Aberdeen City Council

From: EPConsultations <EPConsultations@aberdeencity.gov.uk>
Sent: 29 May 2024 10:46
To: MD Marine Renewables
Cc: Aoife Murphy; Susan Cumming
Subject: FW: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024

Categories:
Objective: -1

Good morning,

Thank you for your email, and apologies for the delay in responding.

I confirm Aberdeen City Council have no comments.

Regards

Richard Brough | - Senior Environmental Planner
Protecting the irreplaceable. Promoting the sustainable

Aberdeen City Council | Climate and Environment Policy | Strategic Place Planning | Commissioning
Ground Floor North | Marischal College | Broad Street| Aberdeen | AB10 1AB

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Planning Authority of the Year: Aberdeen City Council

Best Plan: Net Zero Aberdeen Routemap

Aberdeenshire Council

Aberdeenshire COUNCIL

Our Ref: ENQ/2024/0593
Your Ref:

Ask for: Fiona Rendall
Tel: 01467 533088
Email:

Scottish Government
Marine Licensing & Consenting Casework Officer
Licensing Operations Team
Marine Directorate
Marine Laboratory
Aberdeen
AB11 9DB

6 June 2024

Dear Sir/Madam

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 as amended by The Environmental Impact Assessment (Miscellaneous Amendments) (Scotland)
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2007 (as amended)

Consultation on scoping request for the erection of offshore windfarm and associated infrastructure for CENOS Offshore Windfarm.

1.1 I refer to your consultation in respect of a Scoping Request for the above proposal received on 25 April 2024. Your request sought advice relating to the content of a future environmental assessment and a scoping report and appendices has been provided for consideration.

1.2 Aberdeenshire Council, as a terrestrial authority, is generally only concerned with potential effects upon the intertidal zone between mean high-water springs (MHWS) and mean low water springs (MLWS) with offshore infrastructure projects like this.

1.3 In regard to the landfall for the project, it is understood that infrastructure is to be shared through the 'NorthConnect' HVDC cable planning consent (APP/2015/1121 and APP/2018/1831). As such, the onshore aspects for ongoing grid connection (above MHWS), including the landward exit point and cable pull through, will not be assessed as part of the current project.

1.4 As such, the Planning Service are limited to comments relating to Seascape, landscape and visual impacts; Natural Heritage; and Archaeology only. Consultation has been undertaken with the Council's Archaeology and Natural Heritage teams.

1.5 <u>Seascape, Landscape and Visual Impact Assessment</u>

Chapter 16 contains the approach and scope of the Seascape, Landscape and Visual Impact Assessment (SLVIA) for the offshore aspects of the project. The Planning Service agrees with the conclusion that due to the distance from land of approx. 185km, the SVLIA should remain scoped out of the EIA.

1.6 Natural Heritage

Consultation with the Council's Natural Heritage team has no comment on the proposal given the proposed infrastructure (excluding that previously consented for North Connect), lies beyond 12nm.

1.7 Archaeology and Cultural Heritage

The following information has been provided in consultation with the Council's Archaeology Team. Answers have been provided to the questions posed in the Marine Cultural Heritage and Archaeology Scoping report (Section 15), copied below for ease of reference-
Q1: Do you agree with the approach to characterising impacts to marine archaeological discoveries?
A1: Yes

Q2: Do you agree that direct impacts to onshore cultural heritage as a result of changes to their setting and impacts arising from decommissioning should be scoped out?
A2: Yes

Q3: Do you agree that transboundary effects for marine archaeology, cultural heritage and geomorphology should be scoped out?
A3: Yes (note this comment relates to marine archaeology and cultural heritage only)

Q4: Do you agree that the geophysical surveys listed in Table 15-4 and detailed in Table 5A-2 of appendix 5A is sufficient inform the baseline?
A4: Assuming that this refers to Table 1-2 of appendix 5A, not table 5A-2, then yes, fine.

Q5: Do you agree that the potential impacts and receptors resulting from the project have been identified for marine archaeology, cultural heritage and geomorphology?
A5: Yes (note this comment relates to marine archaeology and cultural heritage only)

Q6: Do you think any additional data sources or guidance needs to be considered?
A6: Local Authority Historic Environment Record (HER) data is missing from the current list data sources, but should be included.

Q7: Do you have any additional specific requirements for the assessment methodology?
A7: No

1.8 Conclusion

Having reviewed the submitted documentation the Planning Service generally agrees with the proposed scope of the EIA in relation to those aspects which may impact upon the Aberdeenshire Council Area with issues to be considered further provided by Archaeology.

1.9 I hope the above information is of assistance within the context of the Planning Service as a consultee. Further consultation is welcome at the appropriate time during pre-application discussions or the application stage.

2.0 If you wish to discuss the content of this consultation response, please use contact details at the top of this letter.

Yours faithfully

Paul Macari
Head of Planning and Economy

Edinburgh Airport

From: Safe Guarding <safeguarding@edinburghairport.com>
Sent: 10 May 2024 11:43
To: MD Marine Renewables
Cc: Safe Guarding
Subject: SCOP-0044 - Cenos Offshore Windfarm

Categories:
Objective: -1

Good morning,

In respect of the above, I can confirm the location of this development falls out with our Aerodrome Safeguarding zone for Edinburgh Airport therefore we have no objection/comment.

