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Scottish Government
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Mr Hugh Yendole
Salamander Wind Project Company Ltd
2nd Floor 2 Lochrin Square
96 Fountainbridge
Edinburgh
EH3 9QA
United Kingdom

24 July 2025

Dear Mr Yendole,

MARINE AND COASTAL ACCESS ACT 2009

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) 2017 REGULATIONS

DECISION NOTICE PROVIDING EIA CONSENT, AND REGULATORY APPROVAL BY WAY OF A MARINE LICENCE TO CONSTRUCT, ALTER OR IMPROVE WORKS IN THE SCOTTISH MARINE AREA AND THE UK MARINE LICENSING AREA FOR THE GENERATING STATION AND OFFSHORE TRANSMISSION INFRASTRUCTURE FOR SALAMANDER OFFSHORE WIND FARM, APPROXIMATELY 35 KILOMETRES OFF THE COAST OF PETERHEAD

1. Application and Description of the Works

1.1 On 26 April 2024, Salamander Wind Project Company Ltd (Company Number SC662940) having its registered office at 2nd Floor 2 Lochrin Square, 96 Fountainbridge, Edinburgh, EH3 9QA, United Kingdom ("the Applicant"), submitted to the Scottish Ministers application ("the Application") under Part 4 of the Marine and Coastal Access Act 2009 ("the 2009 Act") and Part 4 of the Marine (Scotland) Act 2010 ("the 2010 Act" for a marine licence for the construction, alteration or improvement of the generating station and offshore transmission infrastructure for the Salamander Offshore Wind Farm approximately 35 kilometres ("km") off the coast of Peterhead (hereafter referred to as "the Works").

1.2 The Application was accompanied by an Environmental Impact Assessment ("EIA") report ("EIA Report") in accordance with the with the Marine Works (Environmental Impact Assessment) Regulations 2007 ("the 2007 MW Regulations") and the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the 2017 MW Regulations").

1.3 The Works are the construction of an offshore energy generating station and offshore transmission infrastructure comprising:

1. Up to seven three-blade horizontal axis wind turbine generators ("WTGs") each with:
    a. A maximum rotor blade tip height of 310 metres ("m") above ordnance datum newlyn;
    b. A maximum rotor blade diameter of 250m;
    c. A minimum rotor blade tip to sea clearance of 22m (measured from Still Water Level ("SWL") for semi-submersible, and measured from Lowest Astronomical Tide ("LAT") for tension-leg platform);
    d. A maximum hub height of 172.5m above SWL; and,
    e. Minimum WTG spacing of 1,000m (measured from centre point of WTG tower).

2. A maximum of seven of either semi-submersible buoy, semi-submersible barge, semi-submersible hybrid or tension leg platform floating substructures for the WTGs.

3. A maximum of eight mooring lines per floating substructure, with a mooring line radius of up to 1,500m.

4. A maximum of eight anchors per floating substructure.

5. Up to eight inter-array cables (both dynamic and static) with a total maximum length of up to 35km.

6. Scour protection and inter-array cable protection.

7. No more than two subsea hubs consisting of a gravity-based skid base secured with up to 12 anchor piles, supporting a junction box and associated scour protection around the subsea hubs.

8. No more than two subsea export cables to landfall, with the total combined length of the cables measuring no more than 85km in length and associated scour protection and cable protection.

all as described in the Application.

1.4 The total area within the Works site boundary is 80.65km2. The location and boundary of the Works is shown in Figure 1 of Annex 1.

1.5 This decision notice contains the Scottish Ministers' EIA Consent Decision under the 2007 MW Regulations for the Works. It further contains the Scottish Ministers' decision to grant regulatory approval for the Works in accordance with the 2007 MW Regulations and 2017 MW Regulations by issuing a Marine Licence under Part 4 of the 2009 Act and the 2010 Act.

2. Summary of Environmental Information

2.1 The environmental information provided was:

- An EIA Report that provided an assessment of the impact of the Works on a range of receptors - https://marine.gov.scot/?q=data/volume-3-offshore-environmental-impact-assessment-report-salamander-offshore-wind-farm; and
- Information to inform the HRA - https://marine.gov.scot/?q=data/hra-accompanying-reports-salamander-offshore-wind-farm.

2.2 A summary of the environmental information provided in the EIA Report is given below.

2.3 Marine Physical Processes

2.3.1 The EIA Report considered the potential impacts on marine physical processes during the construction, operation and maintenance and decommissioning phases.

2.3.2 The potential impacts identified within the EIA Report included increases in suspended sediment concentration and associated changes to seabed substrate; changes to sediment transport system by changes in wave and current climate; changes to the morphology of the seabed (including scour); changes in morphology of the coast; and changes to water column processes (mixing and stratification).

2.3.3 For potential increases in suspended sediment concentration and associated changes to seabed substrate, and changes to sediment transport system by changes in wave and current climate, no assessment of significance was provided because the EIA Report considered potential changes to 'pathways', rather than impacts on receptors. However, the potential pathway of effect on other receptor groups was considered elsewhere within the EIA Report.

2.3.4 The potential impacts were generally considered to be localised and resulted in short-term changes and the EIA Report concluded negligible or minor impacts which are not significant in EIA terms. As such, no additional mitigation was identified above and beyond the embedded mitigation specified in the EIA Report.

2.3.5 The EIA Report assessed impacts relating to the Southern Trench nature conservation Marine Protection Area ("ncMPA") which is designated for geodiversity features including moraines, tunnel valleys and slide scars. The potential significance of effect on the conservation objectives of the Southern Trench ncMPA is assessed in a Benthic Features Impact

Assessment contained within Annex 9.4 of the EIA Report. It concluded that the Works are not capable of affecting, other than insignificantly, the burrowed mud, subglacial valleys, and moraines protected features of the Southern Trench ncMPA. It further concluded that the Works does not pose a significant risk of hindering the achievement of the conservation objectives or purpose of the Southern Trench ncMPA.

2.3.6 The EIA Report concluded that cumulative or transboundary impacts in relation to marine physical processes were very low, limited or negligible in significance of EIA.

2.4 Water and Sediment Quality

2.4.1 The EIA Report considered the potential impacts on water and sediment quality during the construction, operation and maintenance and decommissioning phases of the Works.

2.4.2 The potential impacts identified within the EIA Report included remobilisation of sediments causing increased suspended solids concentration in the water column leading to deterioration of water quality; remobilisation of sediments and use of drilling muds causing potential resuspension of contaminated sediments into the water column leading to deterioration of water and sediment quality; accidental release of pollutants and sewage waste into the water column from vessels and helicopters during transit and operations; accidental release of litter and debris into the water column from vessels and helicopters during transit and operations; and removal of biofouling from the subsea structures and leaching of antifouling, anticorrosive agents from coated infrastructure leading to water and sediment quality deterioration.

2.4.3 The EIA Report concluded that the significance of effect from the potential impacts were minor or negligible and not significant in EIA terms. As such, no additional mitigation was identified above and beyond the embedded mitigation specified in the EIA Report.

2.4.4 The EIA Report concluded that the significance of effect of cumulative or transboundary effects would be minor or negligible and not significant in EIA terms.

2.5 Benthic and Intertidal Ecology

2.5.1 The EIA Report considered the potential impacts on benthic and intertidal ecology during the construction, operation and maintenance and decommissioning phases of the Works.

2.5.2 The potential impacts identified within the EIA Report included temporary habitat loss or disturbance; increased suspended sediment concentration and associated deposition; increased risk of introduction and spread of Marine Invasive Non-Native Species (“mINNS”); disturbance of contaminated sediments; long-term habitat loss; impact to habitats or species as a result of pollution or accidental discharge; hydrodynamic changes leading to scour around subsea infrastructure; colonisation of hard

structures; impact of cable thermal load or Electromagnetic Field ("EMF") on benthic ecology; and removal of artificial hard substrate.

2.5.3 The EIA Report considered that, in general, potential impacts were highly localised and, although some receptors were identified as being of high sensitivity, the overall significance of effect was negligible to minor and not significant in terms of EIA. As such, no additional mitigation was identified above and beyond the embedded mitigation specified in the EIA Report.

2.5.4 The EIA Report concluded that cumulative effects were expected to be minor at worst and no transboundary effects were expected.

2.6 Fish and Shellfish Ecology

2.6.1 The EIA Report considered the potential impacts on fish and shellfish ecology during the construction, operation and maintenance and decommissioning phases of the Works.

2.6.2 The potential impacts identified within the EIA Report included damage or disturbance to sensitive species due to underwater noise; temporary habitat loss or disturbance during the installation of all infrastructure and placement of vessel anchors on the seabed; temporary increases in suspended sediment concentrations and potential sedimentation/ smothering of fish and shellfish; habitat loss due to the presence of infrastructure on the seabed and associated scour protection; effects of thermal load and EMFs from subsea and dynamic cables on sensitive species; fish aggregation around the floating substructures and associated infrastructure; and ghost fishing due to lost fishing gear becoming entangled in installed infrastructure.

2.6.3 For damage or disturbance to sensitive species due to underwater noise, the EIA Report provided separate magnitude and significance scores for impact piling, Unexploded Ordnance ("UXO") and other noise producing activities. The significance of effect for impact piling was concluded as minor and for UXO and other noise producing activities it was concluded as negligible, both of which were considered not significant in EIA terms.

2.6.4 Due to the high mobility of fish and shellfish species, and a small overall percentage loss of habitat relative to the total area, effects associated with the Works were assessed as having negligible to minor residual effects, which are considered not significant in EIA terms. No additional mitigation measures were identified above and beyond the embedded mitigation listed in the EIA Report.

2.6.5 The cumulative effects assessment identified that cumulative effects of underwater noise due to impact piling were considered moderate and therefore a potential significant cumulative effect would be expected. The EIA Report states that in order to mitigate this potential cumulative impact to a level that is non-significant in EIA terms, the Applicant will seek to coordinate with the other developers active in this region post-consent to

develop a coordinated approach to timing of piling activities in order to minimise disruption to sensitive species, where possible.

2.6.6 All other cumulative effects assessed were concluded to be minor, and that no potential significant cumulative effects were expected.

2.6.7 The EIA Report concluded that no transboundary effects specific to fish and shellfish ecology were identified, however it noted that transboundary effects may be present with reference to the effects upon fishing vessels of other nationalities. The EIA Report addressed this in the Commercial Fisheries chapter.

2.7 Marine Mammals

2.7.1 The EIA Report considered the potential impacts on marine mammals during the construction, operation and maintenance and decommissioning phase of the Works.

2.7.2 The potential impacts identified within the EIA Report included auditory injury; geophysical surveys; disturbance from UXO clearance; piling of anchors; vessels and other activities; indirect impacts on prey; risk of injury resulting from entanglement with mooring lines or cables, including secondary interactions with derelict fishing gears; risk of injury resulting from marine mammal collisions with substructures; operational noise; displacement or barrier effects resulting from the physical presence of the Works; and long-term habitat change due to dynamic cable EMF emissions.

2.7.3 Based on behavioural avoidance responses, acoustic modelling results and the generalist feeding nature of marine mammals, the EIA Report concluded that all potential impacts on marine mammals were of negligible or minor significance of effect and not significant in terms of EIA. No additional mitigation measures were identified above and beyond the embedded mitigation listed in the EIA Report.

2.7.4 The EIA Report concluded that the effects of any cumulative impacts would be of negligible to minor and not significant in EIA terms.

2.7.5 The EIA Report concluded that the significance of all impacts leading to transboundary effects was concluded to be negligible and not significant in terms of the EIA.

2.7.6 The EIA Report assessed impacts relating to the Southern Trench ncMPA which is designated for minke whale. The potential significance of effect on the conservation objectives of the Southern Trench ncMPA is assessed in a Marine Mammal Impact Assessment contained within Annex 11.2 of the EIA Report. It concluded that activities associated with construction, operation and maintenance of the Works alone and cumulatively with other projects are not anticipated to pose a significant risk of hindering the achievement of the conservation objectives for the minke whale protected feature of the Southern Trench ncMPA.

2.7.7 In regard to the HRA, the bottlenose dolphin qualifying species of the Moray Firth Special Area of Conservation ("SAC") was screened in for consideration with respect to marine mammal interests, The Applicant concluded that there is no potential for Adverse Effect on Site Integrity ("AEOSI") alone or in combination.

2.8 Offshore and Intertidal Ornithology

2.8.1 The EIA Report considered the potential impacts on offshore and intertidal ornithology during the construction, operation and maintenance and decommissioning phases of the Works.

2.8.2 The potential impacts identified within the EIA Report included disturbance (vessel-related); temporary habitat loss (short-term and long-term); turbidity (suspended sediment); distributional responses; collision with the operational WTGs; and entanglement.

2.8.3 The EIA Report stated that the maximum extent of habitat loss due to the Works represents a low proportion of the total habitat available within the region and therefore impacts would be localised and only have a limited interaction with bird species. All impacts on offshore and intertidal ornithology receptors were determined to be minor or negligible and therefore not significant in EIA terms. As such, no additional mitigation measures were identified above and beyond the embedded mitigation listed in the EIA Report.

2.8.4 The EIA Report concluded the cumulative impacts to offshore and intertidal ornithology as not significant. Transboundary impacts were also assessed to be negligible and not significant in terms of EIA.

2.8.5 The HRA concluded that there is potential for AEOSI for in-combination impacts for qualifying species across a number of Special Protection Areas ("SPAs").

2.9 Commercial Fisheries

2.9.1 The potential impacts on commercial fisheries of the construction, operation and maintenance, and decommissioning phases were assessed.

