithology, the following Scottish protected sites are considered in the RIAA:

- St Abb's Head to Fast Castle SPA;
- Outer Firth of Forth and St Andrews Bay Complex SPA; and
- Forth Islands SPA.

We agree with the Scottish protected sites assessed for ornithology in the RIAA.

Assessment conclusions

Overall, we agree with the conclusions that there is no adverse effect on site integrity for any of the Scottish protected sites with ornithological features.

We accept the conclusion that vessel disturbance associated with the Marine Scheme will not have an adverse effect on the features of the Outer Firth of Forth and St Andrews Bay Complex SPA. However, the reasoning in paragraph 658 that 'vessel movements associated with the Marine Scheme are unlikely to be noticeable above baseline vessel activity in the region' is not an appropriate justification. Due to the transient nature of the vessel movements, limited number of vessels at any one time and slow speeds employed by construction vessels, we advise that any disturbance will not be significant and will not undermine the Conservation Objectives. As such, we agree with the conclusions that there is no adverse effect on site integrity for the Outer Firth of Forth and St Andrews Bay Complex SPA.

⁴ <https://www.gov.scot/publications/wild-salmon-strategy-implementation-plan-2023-2028/>



Northern Lighthouse Board

84 George Street
Edinburgh EH2 3DA

Tel: 0131 473 3100
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Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk

Your Ref: MSL 00010501
Our Ref: AL/OPS/ML/O6_20_837

Ms Rebeca Ross
Licensing Operations Team – Marine Directorate
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

25 August 2023

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

**00010501 – Berwick Bank Wind Farm Limited – Berwick Bank Cambois Connection Scheme – Construction
of Offshore Export Cables – Firth of Forth**

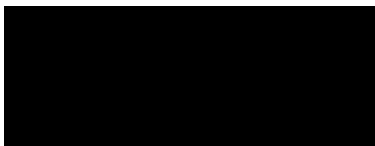
Thank you for your e-mail correspondence dated 11th August 2023 relating to the Marine Licence application submitted by **Berwick Bank Wind Farm Ltd** for the construction, operation and maintenance of up to four high voltage direct current (HVDC) Offshore Export Cables from within the BBWF array area to the landfall location near Cambois, Northumberland.

It is noted that this Marine Licence application only applies to the sections of the export cables within Scottish waters. NLB note that for the entirety of the Scottish section of the Cambois export cable project, the cable will be buried or subject to mechanical protection methods, and will not pose an undue hazard to navigation.

Northern Lighthouse Board note the proposed mitigations contained within Table 13.13 of the Navigational Risk Assessment, and have no objection to the proposed construction, operation and maintenance of the export cables from the Berwick Bank OWF to the landfall site at Cambois, Northumberland.

NLB respects your privacy and is committed to protecting your personal data.
To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notices/

Yours sincerely



Peter Douglas
Navigation Manager

NLB respects your privacy and is committed to protecting your personal data.
To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notice/

In Salutem Omnium
For the Safety of All

Neart na Gaoithe Offshore Wind Limited
Atria 1, 6th floor
144 Morrison Street
Edinburgh
EH38EX
Scotland, United Kingdom

Scottish Ministers

By email only: MS.MarineRenewables@gov.scot

Date 23/08/23

Document Reference: NNG-NNG-ECF-LET-0083

Dear Sirs,

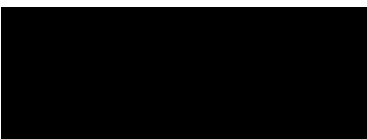
Thank you for the opportunity to comment on the Berwick Bank Cambois Connection Scheme Marine Licence Application. The below comments have been made on behalf of Neart na Gaoithe Offshore Wind Limited (NnGOWL).

As identified by SSE Renewables, the proposed Marine Scheme has the potential, through the increase in vessel presence, construction activities and the associated presence of 500 m clearance zones, to temporarily obstruct access to other offshore renewable energy projects. This includes the NnG windfarm and vessels from the NnGOWL Operations and Maintenance (O&M) Base in Eyemouth. We would like to note that the location of the NnGOWL O&M Base in Eyemouth, relative to the proposed Marine Scheme, was not identified by SSE Renewables in its application.