With best regards,
Claire

Claire Brown
Aerodrome Safeguarding & Compliance Officer

Edinburgh Airport
Where Scotland meets the world

Our values

t: +44 (0)131 344 3845
My working hours are Monday-Friday
www.edinburghairport.com

Edinburgh Airport Limited
Room 3/54, 2nd Floor Terminal Building
EH12 9DN, Scotland

Historic Environment Scotland

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

By email to:
MD.MarineRenewables@gov.scot

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

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300064573
Your ref: SCOP-0044

24 May 2024

Dear Marine Directorate

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea
Scoping Report

Thank you for your consultation which we received on 24 April 2024 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include onshore heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings. In this case, you should contact Aberdeenshire Archaeology Service (archaeology@aberdeenshire.gov.uk).

Proposed Development

We understand that the proposed development comprises a revised scheme for a 1.35 GW offshore wind farm of up to 95 turbines in the Central North Sea, called Cenos Wind Farm. The Marine Licence will cover all offshore infrastructure between the mean high-water springs (MHWS) and the array area, including a 230km export import cable.

Scope of assessment

We welcome that the environmental impact assessment (EIA) undertaken in support of the development will include an assessment of impacts on the historic environment. However, the proposed scope of assessment is not sufficient for our needs. Further information is included in the annex below.

The EIA assessment for the proposals should be undertaken by a suitably experienced heritage professional with an understanding of marine issues. The assessment should meet the requirements of Scottish Planning Policy (SPP, 2014), the Historic Environment Policy for Scotland (HEPS, 2019) and associated Managing Change Guidance Notes. Additional guidance can also be found in the Cultural Heritage Appendix to the EIA Handbook (SNH, HES, 2018).

Further information

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

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Sam Fox and they can be contacted by phone on 0131 668 6890 or by email on samuel.fox@hes.scot.

Yours faithfully

Historic Environment Scotland

Annex

Background

We were consulted on the original proposals for Cenos Wind Farm at Scoping in April 2023 (SCOP-0022). In our response we noted that there were no known heritage assets within the proposed boundary, but we considered that there would be the potential for impacts on unknown marine archaeology.

We did not agree with the applicant's approach to scope out a marine survey as part of the project, and we recommended that mitigation should be embedded into the scheme, rather than applied only if discoveries were made during works. We also provided further advice on the applicant's approach to formulating an appropriate Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries (PAD), and the application of appropriate buffer zones.

As part of the revised proposal considered in this Scoping, the applicant now proposes to utilise infrastructure associated with the consented NorthConnect project (MS Reference: 06771). We responded to the marine licence application in October 2018 noting that we did not object to the proposed subsea cable.

Our Interests

The scheduled monument **SM3252 Boddam Castle** extends into the intertidal zone of the study area for the proposals. Further information regarding the potential impacts on the monument and its consideration in the scoping assessment is included below**.**

Scoping Report

Although the general approach and consideration of relevant legislation and guidance proposed for the Desk-based Assessment is appropriate, we recommend that reference is made to additional sources. In addition to Canmore offshore data, UKHO, HES and local HER data, we recommend the follow sources are included in the assessment;

- Marine Environmental Data Information Network at http://www.oceannet.org/
- Strategic Environmental Assessments for offshore at http://www.offshore-sea.org.uk/site/scripts/sea_archive.php.
- Additional relevant information may be found on specialist websites such as https://www.uboat.net/.

We note that the applicant is working collaboratively with NorthConnect Ltd and only one set of infrastructure will be required within 12 Nautical Miles (NM) of the coast. The relevant area has previously been assessed by NorthConnect Ltd as part of the NorthConnect project, and the applicant therefore proposes to scope this area out of the assessment.

We do not agree with this approach. We note that works proposed as part of the Cenos development exceed those already consented for NorthConnect, for example the Horizontal Deep Drilling and boreholes outlined in *Section 3.5.5.8 Landfall.* An assessment should be

made for all areas where new works relating to the present development are proposed. Although it is appropriate to use existing data for this assessment, any changes to baseline information since the assessment by NorthConnect should also be considered.

Table 1-5 in the Appendices indicates that multibeam echosounder and dual swathe bathymetry and backscatter survey were planned for March 2024, with the aim of providing comparisons with existing information to re-validate the data. Marine physical processes include a cycle of burial and exposure which may necessitate additional survey should notable changes have occurred. Desk-based sources should also be assessed for updates and additions.

In terms of onshore cultural heritage assets, Table 15-6 shows consideration of setting impacts and appropriate conclusions are drawn. However, potential indirect impacts to onshore cultural heritage assets are not considered in the Scoping Report. As noted above, the scheduled monument **SM3252 Boddam Castle** extends into the intertidal zone and lies within the study area. This is a ruinous structure which could be vulnerable to impact by vibration. Works at landfall as outlined above have the potential to have an indirect impact on this monument and we recommend it is included in assessment for all development phases.

Table 15-6 further summarises potential significant effects for marine cultural heritage and archaeology. Direct and indirect impacts are scoped in as appropriate for Construction and Operation & Maintenance phases. At Decommissioning stage, overview comments in Table 15-6 state that '*it is possible that best practice measures, such as Protocol for Archaeological Discovery (PAD) or WSI will be required to ensure that very minor additional disturbance can be more fully mitigated*'. However, outcome of scoping indicates no effect at Decommissioning phase. For clarity, we recommend potential significant impacts are scoped in at all phases.

Mitigation

The proposed mitigation provided is not sufficient for our interests. We welcome that impacts on marine archaeology and submerged landscapes will be avoided where feasible. However, more information is required to clarify the approach proposed and mechanisms to be employed to deliver these mitigations. In addition, no mitigation is proposed for archaeological discoveries.

We recommend that mitigation include a Written Scheme of Investigation (WSI) and Protocol for Archaeological Discoveries (PAD) embedded in the project. Archaeological Exclusion Zones (AEZs) should be established where appropriate.