2.9.2 The potential impacts identified within the EIA Report included loss or restricted access to fishing grounds; displacement of fishing activity into other areas; safety considerations for fishing vessels; interference with fishing activity as a result of increased vessel traffic; increased steaming times; potential impacts on commercially important fish and shellfish resources; supply chain opportunities for local fishing vessels; and interference with fishing activity as a result of increased vessel traffic.

2.9.3 The EIA Report concluded that, with mitigation in place, the assessed impacts of the Works were found to only affect a limited proportion of commercial annual value or landings and therefore, for all phases of the

Works when assessed alone, the significance of effects were negligible to minor and not significant in terms of EIA.

2.9.4 The EIA further concluded that supply chain opportunities for local fishing vessels during construction and decommissioning would be minor beneficial in terms of the Works in isolation, although not significant in terms of EIA. The EIA Report did however, conclude that when assessed in cumulative with other relevant projects that there was moderate beneficial significance of effect and beneficial significance in terms of EIA.

2.9.5 The cumulative impacts of loss or restricted access to fishing grounds, displacement and increased vessel traffic on potters were assessed as moderate significance of effect during the construction phase, and as such significant in EIA terms.

2.9.6 The EIA Report concluded that engagement with other project developers to develop a coordinated approach to construction in the nearshore region of the offshore export cable corridor, liaison with fisheries via the appointed Fisheries Liaison Officer ("FLO") and adherence to their guidance, as well as the development of a joint Fisheries Management and Mitigation Strategy ("FMMS") are considered to reduce these cumulative impacts to an overall non-significant effect.

2.9.7 The EIA Report concluded that all other cumulative effects assessed were assessed as not significant.

2.9.8 The EIA Report concluded transboundary effects to be negligible and not significant in terms of EIA.

2.10 Shipping and Navigation

2.10.1 The EIA Report considered potential impacts on vessel routing, fishing vessels, recreational vessels, other service vessels for offshore energy and cargo and tanker vessels for the construction, operation and maintenance and decommissioning phases.

2.10.2 The potential impacts identified within the EIA Report included vessel displacement; increased collision risk; allision risk; interaction with wet stored subsea infrastructure; reduced access to local ports; reduction of under keel clearance from cable protection; interaction with subsea infrastructure; loss of station; anchor interaction with subsea cables; and reduced emergency response capabilities.

2.10.3 The EIA Report concluded that, based on vessel routing analysis, the frequency and occurrence of displacement and collision risks are considered to be within broadly acceptable limits given the low number of vessel routes and vessel deviations expected to occur. Therefore, there would be no significant effects in EIA terms and accordingly, no additional mitigation measures are proposed above and beyond the embedded mitigation already listed in the EIA Report.

2.10.4 In regard to cumulative assessments with other relevant projects, no significant cumulative effects were identified.

2.10.5 In regard to transboundary effects, the EIA assessed potential impacts relating to vessel routeing. It concluded that individual transits may have the potential to be associated with vessels that are internationally owned or located, however concluded that any such transits have been captured within the baseline assessment of vessel traffic and as such, no transboundary impacts other than those already assessed are anticipated.

2.11 Aviation and Radar

2.11.1 The EIA Report considered potential impacts on civil aviation, air defence and military aviation and Met Office radar for the construction, operation and maintenance and decommissioning phases.

2.11.2 Potential impacts including the creation of a physical obstacle to aircraft operations and wind turbines causing interference on civil and military primary surveillance radar systems and on Met Office rainfall radar systems were assessed.

2.11.3 A significant effect on civil and military radar systems as a result of interference from wind turbines during the operation and maintenance phase was predicted. In order to reduce this effect, additional mitigation, such as commercial agreements and other technical solutions, were proposed. To mitigate effects on the Met Office radar system the maximum wind turbine blade tip height was limited to 310m. It is noted within the EIA Report that these measures are in the process of being agreed.

2.11.4 The EIA Report concluded that when taking the mitigation into account there were no predicted significant effects.

2.11.5 In regard to cumulative effects, the EIA Report noted that mitigation plans for other offshore wind farms are already in place or in development to minimise impacts to aviation. As such, the EIA Report concluded no significant cumulative effects for Aviation and Radar.

2.11.6 The EIA Report concluded that there was no potential for significant transboundary effects with regard to aviation and radar upon the interests of other states.

2.12 Seascape, Landscape and Visual Amenity

2.12.1 The EIA Report assessed the potential impacts during the construction, operational and maintenance and decommissioning phases of the Works.

2.12.2 The potential impacts identified within the EIA Report included assessment of effects on coastal character; assessment of effects on landscape character; assessment of effects on designated landscapes; assessment of effects on views / visual amenity; preliminary assessment of visual

receptors; detailed assessment of effects on visual receptors; and assessment of night-time effects on views.

2.12.3 The EIA Report concluded that the Works will appear relatively small within the large scale open expansive seascape and that there would be no significant effects in EIA terms and accordingly, no additional mitigation measures are proposed above and beyond the embedded mitigation already listed in the EIA Report.

2.12.4 The EIA Report concluded that any potential cumulative effects are unlikely to be significant.

2.12.5 The EIA concluded that there is no potential for significant transboundary effects with regard to the seascape, landscape and visual upon the interests of other states.

2.13 Marine Archaeology and Cultural heritage

2.13.1 The EIA Report considered potential impacts on heritage assets, coastal and maritime archaeology and aviation archaeology for the construction, operation and maintenance and decommissioning phases.

2.13.2 Potential impacts including impacts to known or potential archaeological assets (including prehistoric archaeological sites, wreck sites, aviation remains, geophysical anomalies and paleoenvironmental remains) and setting impacts on onshore archaeological receptors were assessed.

2.13.3 The EIA Report concluded that, due to the distance offshore and with commitments in place, the project alone assessment predicted that there were no significant effects on marine archaeology.

2.13.4 The EIA Report concluded that no significant cumulative effects were identified.

2.13.5 No transboundary impacts to offshore archaeological assets were identified by the assessment and the topic was scoped out at scoping.

2.14 Other Users of the Marine Environment

2.14.1 The Other Users of the Marine Environment assessment considered potential impacts on subsea cables and pipelines, oil and gas infrastructure, other offshore wind projects and recreational marine users for the construction, operation and maintenance and decommissioning phases.

2.14.2 The potential impacts identified within the EIA Report included obstruction of marine renewable energy activities due to the presence of safety zones and construction vessels during installation activities; obstruction of other electricity cable installation and/or maintenance activities due to the presence of safety zones and construction vessels during installation activities; obstruction of oil and gas activities due to the presence of safety

zones and construction vessels during installation activities; and obstruction of recreational and tourism activities.

2.14.3 The EIA Report concluded that, in general, spatial overlap of other marine user activities was considered to be limited to small spatial extents and be intermittent and short-term in duration and therefore the significance of effect for these impacts across all phases of the Works was negligible to minor and not significant in EIA terms.

2.14.4 No additional mitigation measures were identified above and beyond any embedded mitigation already listed in the EIA Report.

2.14.5 The EIA Report concluded that no significant cumulative effects were identified during the cumulative effects assessment.

2.14.6 The EIA concluded that there was no pathway for transboundary impacts to occur on other users of the marine environment and receptors associated with other states.

2.15 Socioeconomics, Tourism and Recreation

2.15.1 Potential impacts to employment, demographics, economic productivity, visitor/tourism access and the need for healthcare, education and housing were assessed for the construction, operation and maintenance and decommissioning phases.

2.15.2 The EIA Report concluded a number of minor beneficial impacts, including increased economic productivity and occupancy of tourist accommodation as a result of an increased work force in the area during the construction phase.

2.15.3 The EIA Report concluded that when assessed alone, there are no predicted significant effects.

2.15.4 In addition the EIA Report identified no overall significant cumulative effects.

2.15.5 In regard to transboundary effects, the EIA concluded that there are potential beneficial effects associated on job creation, Gross Value Added (“GVA”), and supply chain capacity which have the potential to generate further positive effects outside of Scotland and the UK.

2.15.6 The EIA Report detailed that positive transboundary effects on employment and GVA were expected, however, as the supply chain is already established, it was considered unlikely that any transboundary effects will occur for population, housing, local services, tourism and recreation receptors.

2.16 Climate Change and Carbon

2.16.1 The EIA Report considered potential impacts on Greenhouse Gas (“GHG”) emissions, blue (marine) and terrestrial carbon and climate resilience.

2.16.2 The EIA Report concluded that, as the potential release of carbon from terrestrial and marine environments from onshore and offshore works, respectively, were deemed to be small scale relative to the total habitat area, no significant effects were identified within the assessment of terrestrial and blue carbon.

2.16.3 The EIA Report concluded that there were no identified risks from potential climate events to the Works based on the Works design.

2.16.4 The EIA Report concluded impacts to be not significant in EIA terms, however the Works would provide a beneficial effect on the risk of climate change by avoiding GHG release, when compared to a scenario where non-renewable energy sources.

2.16.5 In regard to cumulative assessments the EIA Report concluded that GHG emissions results in impacts on a global scale, including contributions to climate change, and therefore any potential impacts were by their nature cumulative and there was no requirement for additional assessments of individual specific projects.

2.16.6 In regard to transboundary impacts, the EIA Report concluded that due to the impacts of climate change being considered to occur on a global scale, and in this context are assessed against the UK carbon budgets, which are reflective of international commitments for the reduction of carbon emissions, then transboundary effects from the Works on climate change do not require specific consideration.

2.17 Major Accidents and Disasters

2.17.1 The EIA Report considered potential impacts on people (including site personnel, local community, mariners and the wider population); the environment (including biodiversity, climate, air, water, cultural heritage and seascape); and offshore development, other marine assets and infrastructure (including cables, pipelines and vessels).

2.17.2 Potential risks including explosion, electrical malfunction, fire, system failure, lightning strike, accidental detonation of a UXO, increased potential for collision of vessels, interference/contact with subsea assets and shallow gas, dropping equipment, launch and recovery of equipment exposing site personnel to potential dangerous situations, mishandling of equipment, increased collision risk due to reduced manoeuvrability and mooring lines breaking damaging the inter-array cables were assessed for the construction, operation and maintenance and decommissioning phases as appropriate of the Works.

2.17.3 The EIA Report stated that accidental detonation of UXO, major system failure, fire, lightning strike, and breakage of mooring lines were considered to have the greatest consequence to the environment and personnel, however the likelihood of such events occurring was considered to be low.

2.17.4 The EIA Report concluded that when project management plans, protocols and adherence to best practice protocols across all phases were considered, it was predicted that no significant effects would occur to the identified receptors.

2.18 Inter-related Effects

2.18.1 The EIA Report assessed the potential for interaction and emergence of inter-related effects resulting from multiple impacts on any of the identified receptor groups. It concluded that no inter-related effects were found to exceed the significance levels determined for project effects alone and therefore determined to be not significant in EIA terms.

3. Consultation

3.1 In accordance with the 2007 MW Regulations, a notice publicising the Application and EIA Report must be published in such newspapers or other publications as the Scottish Ministers deem fit for two successive weeks and in such other manner (if any) as the Scottish Ministers consider appropriate, which must include electronic publication in a means accessible to the public.

3.2 Under the 2017 MW Regulations, a notice publicising the application and EIA Report must be published in the Edinburgh Gazette, in a newspaper circulated in the locality in which the Works to which the EIA Report relates are situated (or, in relation to proposed works in, on, over or under the sea, in such newspapers as are likely to come to the attention of those likely to be affected by the proposed Works) and on the Applicant's website.

3.3 As such, the Applicant, in agreement with the Scottish Ministers, published the Application, together with the EIA Report as follows:

Document	Publication
EIA Report and Application	The Press and Journal (21 May 2024 and 28 May 2024) The Scotsman (22 May 2024) The Edinburgh Gazette (21 May 2024) Fishing News (23 May 2024) Lloyd's List (21 May 2024) Applicant Website: https://salamanderfloatingwind.com/news/ (21 May 2024)

3.4 The Application and EIA Report were made available for physical inspection at the following locations:

- Peterhead Library, St Peter St, Peterhead AB42 1QD
- Fraserburgh Library, King Edward St, Fraserburgh AB43 9PN

3.5 The Scottish Ministers made the Application and EIA Report available on their external facing website: https://marine.gov.scot/ml/salamander-offshore-wind-farm.

3.6 In addition, a consultation exercise on the Application and EIA Report was undertaken in accordance with the 2007 MW regulations and 2017 MW Regulations for a period from 10 May 2024 to 2 July 2024 (10 May 2024 to 10 September 2024 for planning authorities). The regulatory requirements regarding consultation and public engagement have been met and the representations received have been taken into consideration. Where matters have not been fully resolved, conditions have been included to ensure appropriate action is taken.

3.7 A summary of the representations and advice received is set out at sections 4, 5, 6 and 7. The representations are available to view in full at https://marine.gov.scot/?q=node/25386.

4. Summary of representations from statutory consultees

4.1 Aberdeen City Council

4.1.1 Aberdeen City Council provided a response on 11 September 2024 stating it had no comments to make on the Application.

4.2 Aberdeenshire Council

4.2.1 In its response dated 30 August 2024, Aberdeenshire Council considered the conclusions of the EIA Report associated with inter-tidal ornithology and recreational access impacts to be acceptable.

4.2.2 In relation to archaeology, Aberdeenshire Council had no concerns on the proposed archaeological mitigation outlined in the EIA Report.

4.2.3 Given the distance between the Works and landfall, Aberdeenshire Council concluded it was unlikely for any adverse impact as a result of the Works to be experienced by Aberdeenshire either individually or on a cumulative basis. Aberdeenshire Council therefore stated that it had no objection to the Application.