Given the proximity of the proposed Marine Scheme to the NnG wind farm site and the NnGOWL O&M Base we would request that SSE Renewables looks to engage with NnGOWL to implement an agreed mechanism to prevent the Marine Scheme restricting access to the NnG windfarm site by NnG O&M vessels.

NnGOWL would be interested to receive information on any further consultations for the Berwick Bank Cambois Connection Marine Scheme.

Yours sincerely



Polly Tarrant

Environment Manager (Offshore)

Neart na Gaoithe Wind Limited

From: [Pauline McGrow](#)
To: [MS Marine Renewables](#)
Subject: RE: 00010501 – Berwick Bank Cambus Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 15 August 2023 12:23:05
Attachments: [ryasg003.png](#)
[ryasg006.png](#)
[ryasg007.png](#)

Hi Becca,

I write to inform you that RYA Scotland has no objection to this marine licence being granted.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Mob: [REDACTED]

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



Protecting your personal information is important to us, view our full Privacy Statement [here](#)



From: [Fotheringham, Barry](#)
To: [MS Marine Renewables](#)
Subject: [OFFICIAL] 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 16 August 2023 11:42:44
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)

FAO Becca Ross

Dear Becca

Thank you for your e-mail of 11 August 2023 regarding the above.

I can confirm that Scottish Borders Council has no comments.

Kind Regards

Barry Fotheringham
Lead Planning Officer
Planning, Housing & Related Services
Scottish Borders Council
Tel: 01835 826745
E-mail: bfotheringham@scotborders.gov.uk

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Scottish Awards for
Quality in Planning
2017: Award Winner

Scottish Hydro-Electric Transmission plc
10 Henderson Road
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IV1 1SN
e: euamackenzie@sse.com
26/09/23

The Scottish Government
Marine Directorate Licencing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

REF: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth

Dear Sir/Madam,

We welcome the inclusion and consideration of the Scottish Hydro – Electric Transmission Eastern Green Link 2 (EGL2) HVDC link project in the Berwick Bank Cambois connection scheme and thank you for the opportunity to respond.

We note the inclusion of the EGL2 project within section 1.15 (172) and the requirement to have in place, a proximity agreement, as the marine scheme is situation 2.5 km from the EGL2 cable but that no crossing of the cable is anticipated.

SHE Transmission remains committed to working with other legitimate users of the sea in a proactive manner, enabling both parties to deliver successful project wherever reasonably possible, as such we request that ongoing discussion and consultation is maintained to facilitate such agreements between both parties.

Yours sincerely

Euan Mackenzie
Marine Consents and Environment Manager

From: [Planning South](#)
To: [MS Marine Licensing](#)
Cc: [MS Marine Renewables](#)
Subject: SEPA Ref: 10139 - 10501 Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables
Date: 15 August 2023 15:16:01

OFFICIAL

Dear Rebecca Ross

Marine (Scotland) Act 2010

10501

**00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables
Berwick Bank Offshore Wind Farm, Firth of Forth**

Thank you for the above consultation.

We understand that the proposal is entirely within offshore waters (i.e., between the 12 Nautical Mile (NM) limit and the Scottish Exclusive Economic Zone (EEZ)). No elements of the Cambois Connection are within the 12 NM limit and the Landfall is part of the Marine Scheme in English (inshore) waters only. Therefore, we have no comments to offer.

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 after reading the standing advice you still require comments from SEPA on a specific matter, before re-consulting us please consider whether this case could be effectively dealt with in the regular Council/SEPA triage meeting.

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

Kind regards,
Silvia Cagnoni
Senior 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



Our Ref: FH-BBWF CEC/0002

Your Ref: 00010501– Berwick Bank Cambois Connection Scheme

E-mail: MS.MarineRenewables@gov.scot

11 Oct 2023

Scottish Fishermen's Federation
24 Rubislaw Terrace
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Scotland UK

T: +44 (0) 1224 646944
E: sff@sff.co.uk

www.sff.co.uk

SFF Response on Berwick Bank Cambois Connection Scheme Export Cable ES Consultation

This response to the scoping request is presented by the Scottish Fishermen's Federation on behalf of the 450 plus fishing vessels in membership of its constituent associations, the Anglo Scottish Fishermen's Association, Fife Fishermen's Association, Fishing Vessel Agents and Owners Association, Mallaig & North West Fishermen's Association, Orkney Fisheries Association, Scottish Pelagic Fishermen's Association, the Scottish White Fish Producer's Association and Shetland Fishermen's Association. The chair of NECrIFG has also been consulted and agrees.