Historic Environment Scotland
24 May 2024

Joint Radio Company

Judith Horrill

From: JRC Windfarm Coordinations Old <windfarms@jrc.co.uk>
Sent: 25 April 2024 10:02
To: MD Marine Renewables
Cc: Judith Horrill; Wind SSE
Subject: Cenos Offshore Windfarm, Central North Sea – Consultation – SCOP-0044- Flotation Energy Limited- -Response Required by 24 May 2024 [WF196201]

Dear scottish,

A Windfarms Team member has replied to your co-ordination request, reference **WF196201** with the following response:

If any details of this proposal change, particularly the disposition or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

Please do not reply to this email - the responses are not monitored.
If you need us to investigate further, then please use the link at the end of this response or login to your account for access to your co-ordination requests and responses.

Dear Judith,

***Site Name**: Cenos Offshore Windfarm*

***Site Centre:** (see map below)*

******** NB: PLEASE ADVISE OF SITE CENTRE NGR (EASTING/NORTHING) FOR OUR RECORDS ********

***Max Hub Height**: 180m* ***Max Rotor Radius**: 140m*

*This proposal is ***cleared*** with respect to radio link infrastructure operated by the local energy networks.*

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal. Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for a location within the declared grid reference (quoted above).

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a

consequence of any links assigned between your enquiry and the finalisation of your project.

JRC offers a range of radio planning and analysis services. If you require any assistance, please contact us by phone or email.

Regards

Wind Farm Team

Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom

Office: 02476 932 185

We hope this response has sufficiently answered your query.
If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email by clicking on the link below or login to your account** for access to your co-ordination requests and responses.

https://breeze.jrc.co.uk/tickets/view.php?id=33121

Marine Analytical Unit

Scottish Government
Riaghaltas na h-Alba

Cenos Offshore Wind Farm - Scoping report

Marine Analytical Unit ("MAU") Response
Marine Directorate

The Cenos Offshore Wind Farm Development scoping report includes descriptions of a range of potential impacts. This response focuses only on the assessment of social and economic impacts.

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

1. Overview

1.1. Study areas

The study areas relevant to the assessment were identified in section 19.3.1.2. of the scoping report.

We welcome the approach of considering onshore receptors affected by offshore elements of the project.

We support the approach of considering a short list of ports as epicentres of impact in the absence of a pre-approved port location for the purpose of establishing a study area for the socio-economic impacts of the project. This can help to define the affected communities, and aid stakeholder engagement and research with local communities.

We agree with utilising the existing administrative boundaries of Aberdeenshire as the basis for the study areas.

1.2. Consultation, stakeholder engagement, and primary data collection

We noted the consultation activities that have been conducted to date and planned future engagement mentioned in Chapter 6 of the Scoping Report. We also note in section 19.4 that stakeholder engagement appears to revolve primarily around statutory consultees.

It is not clear whether local communities potentially affected by the development will be part of the consultation and engagement process. Academic research (e.g. Aitken et al 2016; Devine-Wright 2011; Firestone et al 2012; Howell 2018; Jijelava and Vanclay 2028; Langbroek and Vanclay 2012; Vanclay 2020) shows that it is important to involve local communities in social impact assessments and address any concerns communities might have. This decreases the delivery risks for projects. Following this research, we believe that the engagement of stakeholders (including local communities) is very important for the assessment of socio-economic impacts,

as these communities might be directly impacted by the development. As described in the Annex 1, we recommend conducting a stakeholder mapping exercise to identify all potential stakeholders who might be affected by the development. These stakeholders need to be engaged for identification and assessment of potential impacts (e.g. creation of a working group with local community councils where magnitude and sensitivity of socio-economic impacts is discussed).

It is important not only to inform members of the general public about the development but also gather their views of how they might be affected (primary data collection). Please note that this approach is important not only for the assessment of socio-cultural impacts, but also other social and economic impacts (e.g. communities' views on potential impacts on employment, housing, local services). We recommend that potential socio-economic impacts are discussed with members of the general public and their assessment is fed into the report.

We believe that engagement and research with communities is proportionate to large infrastructure projects, such as offshore wind farms. Moreover, there are examples[1] of how social research has been implemented in practice by some OWFs.

We encourage the developer to engage trained social researchers with experience in qualitative methods to conduct research and primary data collection with communities to ensure that the social science research methods are designed and executed correctly so that the engagement is delivered in as ethical and meaningful way as possible.

We are open to developers working together to mitigate the issue of stakeholder fatigue. The SOWEC developer collaboration project, may be a vehicle for such a collaborative approach moving forward. We would like to note, however, that it is the responsibility of developers to ensure that the SEIA includes the results of SOWEC project, as the MAU does not support signposting to participation in the project as sufficient for the assessment.

1.3. Data sources

Please provide a list of data sources used to assess potential socio-economic impacts (see Annex 1 for examples). Please use the most up-to-date data sources.

2. Scoping of impacts

2.1. Social impacts

We note that in the Scoping Report some socio-economic impacts are discussed as part of the socio-economics, and some are discussed in the Appendix 19A as part of human health (community identity, education and training, etc). We would like the analyses of all socio-economic issues to be discussed in one place (socio-economics chapter) to ease the assessment.

[1] Environmental Impact Assessment Report - Volume 1 - West of Orkney Windfarm - West of Hoy, Orkney | Marine Scotland Information

We disagree with scoping out community safety, transport and access, and social participation. Please see our Annex of best practice, which will provide some suggestions on the types of socio-economic data that would be useful to collect as part of this development.