4.3 Angus Council

4.3.1 Angus Council confirmed on 10 May 2024 that, given the Works limited potential for impact on the area, it had no comments to make on the Application.

4.4 Department of Agriculture, Environment and Rural Affairs ("DAERA")

4.4.1 In its response dated 3 July 2024, DAERA confirmed a nil return to the consultation.

4.5 Historic Environment Scotland ("HES")

4.5.1 In its response dated 1 July 2024, HES had no objection to the Application and was content that the Works do not raise historic environment issues in the national interest.

4.5.2 HES acknowledged the Written Scheme of Investigation ("WSI") and Protocol for Archaeological Discoveries ("PAD") submitted alongside the Application.

4.5.3 HES noted the data limitations identified within the EIA Report. These included HES concerns of insufficient resolution from the geophysical data to facilitate accurate archaeological assessment, as well as there being no geophysical data between Mean High Water Springs and approximately 3.2km offshore. However, HES was content that this could be sufficiently addressed by a pre-construction geophysical cable route survey, archaeological review and amendment of exclusion zones, as well as and any further required mitigation.

4.5.4 In relation to terrestrial assets, HES highlighted the potential for indirect physical impacts such as vibration, to St Fergus's Church from cable laying at landfall. Although relating to onshore elements, HES stated it may impact the offshore landfall location should the impact remain unresolved. Marine Directorate – Licensing Operations Team ("MD-LOT") note that the onshore planning application was approved by Aberdeenshire Council on 24 March 2025 and HES confirmed, as part of that application consultation, that the onshore elements do not raise historic environment issues of national significance and had no objections. MD-LOT therefore consider this issue resolved.

4.5.5 A condition has been attached to the marine licence and s.36 consent to require that the Applicant adheres to a WSI and PAD.

4.6 Maritime and Coastguard Agency ("MCA")

4.6.1 In its response dated 1 July 2024, the MCA acknowledged the Navigation Risk Assessment ("NRA") was undertaken in accordance with Marine Guidance Note ("MGN") 654. The MCA was satisfied with the vessel traffic data collected and the assessment of risks presented within the hazard log.

4.6.2 The MCA requested a Search and Rescue ("SAR") checklist, which includes the requirement of an approved emergency response co-operation plan, is completed in accordance with the requirements of MGN 654 Annex 5 prior to the commencement of construction. The MCA made a number of points to be considered during SAR discussions.

4.6.3 The MCA highlighted further incidents associated with UK offshore wind farm developments and the oil and gas industry to be considered within the NRA and noted that incidents may affect the operation of a vessel through fires or mechanical failure.

4.6.4 The MCA requested the NRA is updated to include its concerns on the impact of larger turbines on radio reception and request radio surveys are conducted before and after construction.

4.6.5 The MCA noted it was content with the cumulative effects assessment as presented in Annex 6.2 of the EIA Report.

4.6.6 The MCA requested further consultation on final turbine layout design, marking and lighting arrangements and wet storage. The MCA made a number of recommendations regarding marking and lighting or turbines and requirements for hydrographic surveys. The MCA also noted that where cable protection is used, a maximum of 5% reduction in surrounding depth reference to chart datum would be acceptable.

4.6.7 The MCA noted the requirement for third-party verification of the mooring arrangements for all floating devices, as well as the subsea hubs, before construction to provide assurance against loss of station. The MCA requested further consultation on the use of global positioning system and inclusion of automatic identification system on all WTGs.

4.6.8 The MCA confirmed that, as high voltage alternating current transmission infrastructure is to be used, a pre-construction compass deviation study would not be required.

4.6.9 The MCA confirmed it would provide comment on the safety zone application once submitted.

4.6.10 The MCA also advised on its expectations and requirements regarding certification and engagement with the local MCA Marine Office.

4.6.11 The MCA commented on embedded mitigation in regard to the Cable Burial Risk Assessment (“CBRA”) and navigation safety. The MCA stated that any damage, destruction, decay or exposure of cables must be appropriately notified to stakeholders and the Applicant should develop proposals for monitoring offshore cables and cable protection during the operational lifetime of the Works. Appropriate notifications to mariners and stakeholders should be issued prior to the commencement of any works and post construction monitoring of vessel traffic should be undertaken for three consecutive years following completion of the Works.

4.6.12 Provided all maritime safety legislation is adhered to and the concerns raised in its response are addressed, the MCA had no objection to the Application.

4.6.13 In consideration of the MCA representation, conditions have been added to the marine licence and s.36 consent including the requirement to prepare, consult on and adhere to the Cable Plan (“CaP”), Construction Programme

("CoP"), Construction Method Statement ("CMS"), Design Specification and Layout Plan ("DSLP"), Navigational Safety Plan ("NSP") and Lighting and Marking Plan ("LMP").

4.7 Natural England

4.7.1 Natural England noted in its response dated 24 June 2024 that the Report to Inform Appropriate Assessment ("RIAA") concluded that the Works will not adversely effect the integrity of any English SPAs and that the without prejudice HRA derogation case stated that the additional annual adult mortality for kittiwake from the Farne Islands SPA is less than one bird.

4.7.2 Natural England advised that, providing there are no substantial changes to the project design envelope, the Works will not significantly adversely impact any English SPA and agreed that any additional cumulative impacts from other projects will be *de-minimus*.

4.8 NatureScot

Ornithology

4.8.1 In its responses dated 2 July 2024 NatureScot agreed with some, but not all, of the conclusions presented within the ornithology chapters of the EIA Report.

4.8.2 NatureScot acknowledged the Applicant's alternative approach to displacement and mortality rates; however, stated the emerging evidence is insufficiently conclusive for it to change its guidance on it.

4.8.3 Regarding the baseline for migratory birds, NatureScot reiterated that the updated strategic review of collision risk for birds on migration in Scottish waters should have been used to assess impacts on migratory birds. However, NatureScot clarified the updated review would not have altered the conclusions on the impacts to migratory birds.

4.8.4 In relation to the in-combination assessment criteria presented in the EIA Report, NatureScot advised it does not support the use of a proposal alone impact of one bird per annum or more as a threshold. However, in this instance, NatureScot confirmed the criteria used has not excluded any qualifying features or sites from being taken forward for the in-combination assessment.

4.8.5 The EIA Report concluded that where a project level impact was found to be less than one individual per annum, a *de minimus* case applies and therefore no measurable contribution could be made to any in-combination effect. NatureScot said it did not support the use of *de minimus* in this context however recognises the need to consider instances where an impact from the Works alone assessment did not make a tangible contribution to the in-combination effects.

4.8.6 NatureScot agreed with the Applicant's conclusion that none of the Works alone impacts are significant in EIA terms. However, NatureScot concluded that the cumulative effects are significant in EIA terms, with and without Berwick Bank for the following species:

- Guillemot through displacement;
- Kittiwake through collision and displacement; and,
- Gannet through collision and displacement.

4.8.7 For razorbill, NatureScot advised impacts were moderate; however, the contribution from the proposal is minimal and therefore has no tangible contribution to the cumulative impacts.

4.8.8 On mitigation, NatureScot stated that a draft Vessel Management Plan ("VMP") would have been expected to be submitted alongside the Application; however, due to the size of the Works, it was content that the VMP could be finalised through the discharge of consent conditions.

4.8.9 In relation to the RIAA, NatureScot confirmed that the RIAA draws on the HRA Screening Report and relevant consultee feedback. NatureScot agreed with the approach used to compile the long list of European sites and qualifying species screened in as having connectivity to the proposal as well as the conclusions reached in relation to Likely Significant Effect ("LSE") as detailed in Appendix A of the RIAA.

4.8.10 With respect to SPAs, NatureScot agreed with no AEOSI for kittiwake at Buchan Ness to Collieston Coast SPA, razorbill at Fowlsheugh SPA and razorbill and guillemot at Troup, Pennan and Lion's Heads SPAs for the Works alone.

4.8.11 However, for guillemot and seabird assemblage at Buchan Ness to Collieston Coast SPA, NatureScot was unable to conclude no AEOSI for the Works alone.

4.8.12 For the following features and SPAs, NatureScot concluded AEOSI in-combination with other projects:

- Buchan Ness to Collieston Coast SPA, kittiwake and seabird assemblage;
- East Caithness Cliffs SPA, kittiwake and seabird assemblage;
- Forth Islands SPA, gannet, kittiwake and seabird assemblage;
- Fowlsheugh SPA, kittiwake and seabird assemblage;
- North Caithness Cliffs SPA, kittiwake and seabird assemblage;
- Outer Firth of Forth and St Andrews Bay Complex ("OFFSAB") SPA, gannet, kittiwake and seabird assemblage;
- St Abb's Head to Fast Castle SPA (with Berwick Bank – unable to conclude no AEOSI without Berwick Bank), kittiwake and seabird assemblage; and,

- Troup, Pennan and Lion's Heads SPA, kittiwake and seabird assemblage.

4.8.13 NatureScot commented that its review of the counterfactual for population size has allowed clear conclusions to be reached on AEOSI. However, in some instances where the range of predicted impacts is vast, it stated it had been unable to reach a conclusion of no AEOSI in-combination with other offshore wind projects for the following features and SPAs:

- Buchan Ness to Collieston Coast SPA, guillemot;
- East Caithness Cliffs SPA, razorbill;
- Forth Islands SPA, puffin;
- Fowlsheugh SPA, razorbill;
- OFFSAB SPA, puffin; and,
- Troup, Pennan and Lion's Head SPA, guillemot and razorbill.

4.8.14 With regards to the without prejudice HRA derogation case provided as part of the Application, NatureScot advised that the proposed predator reduction and proposed fishery bycatch measures could potentially compensate for impacts; however, stated more details are required. NatureScot requested that, should consent be granted, any final plan should be agreed prior to the operation of any WTGs. Furthermore, NatureScot requested that the adaption of these measures or any additional measures would be included as a condition on the consent. A further response was received from NatureScot on 21 February 2025 providing further considerations around these measures. Further information can be found in Appendix B: Appropriate Assessment and Appendix E: Derogation Case.

4.8.15 In consideration of the NatureScot representation, a condition to prepare and adhere to a VMP and a detailed seabird compensation plan has been added to the marine licence and 36 consent.

Marine Mammals

4.8.16 NatureScot provided its consideration of the marine mammal chapters of the EIA Report.

4.8.17 Regarding the baseline characterisation, NatureScot was unclear on which density estimate had been used. NatureScot recommended that for every impact assessed quantitively throughout all phases of the Works, the most precautionary density estimate available for each species is used however was content this did not change its conclusions of significance of effect.

4.8.18 On the sensitivity criteria used within the EIA Report, NatureScot noted that receptor value was not included with the definition of sensitivity for marine mammals. NatureScot advised that the sensitivity for auditory injury from piling activities should be high and disturbance from piling activities should be medium.

4.8.19 NatureScot further commented that the magnitude scoring for auditory injury and disturbance from piling of anchors should be categorised as low rather than negligible for all species. NatureScot highlighted discrepancies in the values assigned for sensitivity and magnitude between the narrative for each impact, the conclusion of significance of impact and the summaries presented within Table 11-38 of the EIA Report, however confirmed it did not affect its assessment.

4.8.20 On the assessment of auditory injury and disturbance for UXO detonations, NatureScot stated it did not accept the use of 26km effective deterrent radius and instead recommended the use of temporary threshold shift as an alternative for disturbance impacts.

4.8.21 For the assessment of auditory injury and disturbance from piling of anchors, NatureScot highlighted the use of Booth & Heinis (2018) to justify low sensitivity scoring does not provide certainty as to the likely outcomes of the impacts from piling and should not be relied upon to determine sensitivity. NatureScot raised concerns on the predicted number of cetaceans and seals likely to be disturbed by anchor piling, stating it was unexpectedly high. NatureScot recommended the modelling outputs were checked by Marine Directorate – Science, Evidence, Data and Digital ("MD-SEDD"), however confirmed that it was content that the risk of auditory injury from piling activities could be addressed through mitigation. NatureScot advised that, within a Piling Strategy ("PS") which would be the subject of a condition, the number of disturbed animals should be updated in line with the final as built project design to inform EPS licensing requirements.

4.8.22 Clarification was sought from MD-SEDD on the modelling outputs. In its response dated 26 July 2024, MD-SEDD clarified that, when compared to other modelling reports of offshore wind turbine installation piling using similar hammer energies at different sites, the disturbance distances span a substantially lesser area than the predicted footprint of the Salamander wind farm anchor installation.

4.8.23 Additionally, MD-SEDD advised that the number of porpoises estimated to be disturbed is far higher than anticipated and that the conclusion of Low Magnitude disturbance is inappropriate given these figures. A review of the density estimates used to estimate the proportion of the population disturbed and the values used for the disturbance threshold in the dose-response curve was requested of the Applicant.

4.8.24 In its response dated 31 October 2024, the Applicant clarified that the variability in piling parameters and water depths, as well as the range of noise modellers used for different projects can influence the extent of disturbance distances between projects.

4.8.25 On the number of porpoises estimated to be disturbed, the Applicant noted that the density of animals varies considerably between areas thus influencing the estimated number of animals to be disturbed. Additionally, the Applicant noted that a high number of porpoises predicted to be disturbed per day was not expected to result in any population-level effect.

4.8.26 In its response dated 6 November 2024, MD-SEDD confirmed it was content with the justification provided by the Applicant.