First of all, SFF note that for the offshore components of the Project seaward of mean high water springs (MHWS) ('the Marine Scheme'), consent is being sought in Scotland and England as the Marine Scheme is located within both Scottish and English waters. As the Applicant is using Project Design Envelopment (PDE) for this consultation, SFF response will be focused on the current content of the documents provided with this consultation.

Boulder Clearance

SFF appreciates the developer's commitment for sharing the new location of relocated boulders with relevant stakeholders (page 15, Volume 2, Chapter 1- Introduction). However, since the relocation of boulders from their natural positions and re-positioning them on new surface causes snagging hazard for fishing vessels therefore SFF would suggest that to avoid the relocation of boulders as much as possible.

Offshore Export Cable Installation and Burial

SFF notes from para 67, Environmental Statement (ES), Chapter (Ch)5: Project Description, that three options for cable installation is considered:

"1. Separate cable lay and burial campaigns - cable is pre-laid (placed on the seabed in advance of trenching and burial); 2. Simultaneous cable lay and burial – cable is laid at the same time as cable trenching and burial; and 3. Separate trench and burial campaigns – cable is laid directly into pre-cut cable trenches, for example by plough."

Members:

Anglo Scottish Fishermen's Association · Fife Fishermen's Association · Fishing Vessel Agents & Owners Association (Scotland) Ltd ·
Mallaig & North-West Fishermen's Association Ltd · Orkney Fisheries Association · Scottish Pelagic Fishermen's Association Ltd ·
The Scottish White Fish Producers' Association Ltd · Shetland Fishermen's Association

VAT Reg No: 605 096 748

SFF would prefer the option 2, “Simultaneous cable lay and burial” since it will create less disruption/obstacles and snagging hazard for fishing vessels. In addition, we recommend a post-construction/cables burial overtrawl sweep along the length of the route is undertaken to ensure fishing activities can resume safely along the export cable corridor.

SFF are happy that the Offshore Export Cables will be buried to a maximum target burial depth of 3 m and, depending on seabed conditions, and a minimum target burial depth of 0.5 m within the Offshore Export Cable Corridor. The cable trenches will have a maximum width of 2.5 m per cable circuit. It is anticipated that a 25 m maximum width of seabed disturbance will be required per trench to allow sufficient width for pre-construction route preparation, such as clearance, we appreciate that this a technical constraint, however if this could be kept to an absolute minimum to prevent any unnecessary seabed disturbance.

Cable Jointing

Considering the fact that cable installation will take upto 18 months to complete, SFF appreciate the developer’s commitment in para 86 of V2, ES Ch5 on making effort to avoid cable jointing in areas of high-density marine activities, to reduce the length of time the installation vessels are required to be stationary.

Cable Protection Measures

SFF note from paras 87 & 88 of V2, Ch5, that the primary aim is to achieve minimum target burial depths (0.5m) through burial of the cables in the seabed. Where it is not possible to achieve minimum target burial depth due to seabed conditions, additional cable protection will be required. These include ‘Rock protection; Concrete mattresses; Sand, rock and grout bags; and Cable protection systems such as split pipe or other tubular protection system’.

First of all, SFF would suggest to the developer to make all efforts to reach the required depth of cable burials and avoid using cable protection measures as much as possible. SFF are of the view that the proposed volume of cable protection (1,113,940 m³); maximum length of cable protection (m) per cable (37,131m); and maximum total footprint for cable protection (m²) per cable (352,748) as stated in Table 5.4, V2, Ch5, page 27, is massive and will disrupt the natural marine habitat and would create obstacles and snagging hazard for fishing vessels. It should be noted that based on V2, Ch 12, ‘Commercial Fisheries’ following key fisheries have been identified within the commercial fisheries study area (Demersal trawling – Nephrops fisheries; Potting / Creeling - Lobster and crab fisheries; and Dredging – Scallop fishery) amongst which the demersal trawling and dredging are the most vulnerable fishing to subsea obstructions.