2.2. Economic impacts

We broadly agree with the scoping report's proposed approach for assessing economic impacts in gross valued added terms, in particular that the assessment will include direct, indirect and induced impacts for all phases of the project. It's recommended that the assessment takes into account deadweight, leakage, displacement and substitution, and that sensitivity analysis will be performed to account for risk, uncertainty and optimism bias. Please refer to our guidance shown in Annex 1 for further information.

The scoping report outlines that employment impacts will be assessed at each phase of the project in terms of years of employment and jobs. If it is possible to supply additional information about the types of jobs that are expected to be created (e.g. part-time, full-time, skilled, unskilled etc) and how these compare to the existing jobs in the study area, this will add further depth to the analysis.

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

3. Conclusions

We broadly agree with the scoping report's proposed approach for assessing economic and social impacts. We would like to encourage the developer to conduct more engagement and social research with local communities. We recommend that you employ a social researcher with qualitative research expertise to collect primary data from communities to understand their responses to potential socio-economic changes resulting from the development. We recommend that community safety, transport and access, and social participation are scoped into the assessment.

References

Aitken, M., Haggett, C. and Rudolph, D. (2016) Practices and rationales of community engagement with wind farms: awareness raising, consultation, empowerment. Planning Theory & Practice, 17(4): 557-576. https://doi.org/10.1080/14649357.2016.1218919

Devine-Wright, P. (2011) Enhancing local distinctiveness fosters public acceptance of tidal energy: A UK case study. Energy Policy, 39(1): 83-93. https://doi.org/10.1016/j.enpol.2010.09.012

Firestone, J., Kempton, W., Blaydes Lilley, M. and Samoteskul, K. (2012) Public acceptance of offshore wind power: does perceived fairness of process matter?, Journal of Environmental Planning and Management, 55(10): 1387-1402. https://doi.org/10.1080/09640568.2012.688658

Howell, R. (2018) PhD Thesis "In sight and in mind: Social implications of marine renewable energy". University of Edinburgh. Available at In sight and in mind: social implications of marine renewable energy (ed.ac.uk) (accessed 10/03/2023).

Jijelava, D. and Vanclay, F. (2018) How a large project was halted by the lack of a social Licence to operate: Testing the applicability of the Thomson and Boutilier model, in Environmental Impact Assessment Review 73: 31-40. https://doi.org/10.1016/j.eiar.2018.07.001

Langbroek, M. and Vanclay, F. (2012) Learning from the social impacts associated with initiating a windfarm near the former island of Urk, The Netherlands, Impact Assessment and Project Appraisal 30(3): 167-178. https://doi.org/10.1080/14615517.2012.706943

Vanclay, F. (2020) Reflections on Social Impact Assessment in the 21st century, Impact Assessment and Project Appraisal 38(2): 126-131. https://doi.org/10.1080/14615517.2019.1685807

Annex 1: General Advice for Socio-Economic Impact Assessment
Marine Analytical Unit (MAU)
Marine Directorate
December 2023

This document sets out some suggestions for delivering socio-economic impact assessment drawing on the professional expertise of the Marine Analytical Unit (MAU), Marine Directorate.

Section 1. Some general best practice tips

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

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

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

We wish to highlight the importance of stakeholder engagement throughout the assessment, and the use of social research methods (see Methods Toolkit referenced at the end of this Annex) to gather primary data and first hand perspectives from particular groups and communities that are affected. These are helpful in order to better understand the nature and degree of impacts that might be caused by changes that are expected occur. A change in itself may or may not bring about tangible impact, impacts may vary for different people or be perceived in different ways, are affected by individual values and attitudes, and conditioned by the context.

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

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

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

The key steps should include:

Pre-scoping activities

1) **Getting started:** Employ economist and social research experts and work with them to develop a plan for the SEIA that sets out data requirements, and the proposed social and economic data collection and impact assessment methodologies, timescales, any data protection considerations, risk assessment and ethical issues that might arise from the work.

2) Develop a **detailed description** of the planned development and consider the project phases where socio-economic impacts might be experienced (covering development, construction, operation and maintenance and decommissioning phases). Start to map out potential socio-economic impacts and initial consideration of areas of impact on land that will need to be covered.

3) **Initial scoping of impacts:** develop a broad list of potential impacts informed by experts (including social researcher, economist, local representatives from key groups, community stakeholders and others).

4) **Define potential impact areas on land** taking into account locations and connections between activities. Different types of impacts may be experienced at different geographic levels, some in the area nearest the landfall or the nearest coastline to the development at sea, and others much further away (at Scotland level, UK level and internationally). The geographical scale at which social impacts are experienced may be different for social impacts compared with economic impacts. There may be multiple epicentres from which impacts radiate

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

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

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

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

   - **Provide information about the development** so that those who might be affected are able to make an informed judgement about potential impacts

   - **Present and refine list of potential impacts based on feedback** - identify impacts that are most relevant and add any additional ones that are identified

   - **Collect initial data/ insights from stakeholders** on what potential socio-economic impacts (to be developed later)

   - **Build relationships** with the community and key groups affected for later stages of the SEIA process so that they can understand the decisions making process and how they can influence it.

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

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

7) **Gather contextual information** to develop a social and economic profile of the area prior to the development that will help with setting the baseline and impact

prediction, identifying potential industries and communities that might be affected and sources of data that can be used in the assessment. This might include primary data collection using social research methods (such as surveys, interviews, focus groups) as well as desk based analysis (of existing data sets such as fishing data, population data).