4.8.27 On cumulative impacts from anchor piling activities, NatureScot again noted that the predicted cumulative disturbance impacts were disproportionally high and should be checked. NatureScot advised that Interim Population Consequences of Disturbance modelling should be run for the cumulative assessment and the PS should include updated population modelling based on the final as built project design.

4.8.28 NatureScot was content with the proposed mitigation presented within the EIA Report. NatureScot advised that inspection, removal and reporting of debris caught on mooring lines and dynamic cabling is included as mitigation in relation to marine mammals.

4.8.29 On monitoring, NatureScot recommended that the monitoring of operation and mooring line noise should be included within the Project Environmental Monitoring Programme ("PEMP"), which would be the subject of a condition, and a monitoring plan for piling of anchors should be agreed and submitted as part of the PS.

4.8.30 NatureScot advised the Works are capable of affecting, other than insignificantly, the minke whale qualifying species of the Southern Trench ncMPA, however, was content that the Works would not hinder the achievement of the conservation objectives.

4.8.31 NatureScot agreed with the assessment and conclusions provided in the RIAA and advised there would be no AEOSI for the Moray Firth bottlenose dolphin qualifying species, either alone or in combination with other developments.

4.8.32 In consideration of the NatureScot representation, conditions to prepare and adhere to a PEMP and PS has been added to the marine licence and s.36 consent.

Fish and Shellfish Ecology

4.8.33 NatureScot was generally content with the baseline characterisation and impact assessment for fish and shellfish species. Furthermore, NatureScot agreed with the conclusion of no significant impacts from the Works alone.

4.8.34 NatureScot agreed that cumulative underwater noise impacts from construction activities are assessed as significant in EIA terms. The mitigation proposed to reduce this impact states that the Applicant will avoid, where reasonably practical, potential overlap of piling activities with other developments in the area. NatureScot highlighted that the definition of 'reasonably practical' was not included and advised further discussion and agreement post consent on the measure. NatureScot requested an updated cumulative assessment is carried out pre-construction to confirm if there is

still a significant cumulative impact from the Works and to inform bespoke mitigation measures. NatureScot agreed that all other cumulative impacts are assessed as minor.

4.8.35 On mitigation, NatureScot advised the PS and CaP should consider diadromous fish, specifically in the nearshore area, and the route and construction of the export cable should take account of key migration periods, duration and construction methods. Furthermore, NatureScot advised the CaP should also consider the reduction and monitoring of EMF effects of the dynamic cables within the array area.

4.8.36 NatureScot highlighted the evidence gap of EMF impacts and dynamic cables associated with floating offshore wind farm developments and advised the Applicant undertakes the monitoring of EMF either alone or in collaboration via strategic measures to address this gap.

4.8.37 In relation to HRA, NatureScot highlighted no connectivity was identified between the Works and the diadromous fish qualifying species of any SAC and were therefore content for these to be screened out of further assessment.

4.8.38 In consideration of the NatureScot representation, conditions to prepare, consult on and adhere to a CoP, PS, PEMP and CaP have been added to the marine licence and s.36 consent.

Benthic Ecology

4.8.39 Regarding baseline characterisation, subtidal ecological surveys and geophysical surveys were not able to be undertaken within part of the export cable corridor survey area. However, NatureScot acknowledged the use of predictive mapping and data from nearby surveys to address the data gap as an acceptable approach as was agreed in advance of submission. NatureScot requested that data is collected from the nearshore cable corridor to validate the data and inform appropriate mitigation.

4.8.40 Additionally, regarding biogenic reefs, NatureScot advised that low and medium reef should be classed as Annex 1 reef, and Sabellaria spinulosa bommies should also be classed as Annex 1 reef. NatureScot requested that, as per the mitigation detailed within the EIA Report, potential impacts to Sabellaria spinulosa reef should be minimised through the micro-siting of cables and infrastructure.

4.8.41 NatureScot agreed with the conclusion presented within the EIA Report of no significant impacts to benthic interests, both from the Works alone and cumulatively.

4.8.42 On mitigation measures, NatureScot stated that they did not agree with the removal of marine growth through water jetting and requested the risk of spreading mINNS through the removal of marine growth was further considered in the operational Environmental Management Plan (“EMP”).

4.8.43 With regard to cable protection, NatureScot advised against the use of frond mattresses due to the likelihood of introducing polypropylene particles in the marine environment.

4.8.44 On monitoring, NatureScot advised against the use of the list of mINNS found on the NatureScot webpage and stated all potential mINNS should be considered in future monitoring across the lifetime of the Works. NatureScot noted the lack of detail on how mINNS would be monitored; however, were content this could be addressed post-consent within the construction and operational phase EMP.

4.8.45 NatureScot was content with the conclusions presented in relation to the Marine Protected Areas ("MPA") impacts and the RIAA and agreed that no further consideration is required for these with respect to benthic interests.

4.8.46 Conditions have been added to the marine licence and s.36 consent requiring the Applicant to submit, consult on and adhere to a CaP and EMP.

Marine Physical Processes

4.8.47 NatureScot agreed with the EIA Report assessment of marine physical processes which concluded no significant impacts, both alone from the Works and cumulatively.

4.8.48 NatureScot determined that the Works are not capable of affecting, either directly or indirectly, the fronts or shelf deeps features, or moraines and submarine mass movement features of the Southern Trench ncMPA. NatureScot therefore advised further assessment is not required for the large-scale marine features of fronts and shelf deeps, or for the moraines and submarine mass movement features.

4.8.49 NatureScot determined that the Works are capable of affecting, other than insignificantly, the subglacial tunnel valleys feature of the Southern Trench ncMPA due to the disturbance from the export cable corridor and associated cable protection which may obscure landform surfaces. NatureScot carried out its own assessment of the potential impacts against the conservation objectives and concluded the Works would not hinder the achievement of the conservation objectives. The Scottish Ministers carried out a MPA assessment further information is attached at Annex D: Marine Protected Area Assessment.

4.9 Northern Lighthouse Board ("NLB")

4.9.1 The NLB confirmed in its response on 14 May 2024 that it has no objection to the Application and agreed with the embedded mitigation detailed within the Table 14-7 of the EIA Report, including the Applicant's commitment to developing an LMP, NSP, VMP and DSLP. Conditions have been added to

the marine licence and s.36 consent requiring the Applicant to submit these plans.

4.10 Scottish Environment Protection Agency ("SEPA")

4.10.1 SEPA had no site-specific comments to make in its response to the Application dated 14 May 2024 and referred to the "SEPA standing advice for the Department for Business, Energy and Strategy and Marine Scotland on marine consultations'.

4.10.2 SEPA's standing advice highlighted the presence of mINNS as a risk for water body degradation, with the introduction of mINNS shown to occur when construction equipment is moved from one area to another. SEPA therefore advised that the Applicant propose mitigation measures to minimise the risk to mINNS throughout all stages of the Works.

4.10.3 Additionally, to prevent pollution and preserve marine ecology interests, SEPA highlighted the requirement to ensure good working practice is implemented and steps taken to prevent marine pollution or disturb sensitive species.

4.10.4 During the decommissioning of the Works, SEPA stated that the devices and support infrastructure should be removed from the seabed where possible and deposited at an appropriate onshore location. It added that the seabed and shoreline must be restored to the original pre-construction condition, or as close to the original condition as reasonably practical.

4.10.5 Conditions requiring the Applicant to submit a Decommissioning Programme for approval by the Scottish Ministers and to prepare, consult and adhere to an EMP, including a Marine Pollution Contingency Plan, have been attached to the marine licence and s.36 consent.

5. Summary of representations from other consultees

5.1 British Telecommunications ("BT")

5.1.1 BT responded on 23 May 2024 and 6 June 2024 and requested a 100m minimum clearance from any structure to the radio link path, however confirmed that the Works should not cause interference to BT's current and presently planned radio network.

5.2 Green Volt Offshore Windfarm Limited ("Green Volt")

5.2.1 In its response dated 28 June 2024, Green Volt stated that the Works are located approximately 33km from the Green Volt wind farm site and less than 1km from the Green Volt offshore export cable route. Green Volt stated that, as consent was granted for the Green Volt project on 19 April 2024, the Works would not have fully considered the approved consent within the EIA Report.

5.2.2 Green Volt noted the potential for up to four permanent export cable crossings, as well as significant overlap of the Works proposed landfall location at

Scotstown Beach with the Green Volt proposed primary landfall location option at St Fergus South. Green Volt therefore stated that ongoing engagement between the two projects will take place to discuss the potential overlap of the export cables.

5.2.3 Green Volt acknowledged the proposal of a joint FMMS and stated that it will continue to engage with the Applicant to minimise disruption to sea users. The Applicant noted Green Volt's willingness to progress a joint FMMS and that it was open to continued engagement between the two developments.

5.3 Health and Safety Executive ("HSE")

5.3.1 In its response from 16 May 2024, HSE highlighted that the Works are to be located within the consultation zones of two major accident hazard pipelines; 6893, St Fergus to Cruden Bay Natural Gas Liquids pipeline, and 7098, St Fergus to Peterhead Power station pipeline. HSE requested the pipeline operators are consulted to determine if they have any concerns relating to the Works. MD-LOT consulted the owners of these pipelines, BP Exploration Operating Company Limited and INEOS Group Limited, however no response was received.

5.4 Joint Radio Company ("JRC")

5.4.1 The JRC response, dated 27 May 2024, stated that it did not foresee any issues caused by the proposed Works in relation to interference with radio link infrastructure operated by local energy networks.

5.5 MarramWind Limited ("MarramWind")

5.5.1 In its response dated 2 July 2024, MarramWind stated that the offshore array area is located approximately 47km from the MarramWind offshore array area and welcomed the consideration of MarramWind within the NRA submitted alongside the Application.

5.5.2 MarramWind noted that ScotWind projects located within the North Sea which have undertaken EIA scoping had not been included in the ornithological cumulative impact assessment both within Annex 6.2, Table 4.3 of the EIA Report and Table 2-3 of the Offshore RIAA. MarramWind stated that this oversight may implicate the reliability of the cumulative impact assessment, and the provision of satisfactory compensatory measures to address cumulative impacts arising from offshore wind developments in the North Sea.

5.5.3 On the proposal of a joint FMMS, MarramWind stated further clarity should be sought prior to approval of the Works on how a joint FMMS would be secured, developed, implement and governed without a Commercial Fisheries Working Group ("CFWG") covering the North East region. MarramWind stated it would support the establishment of a new CFWG for the Peterhead area to facilitate co-ordination between offshore wind developers and the fisheries sector.

5.6 Met Office

5.6.1 The Met Office response, dated 16 May 2024, stated that the Applicant had agreed to limit the maximum tip height of the turbines to 310m and this would therefore significantly reduce the impact on the Met Office radar at Hill of Dudwick. As such, the Met Office had no objection the Application.

5.7 Ministry of Defence ("MOD")

5.7.1 In its response dated 31 July 2024, the MOD confirmed that the Works will not physically impact MOD offshore Danger Areas, Practice and Exercise areas, or maritime navigational interests, however will affect military low flying training activities that may be conducted in the area of the Works. As such, MOD advised that appropriate aviation warning lighting will be required on the infrastructure relating to the Works to maintain safety of military air traffic.

5.7.2 The MOD advised that the Works will also be in line of sight and detectable to the air defence radar at Remote Radar Head ("RRH") Buchan and will cause unacceptable and unmanageable interference to the effective operation of the air defence radar.

5.7.3 The MOD confirmed that the Applicant is developing a Radar Mitigation Scheme in consultation with the MOD. On 3 December 2024, the MOD provided a letter to MD-LOT confirming it has accepted the Applicant's technical mitigation proposal to mitigate the effects of the Works subject to the Radar Mitigation Scheme condition being added to the marine licence and s.36 consent. Within this letter the MOD also advises that conditions were necessary to cover the MOD's aviation warning lighting and charting requirements.

5.7.4 Condition wording was agreed with the MOD on the 13 March 2025 and has been added to the marine licence and s.36 consent requiring that the Applicant prepares, consults on and submits for approval to the Scottish Ministers an Air Defence Radar Mitigation Scheme ("ADRM Scheme") (in consultation with the MOD), a LMP and a DSLP. A further condition relating to Aviation Charting and Safety Management has also been added to the marine licence and s.36 consent.

5.8 National Air Traffic Services ("NATS")

5.8.1 NATS stated in its response dated 3 July 2024 that it had no comments to make on the Works.

5.8.2 On 12 December 2024, the Scottish Ministers were notified that NATS had been in contact with the Applicant to confirm its position that, without mitigation, the effect of the Works on Air Traffic Control providers would be unacceptable.

5.8.3 NATS however confirmed by email to MD-LOT on 12 March 2025 that while it had not yet identified suitable mitigation to lift its objection to the Works, it would be supportive of the Primary Radar Mitigation Scheme ("PRMS")

condition to be added to the associated consent. In consideration of the NATS representation, a condition requiring the Applicant to prepare and submit a PRMS for approval by the Scottish Ministers, in consultation with NATS (En Route) PLC, has been added to the marine licence and s.36 consent.

5.9 Moray Firth Coastal Partnership ("MFCP")

5.9.1 The MFCP responded on 5 June 2024 and had no comments to make on the Application.

5.10 Ofcom

5.10.1 Ofcom responded on 13 May 2024, to confirm it had no comments to make on the Application.

5.11 Royal Society for the Protection of Birds Scotland ("RSPB Scotland")

5.11.1 RSPB Scotland stated in its response of 16 July 2024 that it objected to the Works due to the impacts of the project in isolation and in-combination.