In terms of using cable protection measures, SFF is contend with using concrete mattresses in open water since they create severe snagging hazard for bottom trawl fishing vessels. For the same reason, we will not favour using Rock Bags (as their proposed dimension based on para 93, V2, Ch5: are 0.7 m in height by 3 m in diameter). SFF’s preferred cable protection measure is rock dump/protection considering industry standard rock size (1”- 5”) with a 1:3 profile. Our least preferred cable protection measure is grout bags considering their size are not too big to create snagging hazard for fishing vessels. We will also support use of proposed cable protection system mentioned in para 95, V2, Ch5 “Articulated half pipes, generally made of polyurethane or cast-iron can be used to provide protection against impact, abrasion and overbending”) if all required safety measures for fishing vessels such as rock dump is considered.

Cable Crossing

SFF note from Table 5.6, section 5.7.5.1, ES Ch5, that it is anticipated that up to five cable crossings (all within English waters) may be required across the extent of the Offshore Export Cable Corridor. The PDE for offshore export cable jointing and crossings indicates that the maximum height of the cable crossing would be 2 metres with a max width of 12.5m and length of 200m. Depending on condition, a crossing angle of 90 degrees relative to the installed cable will be targeted. From a fishing safety perspective, the crossing points create further disruption and snagging hazard to fishing vessels; therefore, we would suggest that permanent guard vessels should be deployed on the sites to advise fishermen of the snagging hazard in the areas.

Monitoring of cable burial and protection.

SFF note from Table 5.12 “Mitigation measures for the Marine Scheme” that infrastructures will be monitored through post lay and burial inspection surveys to identify exposures and any requirements for repair and reburial, with remedial action taken as appropriate and as soon as practicable. SFF appreciate the Applicant’s commitment on sharing the findings of monitoring efforts with the fishing industry in order to facilitate co-existence, prevent potential damage to and from fishing gear, and minimise potential safety risks. We would suggest that any snagging hazard detected during the monitoring campaigns to be remediated in timely manner and the fishing industry be updated throughout the relevant survey and construction works.

Number of Vessels deployed

SFF note from Table 5.8, ES Ch5, that Maximum number of vessel actively working at Marine Scheme at any one time including guard vessels will be around 21 vessels. Therefore, we propose that a Vessel Management Plan should be devised in consultation with fishing industry and any operations be notified to the fishermen with sufficient advance notice in order for the fishermen to plan their fishing operations accordingly.

Phased Seabed Preparation and Cable Installation

SFF note from para 88 of V1, Non-Technical Summary that whilst the site preparation works will occur for the duration of the construction phase, these will not be continuous. As up to four Offshore Export Cables are to be installed, there are expected to be periods when some site preparation, landfall and cable installation works occur concurrently.

However, since the maximum duration of seabed levelling and cable installation will reach up to 38 months and where the offshore export cable route sit on some prime fishing ground, SFF is opposed to closing the whole offshore export cable routes as a whole to fishing. We suggest the work on seabed levelling and cable installation operations to be divided into different stages/lots (geographical area—by mutual agreement). Once one segment of the construction work is completed and that area is made available to fish then the work to the next lot could commence.

Decommissioning

SFF note from paras 170 -172 section 5.12. Decommissioning, ES, Ch5 that there is no specific decommissioning programme is in place at this stage and the operator of the Marine Scheme will develop a solution for the onward handling of the Offshore Export Cables in consultation with the regulator and key stakeholders as required. This decision will be based on the advice from the marine regulator at the time and informed by the prevailing environmental regulatory requirements at that time, and relevant best practice. It is proposed that Offshore Export Cables will be removed where practicable and appropriate to do so.

SFF would like to see a clear seabed post-decommissioning where no legacy snagging hazard for fishing vessels is left on seabed. (e.g. Offshore Converter Station Platforms (OCSP)... etc) and any part of the unburied cables including crossing points to shore followed by a overtrawl sweep and long term monitoring to ensure safety of the fishing vessels in those areas.