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

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

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

Post scoping activities for the SEIA

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

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

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

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

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

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

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

Economic impact appraisal should include consideration of:

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

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

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

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

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

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

The SEIA report should clearly set out the methods used in the assessment, justification for decision made such as scoping certain impacts in or out of the

assessment, and the approach to analysis. The report should cover the baseline analysis and results of the impact prediction or appraisal, and distributional impacts . Social and economic impacts can be set out separately (where this makes sense) and together where they overlap.

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

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

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

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

Examples of Socio-economic Impacts from Glasson 2017[2]

1. Direct economic:

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

2. Indirect/induced/wider economic/expenditure:

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

3. Demographic:

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

4. Housing:

- various housing tenure types;

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

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

5. Other local services:

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

6. Socio-cultural:

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

7. Distributional effects:

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

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

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

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

Scottish Sea Fisheries Statistics	Provides data on the tonnage and value of all landings of sea fish and shellfish by Scottish vessels, all landings into Scotland, the rest of the UK and abroad, and the size and structure of the Scottish fishing fleet and employment on Scottish vessels.	Sea fisheries statistics - gov.scot (www.gov.scot)
Scottish Shellfish Farm Production Survey 2022	Statistics on employment, production and value of shellfish from Scottish shellfish farms.	Scottish Shellfish Farm Production Survey 2022 - gov.scot (www.gov.scot)
Scottish Annual Business Statistics 2020	Scottish Annual Business Statistics (SABS) presents estimates of employment, turnover, purchases, Gross Value Added and labour costs. Data are provided for businesses that operate in Scotland. Data are classified according to the industry sector, location and ownership of the business.	Scottish Annual Business Statistics 2020 - gov.scot (www.gov.scot)
Sub-Scotland Economic Statistics Database	The Sub-Scotland Economic Statistics Database provides economic, business, labour market and population data for Scotland, and areas within Scotland.	Sub-Scotland Economic Statistics Database - gov.scot (www.gov.scot)
Nomis Official Labour Market Statistics	Labour market statistics including data on employment, unemployment, qualifications, earnings etc.	Nomis - Official Labour Market Statistics (nomisweb.co.uk)
Economics of the UK Fishing Fleet 2020	Economic estimates at UK, home nation and fleet segment level for the UK fishing fleet. The estimates are calculated based on samples of fishing costs and earnings gathered by Seafish as part of the 2020 Annual Fleet Economic Survey.	Economics of the UK Fishing Fleet 2020 — Seafish
Scotland's Census, National Records of Scotland	Census data that provides information about the characteristics of people and households in the country.	Scotland's Census | National Records of Scotland (nrscotland.gov.uk)

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

Section 5: Further sources of guidance:

HM Treasury guidance on how to appraise and evaluate policies, projects and programmes: The Green Book: appraisal and evaluation in central government

Best practice in Social Impact Assessment according to the International Association for Impact Assessment: Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects

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

Best practice guidance for assessing the socio-economic impacts of OWF developments: Guidance on assessing the socio-economic impacts of offshore wind farms (OWFs)

A toolkit of methods available to assist developers, consultants, and researchers carrying out socio-economic impact assessments: Methods Toolkit for Participatory Engagement and Social Research - gov.scot (www.gov.scot)

Maritime and Coastguard Agency

Nick Salter
Maritime and Coastguard Agency
UK Technical Services Navigation
105 Commercial Road
Southampton, SO15 1EG

www.gov.uk/mca
15 May 2024

Judith Horrill
Marine Licensing Casework Officer
Licensing Operations Team, Marine Directorate
Scottish Government, Marine Laboratory,
Aberdeen, AB11 9DB
By email to: MD.MarineRenewables@gov.scot

Dear Ms Horrill

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2007
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea

Thank you for the opportunity to comment on the Scoping Report for the Central North Sea Electrification Project submitted by Floatation Energy and Vårgrønn. The MCA has reviewed the report, as detailed in your email dated 24 April 2024. The MCA's remit for offshore energy development is to ensure that safety of navigation is preserved whilst progress is made towards government targets for renewable energy.

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

- Collision Risk
- Navigational Safety
- Visual intrusion and noise
- Risk Management and Emergency response
- Marking and lighting of site and information to mariners
- Effect on small craft navigational and communication equipment
- The risk to drifting recreational craft in adverse weather or tidal conditions.
- The likely squeeze of small craft into the routes of larger commercial vessels.

A Navigational Risk Assessment (NRA) will need to be submitted in accordance with MGN 654 and the MCA's Methodology for Assessing the Marine Navigation Safety & Emergency Response Risks of Offshore Renewable Energy Installations (OREI). This NRA should be accompanied by a detailed

MGN 654 Checklist which can be downloaded from the MCA website at https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping

We note, in Table 14-3 that a three-week summer survey was undertaken between 22 August 2023 and 12 September 2023, 12 months of AIS data will be analysed as part of the NRA process, and the RYA and Cruising Association are included as key stakeholders. This is acceptable to MCA.

The turbine layout design will require MCA approval prior to construction to minimise the risks to surface vessels, including rescue boats, and Search and Rescue aircraft operating within the site. Any additional navigation safety and/or Search and Rescue requirements, as per MGN 654 Annex 5, will be agreed at the approval stage.

Attention should be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed and subject to the traffic volumes, an anchor penetration study may be necessary. If cable protection measures are required e.g. rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. This will be particularly relevant where depths are decreasing towards shore and potential impacts on navigable water increase, such as at the HDD location.

We understand a HVDC cable will be used as part of the project, consideration of electromagnetic deviation on ships' compasses should be included within the assessment. We note that in Table 12-3 that electromagnetic field effects from operation of subsea power cables are considered as operational impacts and is included in the EIA process. The MCA would be willing to accept a three-degree deviation for 95% of the cable route, and for the remaining 5% of the cable route no more than five degrees should be attained. We would expect a desk based compass deviation study conducted based on the proposed cable parameters and MCA may request a deviation survey post the cable being laid.