5.11.2 In its response, RSPB Scotland raised concerns on the following methodologies presented in the EIA Report:

- The scoping out of procellariform species, namely Manx Shearwater, European Storm Petrel and Leach's Storm Petrel and the detectability of these species by digital aerial surveys;
- Seasonal variation not being reflected in the avoidance rates presented for gannet within the collision risk modelling;
- The definition used of *de minimus* within the EIA Report and how this is used within the in-combination assessment;
- The exclusion of projects that are "compensated for" from the in-combination assessment; and,
- The recent outbreak of highly pathogenic avian influenza and the need to consider the impact of this in any assessments undertaken.

5.11.3 RSPB Scotland stated that the predicted impacts from the Works in isolation will result in a decline in the annual population growth rate of Guillemot at the Buchan Ness to Collieston Coast SPA. RSPB Scotland advised that, as Guillemot had an extremely poor breeding season in 2024, this scale of impact is unacceptable.

5.11.4 For the Works in combination with other offshore wind farms, RSPB Scotland advised potential AEOSI could arise for the following SPAs and species:

- Buchan Ness to Collieston Coast SPA: kittiwake, common guillemot;
- East Caithness Cliffs SPA: kittiwake, razorbill;
- Farne Islands SPA: kittiwake;
- Forth Islands SPA: kittiwake, Atlantic puffin, gannet;
- Fowlsheugh SPA: kittiwake, razorbill;
- North Caithness Cliffs SPA: kittiwake;
- St Abbs to Fast Castle SPA: kittiwake; and,

- Troup, Pennan and Lion's Heads SPA: kittiwake, guillemot, razorbill.

5.11.5 Additionally, RSPB Scotland advised potential adverse effects cannot be excluded for the OFFSAB SPA.

5.11.6 As regards the without prejudice HRA derogation case, RSPB Scotland advised that greater detail about the location, design and implementation, monitoring and review of any proposed compensatory measures was needed as well as details of the associated agreements, consents and permissions required to deliver the compensatory measures. Further recommendations on the desired level of detail relating to the nature/magnitude of compensation, location, monitoring and review, and compliance and enforcement were provided.

5.11.7 In consideration of the RSPB Scotland representation, the Scottish Ministers are satisfied that the assessment undertaken allows for the consideration of the effects of the Works and to enable SNCBs to make their conclusions on environmental impacts. The Scottish Ministers have further considered the proposals put forward by the Applicant as part of its HRA derogation case and a condition has been added to the s.36 consent and marine licence that requires the Applicant submits a Detailed Seabird Compensation Plan. This plan will demonstrate how the proposed measures will compensate for any adverse effects on SPAs and must be submitted for approval prior to the Commencement of the Works and thereafter adhered to. In addition, the Scottish Ministers have further considered the matters raised by RSPB Scotland in section 9.

5.12 Royal Yachting Association ("RYA")

5.12.1 The RYA responded on 3 June 2024, stating it had no objection to the Application.

5.13 Scottish Fishermen's Federation ("SFF")

5.13.1 In its response dated 2 July 2024, the SFF objected to the Application due to the impact on commercial fishing. The SFF highlighted that there are currently no guidelines to define the magnitude of impacts and sensitivity of receptors for commercial fisheries.

5.13.2 The SFF also opposed the proposed compensatory measures within the without prejudice HRA derogation case on the grounds that they redirect the responsibility of the impacts caused by the Works onto other sectors such as fisheries. The SFF stated this does not align with the Scottish Government's "just transition" principles.

5.13.3 The main concerns raised by the SFF included that commercial fisheries may be unable to fish in the offshore array area due to the Works; seabed disturbance caused by the Works may impact on key spawning grounds; and the export cable may cause snagging hazards for the fishing industry.

5.13.4 The SFF raised concerns on some of the methodologies presented in the EIA Report. It suggested that impacts should be assessed based on the number of individual fishing vessels affected by the Works in addition to the whole fleet/fishery and that increased steaming times should be assessed as a collective impact for the proposed 18 month construction period, as opposed to individual transits.

5.13.5 The SFF advised that the export cable corridor should be situated in a location with minimal fishing activity and no fish spawning or nursery grounds. The SFF further requested that any activities causing seabed disturbance should take place outwith spawning and nursery periods for haddock, cod, herring, sandeel, blue whiting and sprat fish species. The SFF advised that any activities on herring habitat sites should be prohibited and the 'ICES Advice on fishing opportunities, catch, and effort Greater North Sea ecoregion' should be adhered to.

5.13.6 The SFF advised that its preference would be for cable burial to be carried out simultaneously with cable laying to minimise disruption to fishing operations, and that rock protection is preferential to the use of concrete mattresses, frond mattresses and rock bags which in open water can create snagging hazards.

5.13.7 The SFF commented on the draft FMMS and stated that further details should be provided and compensatory measures for impacted fishermen should be included.

5.13.8 In consideration of the SFF representation, alongside advice received from MD-SEDD, the Scottish Ministers are satisfied that the assessment undertaken allows for the consideration of the effects of the Works and to enable the Scottish Ministers to make their conclusions on impacts. Conditions requiring the Applicant to submit, consult on and adhere to a DSLP, CaP, FMMS, Seabed Obstruction Mitigation Plan, CoP, CMS, VMP and NSP have been added to the s.36 consent and marine licence. A condition has also been attached to the s.36 consent and the relevant associated marine licences to require the appointment of a FLO with responsibility for establishing and maintaining effective communications between the Applicant, its contractors and sub-contractors and fisherman and other users of the sea during construction of the Works. The appointment of the FLO is to be approved by the Scottish Ministers, following consultation with the SFF, the Forth and Tay CFWG and any other advisors or organisations as required at the discretion of the Scottish Ministers. In addition, the Scottish Ministers have considered the matters raised by the SFF further in section 9.

5.14 Ugie District Salmon Fishery Board ("DSFB")

5.14.1 In its response dated 14 May 2024, Ugie DSFB stated that the ecology and habitat in the area of the Works should not be diminished during the construction and operational phases of the Works.

5.14.2 Ugie DSFB suggested electro-fishing surveys are conducted in the River Ugie and feeder burns close to the Works prior to, and after, construction begins to demonstrate any impacts to wild salmon, sea trout, the River Ugie and the marine environment. In response to this, the Applicant highlighted that all

impacts on diadromous fish were considered to be of negligible significance within the EIA Report and therefore there would be no requirement for electro-fishing surveys of the River Ugie or surrounding feeder burns.

5.15 UK Chamber of Shipping

5.15.1 In its response dated 3 July 2024, the UK Chamber of Shipping confirmed a nil return to the consultation.

6. Summary of internal advice

6.1 MD-LOT sought advice from the MD-SEDD and Transport Scotland on the Application. No advice was received from Transport Scotland.

6.2 MD-SEDD

Commercial Fisheries

6.2.1 In its advice dated 3 July 2024, MD-SEDD advised against the use of concrete mattresses unless other options are unsuitable. Should rock protection be used, MD-SEDD advised the Applicant follows the industry best practice guidance of using graded rocks with 1:3 gradients to minimise the snagging of fishing gear.

6.2.2 On boulder relocation, MD-SEDD stated the location of any large boulders that may pose a snagging hazard to fishing gear should be communicated to the fishing industry.

6.2.3 MD-SEDD noted the proposed mitigation measure of a joint FMMS between other developers in the area of the Works. MD-SEDD requested that evidence of agreement from other developers on the joint FMMS is provided.

6.2.4 Conditions have been added to the s.36 consent and marine licence that require a FMMS, CaP, and a Seabed Obstruction Mitigation Plan to be submitted by the Applicant for approval by the Scottish Ministers prior to the Commencement of the Works and thereafter adhered to. A condition requiring a FLO to be appointed has also been attached to the s.36 consent and marine licence.

Oceanography

6.2.5 In its advice dated 3 July 2024, MD-SEDD considered that mixing due to wind farm structures is unlikely to affect seasonal stratification or frontal positions given the scale of the Works. MD-SEDD agreed that potential changes to the water column processes will not be significant in EIA terms.

6.2.6 MD-SEDD did consider that multiple developments in the area may cumulatively impact shelf sea mixing, however the cumulative impact of structure mixing is addressed in the EIA Report and MD-SEDD were content that the impact would not be significant.

6.2.7 MD-SEDD highlighted that cumulative wind wake was not considered in the EIA Report however, as the Works are smaller than others in the area, MD-SEDD advised that wind wake from the Works are unlikely to contribute to any cumulative impacts with other developments in the region.

Marine Analytical Unit ("MAU")

6.2.8 In its advice dated 25 June 2024, the MAU confirmed it was content with the methodologies and assessment of socio-economic impacts provided in the EIA Report.

6.2.9 The MAU noted the Applicants effort to consult a wider range of non-statutory stakeholders on socio-economic impacts through a questionnaire issued to local marine recreational and community groups, however no responses were received. The MAU acknowledged the appointment of a community liaison officer to improve community engagement and communication.

6.2.10 The MAU noted that socio-economic impacts were assessed to be of a non-significant level due to the size of the Works. The MAU was content with the embedded mitigation proposed that supply chain opportunities will be advertised to the local community alongside a 'meet the buyers' day.

7. Summary of representations from other organisations and members of the public

7.1 No representations were received from other organisations or members of the public.

8. The Scottish Ministers' EIA Consent Decision and Considerations of Environmental Matters

8.1 The Scottish Ministers are satisfied that an EIA has been carried out. Environmental information including the EIA Report has been produced and the applicable procedures regarding publicity and consultation laid down in the 2007 MW Regulations and the 2017 MW Regulations have been followed. The environmental impacts of the Works have been assessed and the Scottish Ministers have taken the environmental information into account when reaching their EIA Consent Decision under the 2007 MW Regulations and regulatory decision.

8.2 The Scottish Ministers have considered fully and carefully the EIA Report, the information to inform the Habitat's Regulations Appraisal and all relevant representations from consultees and third party advice.

8.3 Assessment of impacts of the Works on the environment in accordance with Regulation 21A(2) of the 2007 MW Regulations

8.3.1 The Conservation of Offshore Marine Habitats and Species Regulations 2017 and the Conservation (Natural Habitats, &c.) Regulations 1994 (together "the Habitats Regulations") require the Scottish Ministers to consider whether the

Works would be likely to have a significant effect on a European site (either alone or in combination with other plans or projects), as defined in the Habitats Regulations.

8.3.2 In consideration of the representations from NatureScot, Natural England and DAERA, the Works are likely to have a significant effect on the qualifying interests of the Moray Firth SAC, Buchan Ness to Collieston Coast SPA, Calf of Eday SPA, Cape Wrath SPA, Copinsay SPA, East Caithness Cliffs SPA, Fair Isle SPA, Fetlar SPA, Flannan Isles SPA, Forth Islands SPA, Foula SPA, Fowlsheugh SPA, Handa SPA, Hermaness, Saxa Vord and Valla Field SPA, Hoy SPA, Loch of Strathbeg SPA, Marwick Head SPA, Mingulay and Berneray SPA, North Caithness Cliffs SPA, North Rona and Sula Sgeir SPA, Noss SPA, Outer Firth of Forth and St Andrews Bay Complex SPA, Rousay SPA, St Abb's Head to Fast Castle SPA, St Kilda SPA, Sule Skerry and Sule Stack SPA, Sumburgh Head SPA, Shiant Isles SPA, Troup, Pennan and Lion's Heads SPA, West Westray SPA, Ythan Estuary, Sands of Forvie and Meikle Loch SPA, Coquet Island SPA, Northumberland Marine SPA and Rathlin Island SPA. The Scottish Ministers, as the "competent authority", were therefore required to carry out an Appropriate Assessment ("AA"). Full details of the assessment can be found in Annex B: Appropriate Assessment.

8.3.3 Having had regard to the representations made by NatureScot, Natural England and DAERA, it can be ascertained that the Works will not adversely affect the integrity of the following SPAs and SAC providing the Applicant adheres to the conditions set out in the AA and the marine licence. Considering the reasons for which the sites were designated and the associated conservation objectives, the Scottish Ministers are content that the Works will not on its own or in combination with other projects, adversely affect the integrity of the Calf of Eday SPA, Cape Wrath SPA, Copinsay SPA, Coquet Island SPA, Fair Isle SPA, Fetlar SPA, Flannan Isles SPA, Foula SPA, Handa SPA, Hermaness, Saxa Vord and Valla Field SPA, Hoy SPA, Loch of Strathbeg SPA, Marwick Head SPA, Mingulay and Berneray SPA, North Rona and Sula Sgeir SPA, Northumberland Marine SPA, Noss SPA, Rathlin Island SPA, Rousay SPA, Shiant Isles SPA, St Kilda SPA, Sule Skerry and Sule Stack SPA, Sumburgh Head SPA, West Westray SPA, Ythan Estuary, Sands of Forvie and Meikle Loch SPA or the Moray Firth SAC.

8.3.4 However, the Scottish Ministers concluded that the Works in-combination with other plans or projects would have an AEOSI on:

- Gannet at Forth Islands SPA and OFFSAB SPA (breeding);
- Kittiwake at Buchan Ness to Collieston Coast SPA, East Caithness Cliffs SPA, Forth Islands SPA, Fowlsheugh SPA, North Caithness Cliffs SPA, OFFSAB SPA (breeding and non-breeding) and Troup Pennan and Lion's Heads SPA; and,
- Seabird assemblage qualifiers for Buchan Ness to Collieston Coast SPA (kittiwake), East Caithness Cliffs SPA (kittiwake), Forth Islands SPA (gannet and kittiwake), Fowlsheugh SPA (kittiwake), North Caithness Cliffs SPA (kittiwake), OFFSAB SPA (breeding and non-breeding kittiwake and breeding gannet) and Troup Pennan and Lion's Heads SPA (kittiwake).