EMF Effects

Given the lack of science on EMF effects, how a conclusion on adopting no further mitigation measures or monitoring requirements were determined in V2, Ch9, Fish and Shellfish Ecology, Table 9.25 Summary of likely significant cumulative effects, mitigation and monitoring measures? Since the Applicant's detailed explanation of EMF in section 5.10. "Electro Magnetic Fields (EMF)" of ES, Ch5, acknowledges the EMF effect of offshore export cable on marine environment shows EMF effects exist. In addition, based on V2, Ch9, Table 9.25, the sensitivity of following receptor have been indicated as: Marine finfish Shellfish – medium and Elasmobranchs – medium; however, overall, it is concluded that there will be no likely significant effects arising from the Marine Scheme during the installation, operation and maintenance or decommissioning phases. SFF want the EMF effects of the export cable reconsidered and scientifically proven evidence to be presented on any decision on this topic.

Seabed Levelling and Spawning Period

SFF note from pp 14 & 16, Volume 2, Chapter 1- Introduction, that 3,600,000 m² of seabed levelling will take place with 800,000 m² of which in Scottish water. Since the cable route/corridor sit on prime spawning and nursery grounds (e.g. herring, sandeel... etc), SFF would recommend the seabed levelling activities to be undertaken out with fish spawning and nursery period to prevent any loss of juvenile fish.

Mitigation measures for the Marine Scheme

SFF appreciates the Applicant's commitment on developing a Fisheries Management and Mitigation Strategy (FMMS) / Fisheries Liaison and Co-existence Plan (FLCP) for Marine Directorate Licencing and Operations Team (MD-LOT) and Marine Management Organisation (MMO) approval, and in consultation with fisheries stakeholders, provided as part of this application (Volume 5, Appendix 12.2). We suggest the following to be considered in relation to FCLP/FMMS:

1. AS the "Mobile Gear Disruption Payments for Construction Phase of Fixed Bottom Offshore Renewable Energy Installations" has been approved both by Moray Firth and Forth and Tay Commercial Fisheries Working Groups now, SFF would like to see the disruption payment for mobile gear is also considered along with the "Static Gear Fishery Specific Measures".
2. As the FCLP/FMMS are important documents for fishing industry, we would like to see them further enriched and approved pre-consent rather than proposed post consent adoption.

SFF appreciate the Applicant for considering secondary mitigation for affected vessels, established using an evidence-based approach, through the establishment of co-operation agreements.

Best regards

Mohammad Fahim Hashimi
Offshore Energy Policy Officer
Scottish Fishermen's Federation

From: Redacted
To: [MS Marine Renewables](#)
Subject: RE: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - Consultation - Response by 26 September 2023
Date: 25 September 2023 16:22:19
Attachments: [image001.png](#)

Good afternoon,

I have consulted with RYAS and have no further comment to make.

Kerry

Kerry Gibson | Planner | [sportscotland](#)
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From: [Iain Clement](#)
To: [MS Marine Renewables](#)
Cc: [DEVENNY Alan](#); [Andrew Erskine](#); [Gerard McPhillips](#); [LOGAN Lesley](#)
Subject: 00010501 – Berwick Bank Cambois Connection Scheme – Construction of Offshore Export Cables – Firth of Forth - TS Consultation Response - 20-Sep-23
Date: 20 September 2023 16:57:23
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

FAO Rebecca Ross

Afternoon Rebecca,

On behalf of my colleague, Gerard McPhillips, thank you for the opportunity for Transport Scotland to comment on the Environmental Statement (ES) prepared in support of the Construction of Offshore Export Cables for the proposed Berwick Bank Cambois Connection Scheme. I understand that the Scheme comprises up to four High Voltage Direct Current (HVDC) subsea cables linking the Berwick Bank Wind Farm (BBWF), located approximately 48km offshore of the East Lothian coastline, to landfall at Cambois Beach, Northumberland.

Transport Scotland was consulted on the Scoping Report for this application and provided comments in our letter dated 20th December 2012. In this, we noted that any traffic effects would be scoped out of the ES report and that a Construction Stage Traffic Management Plan will require to be prepared post-consent.

I can confirm that this remains Transport Scotland's view and we have no further comment to make on the ES.

I trust the above is sufficient confirmation but should you require anything further, please contact either myself or Gerard.

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



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