Particular consideration will need to be given to the implications of the site size and location on SAR resources and Emergency Response Co-operation Plans (ERCoP). Attention should be paid to the level of radar surveillance, AIS and shore-based VHF radio coverage and give due consideration for appropriate mitigation such as radar, AIS receivers and in-field, Marine Band VHF radio communications aerial(s) (VHF voice with Digital Selective Calling (DSC)) that can cover the entire site and its surrounding areas. A SAR checklist will also need to be completed in consultation with MCA.

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

It should be noted that the regulatory mooring expectations should be identified as a potential mitigation and MCA/HSE guidance should be followed which includes a Third-Party Verification of the mooring arrangement. This guidance is available from: https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping

On the understanding that the Shipping and Navigation aspects are undertaken in accordance with MGN 654 and its annexes, along with a completed MGN checklist, MCA is likely to be content with the approach. As this project progress, we would welcome engagement with the developers, and early discussion on the points raised above.

Yours sincerely,

Nick Salter
Offshore Renewables Lead
UK Technical Services Navigation

Marine Directorate Science, Evidence, Data and Digital

Scottish Government
Riaghaltas na h-Alba
gov.scot

E: MD-SEDD-RE_Advice@gov.scot

Judith Horrill
Marine Directorate Licensing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

31st May 2024

CENOS Offshore Windfarm Scoping Opinion

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

Commercial fisheries

Advice

MD-SEDD are content that the key commercial fisheries receptors have been identified and agree that all impact pathways have been scoped in.

MD-SEDD note that the study area for Commercial Fisheries includes the ICES rectangles that overlap with the development, but no adjacent rectangles. The document, "Assessing fisheries displacement by other licensed marine activities: good practice guidance"[1] recommends that the study area should include any area that fishing effort may be displaced to. MD-SEDD therefore advise that a wider regional study area is also defined which should include any adjacent ICES rectangles that fishing may be displaced to. This will assist in the assessment of potential fisheries displacement within the EIA.

Data

MD-SEDD note that the Commercial Fisheries baseline appears to have been summarised within the scoping report based solely on the UK landings data for the ICES rectangles. No spatial Vessel Monitoring System (VMS) data or National Marine Plan Interactive (NMPi) data layers have been presented as figures, despite both being listed in Table 13-4 as data sources. MD-SEDD advise that these data sources, especially the VMS data, are used to present spatial maps of fishing activity. These will provide detail of where each gear type is fishing on a much finer spatial scale than that of the ICES rectangles, and will give a clearer visual indication of where the project may overlap with fishing grounds.

When using MMO VMS datasets to produce spatial maps of fishing activity, MD-SEDD advise that the data is used to present figures showing both average VMS value and also fishing effort (kW per hour). Areas of high value may not necessarily equate to areas of high effort so it is advised to visualise the fishing activity using both indices. This will provide further information about the commercial fisheries baseline and help in the assessment of possible displacement of fishing effort.

MD-SEDD note that the Scotmap data from 2014 has been mentioned and advise that this dataset should not be relied upon to provide information on the commercial fisheries baseline for the inshore fleet as it is out of date. MD-SEDD advise that this dataset should be used only to validate information gathered from local fishers and stakeholders. The new gridded fisheries data for Under 12m vessels (2017-2021) which is available on NMPi and split by gear type, provides a more up to date visualisation of the fishing activity of the inshore fleet.

MD-SEDD note that the scoping report states that AIS data collated in the Shipping and Navigation assessment will be referred to within the Commercial Fisheries chapter as appropriate. However, no mention of AIS data is included within Table 13-4 of data sources that will be used within the Commercial Fisheries chapter. MD-SEDD advise that the developers include the AIS data provided by EMODNet which gives the amount of time spent by fishing vessels in a location. This data can be found via emodnet.ec.europa.eu under “vessel density”, and presents averaged data from 2017-2022. MD-SEDD note that AIS traffic data is included in the Shipping and Navigation chapter. This gives a 28 day description of the vessel types and routes in the vicinity of the development. The EMODNet

data provides a deeper view into annual and seasonal activity and also provides a time weighted picture of the activity of vessels, including fishing vessels. As such, this data will provide a better representation of fishing activity in the area.

MD-SEDD advise against the reliance of MMO surveillance sightings within the EIA for informing the fishing activity baseline. This data has a sampling bias due to risk-based taskings in Scotland leading to uneven survey effort, so may not give an accurate representation of fishing activity in the study area. It can however be used to give an indication of the nationality of vessels present in the area, and can be used to validate information from other sources.

Marine and Coastal Processes (V2, 03/06/24)

The Marine Directorate for Science, Evidence, Data and Digital (MD-SEDD) has reviewed chapter 7 of the Cenos EIA scoping report (Marine and Coastal Processes) mainly focusing on changes in tidal and water column processes.

Do you agree that the data sources identified, including project specific surveys, are sufficient to inform the MCP baseline for the EIAR?

The only mention of temperature and salinity data in Table 7-4 are climatologies from ICES. Whilst these are useful, MD-SEDD advise the use of conductivity, temperature, depth (CTD) data (e.g. from ICES, BODC, etc.) and existing 3D hydrodynamic model outputs (e.g. from Copernicus Marine, Met Office, or MD-SEDD). The use of the Scottish Shelf Model (SSM) and CTD data are mentioned in Table 7-8 though, as we suggest relevant citations are added to Table 7-4. The best SSM data are the SSW-RS 27 year reanalysis: https://doi.org/10.7489/12423-1

Do you agree that the impacts described in Table 7-8 can be scoped out for MCP?