8.3.5 Further, the Scottish Ministers were unable to conclude beyond reasonable scientific doubt that there will be no AEOSI from the Works alone or in combination with other plans or projects for the following:

Alone:

- Guillemot at Buchan Ness to Collieston Coast SPA and OFFSAB SPA (breeding and non-breeding); and,
- Seabird assemblage at Buchan Ness to Collieston Coast SPA (guillemot) and OFFSAB SPA (breeding and non-breeding guillemot).

In-combination:

- Kittiwake at St Abb's Head to Fast Castle SPA;
- Guillemot at Troup, Pennan and Lion's Heads SPA;
- Puffin at Forth Islands SPA and OFFSAB SPA (breeding);
- Razorbill at East Caithness Cliffs SPA, Fowlsheugh SPA, OFFSAB SPA (non-breeding) and Troup, Pennan and Lion's Heads SPA; and,
- Seabird assemblage feature of St Abb's Head to Fast Castle SPA (kittiwake).

8.3.6 A full explanation of the issues and justification for decisions regarding site integrity is provided in Annex B: Appropriate Assessment.

8.3.7 Applications have been received for the Berwick Bank Wind Farm ("Berwick Bank") consisting of 307 WTGs, 47.6km from the coast of East Lothian. A determination has not yet been made on the applications for Berwick Bank however, the AA has concluded AEOSI (or unable to conclude no AEOSI) for a number of qualifying features of SPAs. Berwick Bank can therefore only be consented if a derogation case is agreed, including compensatory measures to offset its impacts on those species/sites where the AA cannot conclude that there will be no AEOSI. This means that if Berwick Bank is consented, the effects from Berwick Bank on these species/sites will be compensated for and on this basis, they will not be considered in the in-combination assessment for the Works. Berwick Bank was considered in the in-combination assessment for those species/sites where it has LSE but no AEOSI.

8.3.8 Given that the AA for the Works concluded AEOSI and was also unable to conclude no AEOSI for the sites/species listed above, the Scottish Ministers proceeded to consider the derogations provisions in the Habitats Regulations. The Scottish Ministers are satisfied that there are no alternative solutions to the Works in order to meet its objectives and that the Works must be carried out for imperative reasons of overriding public interest, notwithstanding a negative assessment of the implications for a European site. Further, the Scottish Ministers consider that the compensatory measures proposed by the Applicant, which comprise mink population control and by-catch reduction measures, can be secured by the inclusion of a suitable condition in the marine licence requiring the delivery of measures in advance of commencing the Works.

8.3.9 In addition, the Scottish Ministers consider that compensatory measures can be secured by the inclusion of a suspensive condition, to require a Seabird Compensation Plan to be submitted by the Applicant for approval by the Scottish Ministers prior to the Commencement of the Works and thereafter adhered to. This will ensure that compensatory measures are formally

secured as required by the Habitats Regulations before the Works can be lawfully built and operated. Full details of the Scottish Ministers considerations and the proposed compensatory measures can be found in Annex E: Derogation Case. The Detailed Seabird Compensation Plan will be made available on Marine Scotland Information, should this be approved by the Scottish Ministers.

8.3.9 Under Section 83 of the 2010 Act and Section 126 of the 2009 Act, the Scottish Ministers as the "public authority" must consider how the Works are capable of affecting the protected features of an ncMPA or any ecological or geomorphological process on which the conservation of these features is dependant before a marine licence can be granted.

8.3.10 In line with the view of NatureScot that the Works are capable of affecting, other than insignificantly, the minke whale and the quaternary of Scotland (subglacial tunnel valleys) qualifying interests of the Southern Trench ncMPA the Scottish Ministers carried out an MPA assessment. Having had regard to the representations made by NatureScot the Scottish Ministers have concluded that the Works will not result in a significant risk of hindering the achievement of the conservation objectives of the Southern Trench ncMPA. A full explanation of the issues and justification for decisions regarding achievement of the conservation objectives is provided in Annex D: Marine Protected Area Assessment.

8.3.11 The Scottish Ministers consider that, having taken into account the information provided by the Applicant, the representations of the consultation bodies, and having regard to the conditions attached, there are no outstanding concerns in relation to the impact of the Works on marine mammals and birds or European sites or MPAs which would require an EIA Consent Decision under the 2007 MW Regulations and a marine licence to be withheld. On this basis, the Scottish Ministers consider that an up to date conclusion of the likely significant effects of the Works on biodiversity has been reached in accordance with Regulation 21A(2)(b) of the 2007 MW Regulations.

8.3.12 In reaching its EIA Consent Decision, the Scottish Ministers have had further regard to the likely significant effect of the Works on the remaining environmental factors listed at Regulation 21A(2) of the 2007 MW Regulations that were scoped in for assessment. They have concluded, taking into account the information provided by the Applicant, the representations of the consultation bodies, and having regard to the conditions attached, that there are no outstanding concerns in relation to the impact of the Works on population, human health, soil, water, air, climate, material assets, cultural heritage, landscape, and the interaction between them. On this basis, the Scottish Ministers consider that an up to date conclusion of the likely significant effect of the Works has been reached in accordance with Regulation 21A(2) of the 2007 MW Regulations.

9. The Scottish Ministers' Regulatory Approval and Main Determinative Issues

9.1 Determination of Marine Licence Applications

9.1.1 In determining the applications for marine licences (including the terms on which they are granted and what conditions, if any, are to be attached to them) the Scottish Ministers have had regard to:

- the need to protect the environment, protect human health, prevent interference with legitimate uses of the sea and such other matters as the Scottish Ministers consider relevant;
- the effects of any use intended to be made of the works when constructed; and
- representations received from persons with an interest in the outcome of the applications.

9.2 Main Determinative Issues

9.2.1 The Scottish Ministers, having taken account of all relevant information and regulatory requirements, consider that the main determining issues are:

- The extent to which the Works accords with and is supported by Scottish Government policy and plans including the terms of the National Marine Plan ("NMP");
- Economic benefits;
- The main effects of the Works on the environment, which are in summary impacts on:
    - European sites, MPAs and bird and marine mammal impacts;
    - commercial fisheries;
    - aviation and radar.

9.3 Scottish and UK Government Policy Context

9.3.1 The NMP, formally adopted in 2015 and reviewed in Spring 2018, provides a comprehensive statutory planning framework for all activities out to 200nm. The Scottish Ministers must take authorisation and enforcement decisions which affect the marine environment in accordance with the NMP. The NMP policies of particular relevance to this proposal are:

- Chapter 4 policies 'GEN 1-21', which guide all development proposals;
- Chapter 6 Sea Fisheries, policies 'FISHERIES 1-3 and 5';
- Chapter 8 Wild Salmon and Diadromous fish, policy 'WILD FISH 1'
- Chapter 11 Offshore Wind and Marine Renewable Energy, policies 'RENEWABLES 1, 3-10';
- Chapter 12 Recreation and Tourism, policies 'REC & TOURISM 2 and 6';
- Chapter 13 Shipping, Ports, Harbours and Ferries, policies 'TRANSPORT 1 and 6';
- Chapter 14 Submarine Cables, policies 'CABLES 1-4';
- Chapter 15 Defence, policy 'DEFENCE 1'.

9.3.2 Scottish Government is in the process of developing National Marine Plan 2 however given the stage of development, the Scottish Ministers have considered the existing NMP in making this decision.

9.3.3 The Climate Change (Scotland) Act 2009 commits Scotland to reach net zero emissions of all GHGs by 2045, ahead of the UK target of 2050. These targets are consistent with an ambitious Scottish contribution to the goals of the 2015 United Nations Paris Agreement on climate change, to limit global average temperature increases to 1.5 degrees Celsius.

9.3.4 The 2017 Scottish Energy Strategy set a target for the equivalent of 50% of the energy for Scotland's heat, transport and electricity to come from renewable sources by 2030. Continued support for renewable energy, including offshore wind, was reiterated in the Scottish Government Climate Change Plan: The 3rd Report on Proposals and Policies 2018 – 2032, including an ambition for Scotland's electricity system to be largely decarbonised by 2032.

9.3.5 Offshore wind is seen as an integral element in Scotland's contribution towards action on climate change. Our Offshore Wind Policy Statement sets out the Scottish Government's ambitions for offshore wind in Scotland, including an ambition (but not a limit) to achieve 8-11 gigawatt of offshore wind in Scotland by 2030, reaffirmed in both Scotland's Energy Strategy Position Statement (2021) and Scottish Government Update to the Climate Change Plan 2018 – 2032 (2020). Following publication of a draft Energy Strategy and Just Transition Plan ("ESJTP") last year the Scottish Ministers have consulted on setting further offshore wind deployment ambitions out to 2045 (by which point the Government is committed to achieving net zero). The draft ESJTP sets out how its vision of affordable, resilient and clean energy supplies for Scotland will be delivered, maximising home-grown clean energy provision and significantly increasing domestic production of renewable electricity by 2030, helping to address climate change by substantially reducing the emissions of our energy sector.

9.3.6 On 18 June 2025, Scottish Government launched a consultation to update the Offshore Wind Policy Statement acknowledging that since 2020 there had been considerable change in the policy and planning landscape for offshore renewable energy generation in Scotland and the wider UK, referencing the Clean Power 2030 Action Plan (see paragraph 9.3.15) as a considerable driver for change. The updated Policy Statement sets out the Scottish Government commitment to maximise the deployment of offshore wind in Scotland, by resetting its ambition and aiming for the development of up to 40GW by 2035-2040.

9.3.7 The Scottish Government National Innovation Strategy 2023 to 2033 sets out the vision for Scotland to be one of the most innovative small nations in the world and how this vision can be delivered by 2033. The strategy describes how innovation is a key tool to make Scotland a fairer, more equal, wealthier and greener country. Innovation is defined as 'the introduction and implementation of a new or significantly improved product, service, process, or method with the purpose of helping to solve societal challenges or delivering economic growth. Innovation is about new ideas, technologies and

research being utilised, adopted and commercialised to benefit society and the economy' (page 7). Energy transition is one of the key areas identified in the strategy, in particular opportunities in floating Offshore Wind.

9.3.8 Referencing the Scottish Government Innovation Strategy, the Scottish Offshore Wind Energy Council ("SOWEC"), a partnership between the Scottish public sector and the offshore wind industry, details the innovation opportunities presented by INTOG projects and Salamander specifically in a January 2025 report 'SOWEC Innovation Guide Showcasing Scotland's offshore wind research, development and commercialisation landscape and how to unlock its potential'. The guide details two specific examples relating to innovation at the Salamander project.

9.3.9 Scottish Government's Green Industrial Strategy (2024) recognises Scotland's leading role in the energy transition to clean and renewable power and the economic benefits of this transition to net zero. One of the strategy's key focus areas is the need to maximise Scotland's established wind economy, which includes building on the capabilities of Scotland's "first-mover advantage" in the development of FOW technology and design for the purpose of generating clean electricity. The strategy particularly emphasises Scotland's potential as an early mover in FOW and the benefits which this would have in terms of expanding the capacity of the domestic supply chain and presenting opportunities across the offshore wind sector.

9.3.10 The Works are part of the Crown Estate Scotland Innovation Targeted Oil and Gas ("INTOG") leasing round, with the 'IN' elements aimed at boosting further innovation through small scale innovative projects. Following the publication of an Initial Plan Framework ("IPF"), the Scottish Government is currently considering INTOG as part of the iterative review process for the Scottish Government's Sectoral Marine Plan for offshore wind energy ("SMP") to underpin the delivery of projects, currently at consultation from 30 May 2025 to 22 August 2025.

9.3.11 The Scottish Government's updated SMP is currently in draft form and at the consultation stage (from 30 May 2025 to 22 August 2025). It aims to take account of the significant ambition demonstrated by the ScotWind and INTOG leasing rounds, and the resultant pipeline of potential offshore wind development in Scottish waters thereby maximising their delivery over the next decade. As such, its proposed purpose is to provide a strategic spatial framework for offshore wind development in Scotland, incorporating both ScotWind option areas and INTOG option and exclusivity agreement areas into one integrated planning framework. In the context of INTOG projects, it will specifically build upon the IPF and its planning process.

9.3.12 Although the Scottish Ministers have not yet adopted an updated SMP, the Proposed Works will contribute to reducing greenhouse emissions and is therefore in line with planning assumptions. The Works will also contribute to the Scottish Government's renewable energy ambitions by exporting electricity to the national grid. Scottish Government, Offshore Wind Focus (2024) outlines the importance of the opportunity afforded by ScotWind and InTOG leasing rounds to Scotland, in particular in the development of floating offshore wind technologies.

9.3.13 The Works will contribute to the direct reduction of emissions from energy generation in Scotland and further advance the technological understanding of offshore energy. Accordingly, the Works are consistent with the emissions reduction requirements of the Climate Change (Scotland) Act 2009 and Scottish energy and climate change policy.

9.3.14 The Scottish Ministers have also had due regard to the UK Government's Overarching National Policy Statement for energy (EN-1), published in January 2024, and its National Policy Statement for renewable energy infrastructure (EN-3), published in November 2023. These policies provide a framework for delivering the UK's international commitments on climate change. The Scottish Ministers have taken particular account of EN-1's identification of nationally significant low carbon infrastructure (which includes offshore wind) as a critical national priority and the overarching need for energy security and decarbonising the power sector to combat climate change.