MD-SEDD agree that “potential changes to wave and tidal regime” (Table 7-8) can be scoped out. Similarly, “modifications to stratification and frontal features” can be scoped out for construction and decommissioning as they will only have an impact during the operational phase.

Do you agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on the MCP receptors?

MD-SEDD agree that the measures related to the cable burial outlined are sensible.

Do you have any specific requirements for the MCP assessment methodology?

Regarding the potential for "modifications to stratification and frontal feature" MD-SEDD advise that, in addition to the approach outlined in Table 7-8, the following questions are considered within the EIA.

- How might the wind farm floating structures [e.g. 2] and wind-wakes [e.g. 3] change mixing?
- How might this change in mixing influence the timing of seasonal stratification and frontal positions?
- What impacts could this have on primary production and the wider ecosystem (e.g. potential for this change in physical processes acting as a pathway of change to biological receptors)?

MD-SEDD recognise that these *research questions* are being considered within the academic community and that there is no clear *pragmatic* assessment methodology available to perspective applicants. Therefor a robust description of baseline conditions, including the timing of stratification, frontal positions etc., should be combined with an assessment of potential impact based on current state of the art knowledge. One approach could be to consider how turbine structures could change turbulent kinetic energy (TKE) [e.g. 4] and how wind wakes might also change TKE. These values could then be compared with background/baseline values and the potential impact on the timing of stratification and whether front are likely to be effected. Potential impacts on biological receptors, e.g. plankton and the wider ecosystem should also be considered.

References

[1] Marine Scotland (Xodus) 2022. Assessing fisheries displacement by other licensed marine activities: good practice guidance. 5 Good Practice Guidance: commercial fisheries data - Assessing fisheries displacement by other licensed marine activities: good practice guidance - gov.scot (www.gov.scot)

[2] Dorrell, R. M., Lloyd, C. J., Lincoln, B. J., Rippeth, T. P., Taylor, J. R., Caulfield, C. P., Sharples, J., Polton, J. A., Scannell, B. D., Greaves, D. M., Hall, R. A., & Simpson, J. H.

(2022). Anthropogenic Mixing in Seasonally Stratified Shelf Seas by Offshore Wind Farm Infrastructure. Frontiers in Marine Science, 9. https://doi.org/10.3389/fmars.2022.830927
[3] Christiansen, N., Carpenter, J. R., Daewel, U., Suzuki, N., and Schrum, C. (2023) The large-scale impact of anthropogenic mixing by offshore wind turbine foundations in the shallow North Sea. Frontiers in Marine Science, 10. https://www.frontiersin.org/articles/10.3389/fmars.2023.1178330
[4] Carpenter, J. R., Merckelbach, L., Callies, U., Clark, S., Gaslikova, L., and Baschek, B. (2016) Potential Impacts of Offshore Wind Farms on North Sea Stratification. PLOS ONE, 11: 1–28. Public Library of Science. https://doi.org/10.1371/journal.pone.0160830

Yours sincerely,

Renewables and Ecology Team
Marine Directorate – Science, Evidence, Data and Digital

Ministry of Defence

Judith Horrill

From:
Sent: 10 May 2024 10:24
To: MD Marine Renewables
Cc:
Subject: 20240510 _MOD_Request_Further_Information_and_Deadline_Extension_Cenos_Offshore_Wind_Farm

Objective: -1

FAO Judith Horrill

Good morning,

Thank you for your consultation for the Scoping Application for Cenos Offshore Wind Farm reference SCOP-0044.

In order for MOD to complete an assessment could you please provide/confirm the following information:

1. Array coordinates (corner points only) in both BNG 6 Digit Easting/Northing and Decimal Lat and Long
2. Any export corridor coordinates in Decimal Lat/long
3. Landfall coordinates in BNG Easting/Northing (if applicable)
4. Onshore boundary coordinates (corner points only) in BNG Easting/Northing (if applicable)
5. Maximum Hub Height
6. Maximum Rotor Diameter
7. Maximum Blade Tip Height

I appreciate that the applicant has stated that there are different scenarios for the development, the MOD will assess the worst-case scenario and once I have the relevant information, I will start the assessment process.

Additionally, due to current workload, SME delays and backlog, I will not be able to provide a response by the deadline of 24/05/2024. Please could I request an extension until 14/06/2024?

I will aim to respond earlier if I can.

Kind regards,

Stefany Alves Veronese | Assistant Safeguarding Manager

Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY
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Telephone [MOD]:

E-mail:

Your Reference: SCOP-0044

Our Reference: DIO10058765

Judith Horrill
Marine Licensing Casework Officer
Scottish Government
Marine Laboratory
Aberdeen
AB11 9DB

11 June 2024

Dear Judith,

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2007
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (collectively referred to as the "EIA Regulations").

SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea

Thank you for consulting the Ministry of Defence (MOD) on the above Scoping Opinion request in respect of the Cenos Offshore Windfarm Wind development received by this office on 24 April 2024.

I write to confirm the safeguarding position of the MOD on the information that should be provided in the Environmental Statement to support any application.

The applicant has prepared an Environmental Impact Assessment Scoping Report of the proposed development. This recognises some of the principal defence issues that will be of relevance to the progression of the proposed development.

It is acknowledged that, at this time, details of the precise location, dimensions, and configuration of the turbines and associated infrastructure is not available and that a Project Design Envelope (PDE) approach has been adopted for this array. The components of the project subject to this scoping opinion request will include the following:

- Between 68 and 95 wind turbine generators (WTGs) each having a floating substructure;
- Mooring systems;
- Inter-array cables (IACs), subsea cable hub(s) and associated cable protection.