9.3.15 The UK Government's Clean Power 2030 Action Plan sets a pathway to deliver 43-50 GW of offshore wind capacity across Great Britain in order to achieve a 95% clean energy system by 2030. The Scottish Government is committed to working closely with the UK government on shared ambitions to decarbonise energy generation and drive progress towards net zero in line with these objectives. To meet the Clean Power 2030 target, the action plan recognises the important role projects in Scotland will play and emphasises the need capitalise on projects that are already in the planning system and able to commence construction before 2030.

9.3.16 The Scottish Ministers have also considered the UK Government's British Energy Security Strategy (2022), alongside the UK Government's Ten Point Plan for a Green Industrial Revolution (2020), Energy White Paper: Powering our Net Zero Future (2020) and Net Zero Strategy: Build Back Greener (2021), and the contribution which Scotland can make to the target of 50 GW of offshore wind by 2030 (including up to 4 GW of innovative floating wind across the UK.

9.3.17 Scotland's National Planning Framework ("NPF") 4 was adopted on 13 February 2023. It sets out a long-term spatial plan including regional priorities and 18 national developments, as well as a full suite of 33 national planning policies. NPF4 replaces NPF3 and Scottish Planning Policy.

9.3.18 On adoption of NPF4, the provisions in the Planning (Scotland) Act 2019 commenced making NPF4 part of the statutory development plan. NPF4 sets out the Scottish Government proposals for future consideration of planning matters and as such it may be taken into account by planning authorities on a case-by-case basis.

9.3.19 NPF4 signals a turning point for planning, placing climate and nature at the centre of the planning system and making clear Scottish Government support for all forms of renewable, low-carbon and zero emission technologies, including transmission and distribution infrastructure. This includes onshore infrastructure that supports offshore renewable development. Potential

impacts on communities, nature and other receptors remain important considerations in the decision-making process. All applications are already, and will continue to be, subject to full site-specific assessments.

9.3.20 The Scottish Ministers have had regard to NPF4 when assessing the Application. The Scottish Ministers consider that the Works accord with NPF4 as it supports the delivery of renewable electricity generation and transmission, providing employment and helping to reduce emissions and improve security of supply. Furthermore, the Works support Policy 11 by contributing to the expansion of renewable energy generation.

9.4 Economic Benefits

9.4.1 National policy and strategies, such as NPF4, the Draft ESJTP, and The Scottish Energy Strategy: The Future of Energy in Scotland (Scottish Government, 2017), support the role of renewable energy development in achieving socioeconomic benefits and supporting the growth of the low carbon economy. The EIA Report stated that the Works would support the Scottish Government's commitments to reaching net zero emissions of all GHG by 2045.

9.4.2 The potential impacts on employment, demographics, economic productivity, visitor/tourism access and the need for healthcare, education and housing as a result of the Works were assessed within the Offshore Socio-Economics and Tourism chapter of the EIA Report. The MAU noted it was content with the methodologies and assessment of socio-economic impacts provided in the EIA Report and acknowledged the appointment of a community liaison officer to improve community engagement and communication.

9.4.3 It is estimated in the EIA Report that construction activities associated with the Works could deliver an additional £110.5 million of direct, indirect and induced GVA per annum across the local area, the rest of Scotland and the UK, based on a three year construction programme. The EIA Report stated that during this period an estimated 491 full time equivalent jobs are expected to be generated annually, 48 of which could be in the local area, 313 in the rest of Scotland and 130 in the rest of the UK. The operation and maintenance activities associated with the Works were estimated by the EIA Report to result in a total of £60.6 million of direct, indirect, and induced GVA over 35 years. During this period, it was estimated that two jobs will be created in the local area, a further 15 in the rest of Scotland, and a 16 in the rest of the UK.

9.4.4 The Scottish Ministers have taken this information on socioeconomic impacts of the Works into account in their decision making.

9.5 Impacts of the Works on commercial fisheries

9.5.1 The EIA Report concluded that for all phases of the Works when assessed alone, the significance of effects were negligible to minor and not significant in terms of EIA.

9.5.2 However, the EIA identified significant positive (supply chain opportunities for local fishing vessels during construction and decommissioning) and negative (loss or restricted access to fishing grounds, displacement and increased vessel traffic on potters) effects on commercial fisheries when the Works was assessed cumulatively with other relevant projects.

9.5.3 The SFF objected to the Application due to the impact on commercial fishing as fishers may be unable to fish in the area of the Works and the export cable may cause snagging hazards for the fishing industry. The SFF raised concerns that seabed disturbance caused by the Works may impact on key spawning grounds.

9.5.4 The Scottish Ministers have taken into account the terms of the NMP in relation to the SFF's concerns, alongside advice from MD-SEDD and representation from NatureScot. In consideration of the representation received, a number of conditions have been attached to the marine licence to require a FMMS, Seabed Obstruction Mitigation Plan, CaP, DSLP, VMP, CoP, CMS and NSP to be submitted by the Applicant for approval by the Scottish Ministers prior to the Commencement of the Works and thereafter adhered to. In particular, the FMMS must include a strategy for communicating with fishers; assessment of impact on affected commercial fisheries in socio-economic terms and in terms of environmental sustainability; mitigation; and monitoring.

9.5.5 The CaP must include vessel types, location, duration and cable laying techniques for cables, results of monitoring or data collection work which will help inform cable routing, technical specification of the cables, including a desk based assessment of attenuation of EMF strengths and shielding, a Cable Burial Risk Assessment to ascertain burial depths and where necessary alternative protection measures, methods to be used to mitigate the effects of EMF on diadromous fish, and methods and timetable for post-construction and operational surveys (including inspection, post-lay) of the cables and any cable protection through its operational life.

9.5.6 The Seabed Obstruction Mitigation Plan must demonstrate how any risks to legitimate users of the sea identified from the post-lay surveys and operational surveys described in the CaP will be reduced. A condition requiring a FLO to be appointed to establish and maintain effective communications between the Applicant, its contractors and sub-contractors, and fishermen and other users of the sea during construction of the Works has also been attached to the marine licence.

9.5.7 In relation to concerns around fish spawning grounds, impacts on fish nursery and spawning grounds are considered within the EIA Report and advice from NatureScot indicates that the impacts are not significant in EIA terms. A condition has been attached to the marine licence for the Applicant to submit for approval a CMS, which must include details of how the construction methods will consider habitat disturbance and loss and sediment release.

9.5.8 The Scottish Ministers consider that, having taken into account the information provided by the Applicant, the responses of the consultation bodies, and having regard to the conditions attached to the marine licence,

there are no outstanding concerns in relation to the impact of the Works on commercial fisheries which would require a marine licence to be withheld.

9.6 Impacts of the Works on aviation and defence

9.6.1 The EIA Report identified potential significant impacts to aviation and defence including the creation of a physical obstacle to aircraft operations and wind turbines causing interference on civil and military primary surveillance radar systems. The impact to Met Office rainfall radar systems was also assessed. An agreement was reached between the Met Office and the Applicant to limit the maximum tip height of the turbines to 310m which significantly reduces the impact on the Met Office radar at Hill of Dudwick and therefore no objection was raised.

9.6.2 The MOD highlighted that the Works has the potential to affect military low flying training activities that may be conducted in the area. The MOD also objected to the Works as it will be in line of sight and detectable to the air defence radar at RRH Buchan and will cause unacceptable and unmanageable interference to the effective operation of the air defence radar.

9.6.3 The MOD provided a letter to MD-LOT dated 3 December 2024 confirming that it had accepted the Applicant's technical proposal to mitigate the effects of the Works upon the Air Defence Radar at RRH Buchan and would be prepared to raise its objection subject to appropriate conditions for MOD surveillance operations and aviation safety being added to the marine licence In consideration of the MOD representation, conditions have been added to the marine licence requiring that the Applicant prepare, consult and submit for approval to the Scottish Ministers an ADRM Scheme (in consultation with the MOD), an LMP, NSP and DSLP, as well as an Aviation Charting and Safety Management condition.

9.6.4 NATS confirmed by email to MD-LOT that, while the nature of the mitigation required to address the impacts of the Works on the primary surveillance radar was still unknown, it would be supportive of the PRMS consent condition and that this would be sufficient to protect its operation. In consideration of the NATS representation, a condition requiring the Applicant to prepare and submit a PRMS for approval by the Scottish Ministers has been added to the marine licence.

9.6.5 The Scottish Ministers consider that, having taken into account the information provided by the Applicant, the responses of the consultative bodies and having regard to the conditions attached to the marine licence, there are no outstanding concerns in relation to the impact of the Works on aviation and defence which would require a marine licence to be withheld.

9.7 The Nature Conservation (Scotland) Act 2004

9.7.1 The Nature Conservation (Scotland) Act 2004 ("the 2004 Act") makes it the duty of all public bodies in Scotland, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions.

9.7.2 In complying with this duty public bodies must have regard to any strategy designated as the Scottish Biodiversity Strategy. The relevant strategy in this case is Scottish Government's Scottish Biodiversity Strategy to 2045: Tackling the Nature Emergency in Scotland (published November 2024) ("the SBS"). This replaces the previous strategy "Scotland's Biodiversity: It's in your hands" 2004 and the associated "2020 Challenge for Scotland's Biodiversity supplement". The SBS sets out the need to act decisively to address the twin crises of biodiversity loss and climate change together and how Scottish Government will protect and regenerate biodiversity across the country by 2045.

9.7.3 Under the 2004 Act, public bodies must also have regard to the United Nations Environmental Programme Convention on Biological Diversity of 5 June 1992 as amended from time to time (or any United Nations Convention replacing that Convention) ("the CBD"). Article 14(1)(a) which requires each contracting party, as far as possible and appropriate to, "introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimizing such effects and, where appropriate, allow for public participation in such procedures".

9.7.4 The Scottish Ministers have had regard to the SBS and the CBD in the exercising of their functions in the determination of the Applicant's marine licence Application. The Applicant was required to undertake EIA and provide information to inform HRA to support its Application. Following review of the EIA Report and representations received during consultation referred to in Sections 4, 5 and 6 of this decision notice, the Works have been identified to result in some significant environmental effects with implications for biodiversity. However, conditions requiring the Applicant to mitigate its environmental impacts have been placed on the marine licence, including but not limited to an EMP, VMP, CMS, PS and adherence, where appropriate, to the Scottish Marine Wildlife Watching Code, alongside measures which the Applicant has committed to in its EIA Report. In relation to adverse effects identified through HRA, a condition has been placed on the marine licence such that the Works cannot commence until the Applicant has demonstrated that sufficient compensation will be put in place to compensate for the impacts identified in the AA. Furthermore, the Scottish Ministers recognise the contribution the Works will make to the delivery of renewable electricity generation and transmission in responding to climate change and developing innovative solutions for floating offshore wind technology which the Applicant states will help broaden the horizons of what offshore renewable energies can deliver.

9.8 The Marine Strategy Regulations 2010

9.8.1 The Marine Strategy Regulations 2010 provide a comprehensive framework and obligation for the four UK administrations to take a coordinated approach to assess, monitor and take action to achieve or maintain Good Environmental Status ("GES") in UK waters. The UK Marine Strategy consists of a three part framework for achieving GES in our seas, the most recent iteration of which comprises: Marine Strategy Part One: UK updated assessment and Good Environmental Status (2019); Marine Strategy Part

Two: UK updated monitoring programmes; and Marine Strategy Part Three: 2025 UK programme of measures. The UK Marine Strategy recognises that offshore wind will play a pivotal role in the UK's clean energy mission and the UK government and devolved governments are considering or have under development programmes to explore and develop mechanisms to enable delivery of the government's offshore wind ambition while still protecting the marine environment.

9.8.2 The Scottish Ministers have had regard to the UK Marine Strategy when assessing the Application. Environmental impacts, including impacts to protected sites, have been assessed through Environmental Impact Assessment and Habitats Regulations Appraisal. Significant impacts identified to European sites and bird and marine mammal impacts have been addressed as discussed in paragraphs 8.3.1 to 8.3.11, including mitigation and compensation through consent and licence conditions, and the decision taken in accordance with the NMP. Relevant aspects of the programme of measures have been taken into consideration in the decision-making process.

10. The Scottish Ministers' Determination and Reasoned Conclusion

10.1 The Scottish Ministers are satisfied that an EIA has been carried out, and that the applicable procedures regarding publicity and consultation in respect of the Application has been followed. The Scottish Ministers are also satisfied, having regard to current knowledge and methods of assessment, that their EIA Consent Decision is based on an up to date conclusion about the likely significant effects of the Works on relevant environmental factors, as required under the 2007 MW Regulations.

10.2 The Scottish Ministers have weighed the impacts of the Works, and the degree to which these can be mitigated, against the economic and renewable energy benefits which would be realised. The Scottish Ministers have undertaken this exercise in the context of any relevant national and local policies.

10.3 The Scottish Ministers have considered the extent to which the Works accord with and is supported by Scottish Government and UK Government policy and plans (described in Section 9.3); the Climate Change (Scotland) Act 2009; the 2004 Act; the Marine Strategy Regulations 2010; and the environmental impacts of the Works. In particular: the Scottish Ministers have considered the impacts on mammals and seabirds including impacts on European sites, the Southern Trench ncMPA, impacts on commercial fisheries, and impacts on aviation and defence.

10.4 The Scottish Ministers are satisfied that the environmental issues associated with the Works have been appropriately addressed by way of the design of the Works and through mitigation measures. In particular the Scottish Ministers are satisfied that the Works will not adversely affect the integrity of designated sites listed in paragraph 8.3.3 above or hinder the achievement of the conservation objectives of the Southern Trench MPA. For sites/species where the Scottish Ministers concluded AEOSI or were unable to conclude no AEOSI, the Scottish Ministers are satisfied that the requirements of the

derogations provisions in the Habitats Regulations have been met, and a condition has been added to the marine licence to secure the necessary compensatory measures.

10.5 In their consideration of the environmental impacts of the Works, the Scottish Ministers have identified conditions to be attached to the marine licence to reduce and monitor environmental impacts (these conditions are outlined in Annex 2). These include development and adherence to the mitigation measures outlined the Schedule of Mitigation in the Applicant's EIA Report and a CMS, EMP, Operation and Maintenance Programme, PS, PEMP, CoP, DSLP, Design Statement, VMP, NSP, Aviation Charting and Safety Management, CaP, LMP, ADRM Scheme, PRMS, FMMS, Environmental Clerk of Works, FLO, Seabed Obstruction Mitigation Plan, PAD and WSI, as well as a requirement to submit a Detailed Seabird Compensation Plan in writing for approval by the Scottish Ministers.

10.6 The Scottish Ministers are satisfied, having regard to current knowledge and methods of assessment, that this reasoned conclusion, as required under the 2017 MW Regulations, is valid.

10.7 The Scottish Ministers are satisfied that regard has been given to protecting the environment, protecting human health, and preventing interference with legitimate users of the sea, as well as other factors considered to be relevant, as required by section 69 of the 2009 Act and section 27 of the 2010 Act.

10.8 The Scottish Ministers grant the marine licence, subject to conditions under the 2009 Act and the 2010 Act for the licensable marine activities associated with the Salamander Offshore Wind Farm. The marine licence is attached at Annex 2.

10.9 The embedded mitigation and any additional mitigation identified in the EIA Report has been incorporated into the conditions of the marine licence. The conditions also capture monitoring measures required under Regulation 22 of the 2007 MW Regulations and Regulation 24 of the 2017 MW Regulations.

10.10 In accordance with the 2007 MW Regulations and the 2017 MW Regulations, the Applicant must publicise notice of the Scottish Minister's EIA Consent Decision and its regulatory decision by ensuring that a copy of this decision letter is published on the Applicant's website, and within the same publications listed at paragraph 3.3 of this decision letter; namely the Edinburgh Gazette, the Press and Journal and the Scotsman. The Applicant must provide copies of the public notices to the Scottish Ministers.

10.11 Copies of this decision notice have been sent to the public bodies consulted on the Application, including the relevant planning authorities, NatureScot, Natural England, SEPA and HES. This decision notice has also been published on the Marine Scotland Information website at https://marine.gov.scot/?q=ml/section-36-consent-construction-and-operation-generating-station-and-offshore-transmission. The Secretary of State will be notified regarding the outcome of the derogation case.

Yours sincerely,

Rebecca Bamlett

Section Head (Consenting), Marine Directorate – Licensing Operations Team

A member of the staff of the Scottish Ministers

24 July 2025

Annex 1 – DESCRIPTION OF THE WORKS

The Works are the construction of an offshore energy generating station and offshore transmission infrastructure comprising:

1. Up to seven three-blade horizontal axis wind turbine generators (“WTGs”) each with:
    a A maximum rotor blade tip height of 310 metres (“m”) above ordnance datum newlyn;
    b A maximum rotor blade diameter of 250m;
    c A minimum rotor blade tip to sea clearance of 22m (measured from Still Water Level ("SWL") for semi-submersible, and measured from Lowest Astronomical Tide ("LAT") for tension-leg platform);
    d A maximum hub height of 172.5m above SWL; and,
    e Minimum WTG spacing of 1,000m (measured from centre point of WTG tower).

2. A maximum of seven of either semi-submersible buoy, semi-submersible barge, semi-submersible hybrid or tension leg platform floating substructures for the WTGs.

3. A maximum of eight mooring lines per floating substructure, with a mooring line radius of up to 1,500m.

4. A maximum of eight anchors per floating substructure.

5. Up to eight inter-array cables (both dynamic and static) with a total maximum length of up to 35km.

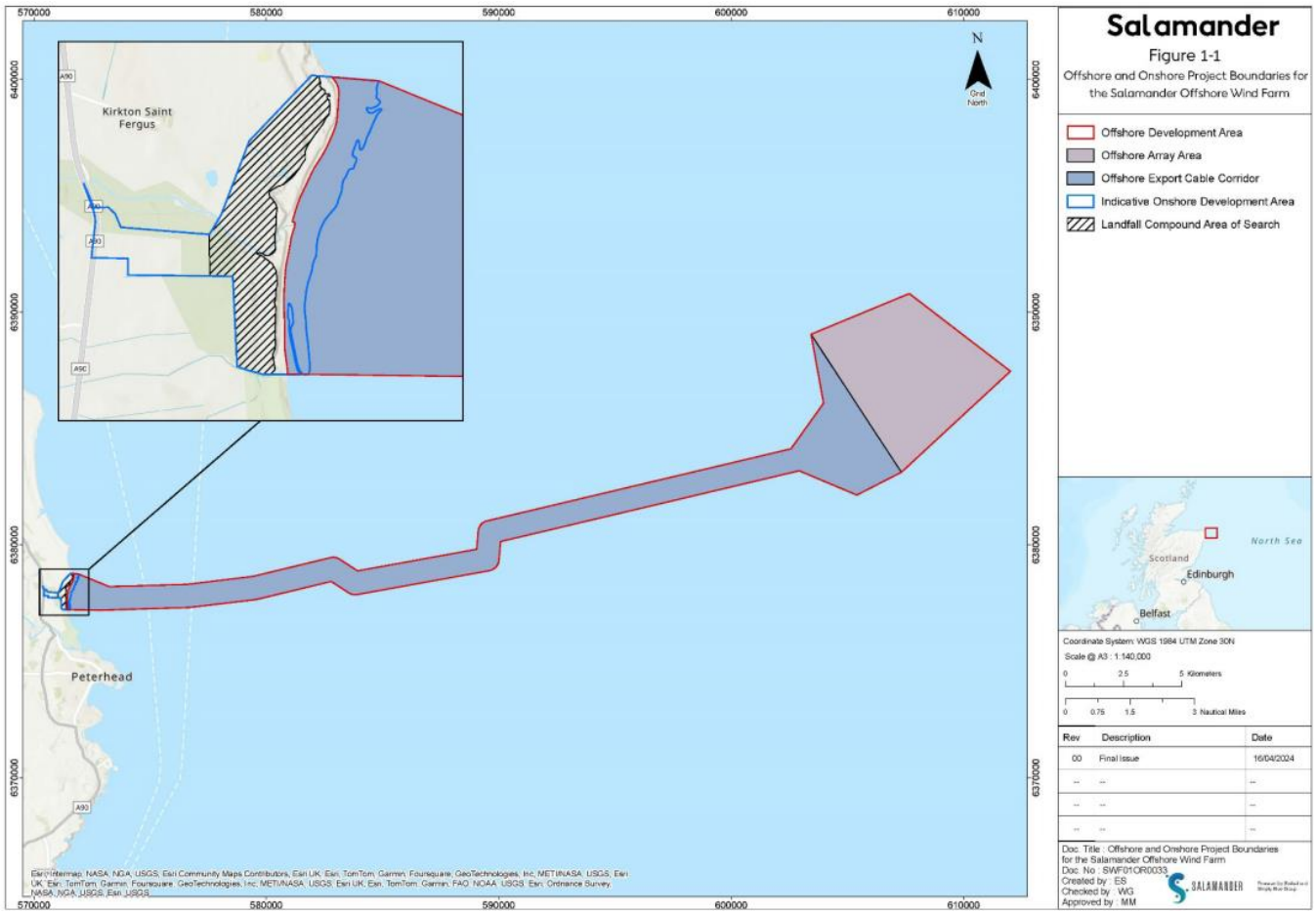
6. Scour protection and inter-array cable protection.

7. No more than two subsea hubs consisting of a gravity-based skid base secured with up to 12 anchor piles, supporting a junction box and associated scour protection around the subsea hubs.

8. No more than two subsea export cables to landfall, with the total combined length of the cables measuring no more than 85km in length and associated scour protection and cable protection.

and, except to the extent modified by the foregoing, all as described in the Application and by the conditions imposed by the Licensing Authority. References to “the Works” in this marine licence shall be construed accordingly.

Figure 1: Location of the Works (Source: Salamander Wind Farm Environmental Impact Assessment Report: Volume 1, Chapter 1, Figure 1-1)



Annex 3 - DEFINITIONS AND GLOSSARY OF TERMS - In this decision notice and in Annex 1 and 2

"AA" means Appropriate Assessment;
"AEoSI" means adverse effect on site integrity;
"Applicant" means Salamander Wind Project Company Ltd (Company Number SC662940), having its registered office at 2nd Floor 2 Lochrin Square, 96 Fountainbridge, Edinburgh, Scotland, EH3 9QA;
"Application" means the Environmental Impact Assessment Report and supporting documents submitted by the Licensee on 26 April 2024;
"CFWG" means Commercial Fisheries Working Group;
"Commencement of the Works" means the date on which the first construction activity occurs in accordance with the EIA Report submitted by the Applicant on 26 April 2024;
"EIA Report" means Environmental Impact Assessment Report;
"EIA" means Environmental Impact Assessment;
"EMF" means Electromagnetic Field;
"GES" means Good Environmental Status;
"GHG" means Greenhouse Gas;
"GVA" means Gross Value Added;
"INTOG" means Innovation Targeted Oil and Gas;
"km" means kilometres;
"LAT" means Lowest Astronomical Tide;
"LSE" means Likely Significant Effect;
"m" means metres;
"MGN" means Marine Guidance Note;
"mINNS" means marine Invasive Non-Native Species;
"MPA" means Marine Protected Area;
"ncMPA" means Nature Conservation Marine Protected Area;
"OFFSAB" means Outer Firth of Forth and St Andrews Bay Complex;
"RIAA" means Report to Inform Appropriate Assessment;
"RRH" means Remote Radar Head;
"SAC" means Special Area of Conservation;
"SAR" means Search and Rescue;
"SPA" means Special Protected Area;
"SWL" means Still Water Level;
"UXO" means Unexploded Ordnance;
"Works" means the Salamander Offshore Wind Farm, approximately 35 kilometres off the coast of Peterhead; and
"WTG" means Wind Turbine Generator.

<u>Organisations and Companies</u>

"BT" means British Telecommunications;
"DAERA" means Department of Agriculture, Environment and Rural Affairs;
"DSFB" means District Salmon Fishery Board;
"Green Volt" means Green Volt Offshore Windfarm Limited;
"HES" means Historic Environment Scotland;
"HSE" means Health and Safety Executive;

“JRC” means Joint Radio Company;
“MarramWind” means MarramWind Limited;
“MAU” means Marine Analytical Unit;
“MCA” means the Maritime and Coastguard Agency;
“MD-LOT” means Marine Directorate – Licensing Operations Team (previously known as “MS-LOT”, Marine Scotland – Licensing Operations Team);
“MD-SEDD” means Marine Directorate – Science, Evidence, Data and Digital (previously known as “MSS” which means Marine Scotland Science);
“MFCP” means Moray Firth Coastal Partnership;
“MOD” means the Ministry of Defence;
“NERL” means NATS (En Route) Public Limited Company;
“NATS” means National Air Traffic Service;;
“NLB” means the Northern Lighthouse Board;
“RSPB” means the Royal Society for the Protection of Birds Scotland;
“RYA” means the Royal Yachting Association Scotland;
“SEPA” means Scottish Environment Protection Agency;
“SFF” means the Scottish Fishermen’s Federation; and
“SOWEC” means Scottish Offshore Wind Energy Council.

Plans, programmes, statements and schemes

“ADRM Scheme” means Air Defence Radar Mitigation Scheme;
“CaP” means Cable Plan;
“CBD” means the United Nations Environmental Programme Convention on Biological Diversity of 5 June 1992 as amended from time to time (or any United Nations Convention replacing that Convention;
“CBRA” means Cable Burial Risk Assessment;
“CMS” means Construction Method Statement;
“CoP” means Construction Programme;
“DSLP” means Development Specification and Layout Plan;
“EMP” means Environmental Management Plan;
“ESJTP” means Energy Strategy and Just Transition Plan;
“FLO” means Fisheries Liaison Officer;
“FMMS” means Fisheries Management and Mitigation Strategy;
“IPF” means Iterative Plan Framework;
“LMP” means Lighting and Marking Plan;
“NMP” means National Marine Plan;
“NPF” means Scotland’s National Planning Framework;
“NRA” means Navigation Risk Assessment;
“NSP” means Navigational Safety Plan;
“PAD” means Protocol for Archaeological Discoveries;
“PEMP” means Project Environmental Monitoring Programme;
“PRMS” means Primary Radar Mitigation Scheme;
“PS” means Piling Strategy;
“SBS” means the Scottish Biodiversity Strategy to 2045: Tackling the Nature Emergency in Scotland;
“SMP” means Sectoral Marine Plan;
“VMP” means Vessel Management Plan; and
“WSI” means Written Scheme of Investigation.

Legislation

“the 2004 Act” means the Nature Conservation (Scotland) Act 2004;

“the 2007 MW Regulations” means the Marine Works (Environmental Impact Assessment) Regulations 2007;

“the 2009 Act” means the Marine and Coastal Access Act 2009;

“the 2010 Act” means the Marine (Scotland) Act 2010;

“the 2017 MW Regulations” means the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017;

“the Habitats Regulations” means the Conservation (Natural Habitats, & c.) Regulations 1994 and the Conservation of Habitats and Species Regulations 2017.