The maximum blade tip height of the wind turbines (metres (m) above Lowest Astronomical Tide (Lat)) is expected to be no greater than 320m, with a maximum rotor diameter of 280m.

The use of airspace for defence purposes in the vicinity of the proposed development have been appropriately identified and considered. The Scoping Report considers some of the aviation and radar systems that may be affected by the proposed wind farm.

The potential for the development to be detectable to, and potentially affect, the operation of radar systems has been assessed. No MOD radars are identified within the submitted Scoping Report as being affected by the proposed wind farm, an initial assessment indicates no reason for the MOD to dispute this position.

The physical effect of introducing a tall structure on military low flying has been scoped in and the applicant states in the Scoping Report that they are committed to lighting and charting the turbines. In the interests of air safety, the MOD would request that the development be fitted with MOD accredited aviation safety lighting.

The potential presence of unexploded ordnance (UXO) has been identified as a relevant consideration in Chapter 17: Marine Infrastructure and Other Users, Paragraph 17.5.2.28. The potential presence of UXO and disposal sites is a relevant consideration to the installation of cables and other intrusive works that may be undertaken in the maritime environment.

The MOD has highly surveyed routes which maybe relevant to the installation of the export cables & associated infrastructure. MOD should be consulted at the next stage of any application to determine any impact on these routes.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely,

Stefany Alves Veronese
Assistant Safeguarding Manager

NATS

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 26 April 2024 10:24
To: MD Marine Renewables
Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024 [SG35049]

Our Ref: SG35049

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

NATS Public

North and East Coast Regional Inshore Fisheries Group

From: Jennifer Mouat
Sent: 30 May 2024 10:28
To: MD Marine Renewables
Subject: Re: FW: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024

Good morning

My response is included with the SFF response so if you could note that NECRIFG has made representation please.

Thank you

Jennifer

Jennifer Mouat, MA (EPS), Bsc Hon, PG Dip EDM
The Aegir Consultancy Limited

Email

Mobile

------ Original Message ------
From: MD.MarineRenewables@gov.scot
To:

Northern Lighthouse Board

Northern Lighthouse Board

84 George Street
Edinburgh EH2 3DA

Tel: 0131 473 3100
Fax: 0131 220 2093

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

Your Ref: SCOP-0044 – Cenos OWF – Scoping Report
Our Ref: AL/OPS/ML/WIND_034_24

Licensing Operations Team – Marine Directorate
Scottish Government
Marine Laboratory
375 Victoria Road
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2 May 2024

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2007, THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017, THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (collectively referred to as the "EIA Regulations")

SCOP-0044 – Flotation Energy Ltd – Cenos Offshore Wind Farm – Central North Sea – Scoping Consultation Request

Thank you for your e-mail correspondence dated 24th April 2024 relating to the Scoping Report submitted by **Flotation Energy Ltd** for the proposed Cenos Offshore Wind Farm, located approximately 185km East of Aberdeen.

It is noted that the project will consist of between 65 and 95 Floating Turbine Units (FTU) and either one or two fixed foundation Offshore Substation and Converter Platforms (OSCP). HVDC export cables will connect the array to a landfall site at Longhaven, Aberdeenshire. Additional HVAC export cables will connect the array to oil and gas platforms located within the adjacent Onward Development Area.

Northern Lighthouse Board note the inclusion of Chapter 14 – Shipping and Navigation within the report, and welcome the commitment to develop Post-Consent documentation including a Lighting and Marking Plan (LMP), Development Specification and Layout Plan (DSLP) and a Navigational Safety Plan (NSP) as embedded mitigations across all phases of the project. NLB will continue to engage with the developer with regard to these documents.

NLB also welcome the inclusion of Section 14.9 (Cumulative Effects) and 14.10 (Potential Transboundary Effects).

NLB do request that consideration is given within the EIA to the potential impact that a wreck (either that of a vessel or WTG) could have upon navigation, both within the Cenos array area and the immediate vicinity.

The above addition aside, NLB have no objection to the content of the Scoping Report.

Yours sincerely

Peter Douglas
Navigation Manager

Norwegian Environment Agency

Judith Horrill

From: Guro Sylling
Sent: 22 May 2024 09:10
To: MD Marine Renewables
Subject: Reply from Norway -SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm

Objective: -1

Dear sir/madam

The Norwegian Environment Agency, as point of contact for the Espoo convention, acknowledge receipt of your notification regarding the scoping report for Flotation Energy Ltd – Cenos Offshore Windfarm. We thank you for addressing our earlier remarks to the scope and have no new comments at this stage.

Norway would like to be consulted with and kept informed on the process forward for the EIA, with The Norwegian Environment Agency as point of contact

Best regards,

Guro Sylling
Senior adviser, Section for land use planning and climate adaptation
Point of contact for the Espoo Convention and the SEA Protocol

Mobile:

Norwegian Environment Agency

www.environmentagency.no | www.environment.no
Front desk: 73 58 05 00

NatureScot

NatureScot
Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Judith Horrill
Marine Directorate – Licensing Operations Team
Scottish Government
Marine Laboratory
Aberdeen
AB11 9DB

23 May 2024

Our ref: CNS REN OSWF INTOG CENOS

By email only: ms.marinerenewables@gov.scot

Dear Judith,

CENOS OFFSHORE WIND FARM

NATURESCOT ADVICE ON THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCOPING REPORT

Thank you for consulting NatureScot on the EIA Scoping Report for the Cenos Offshore Wind Farm Array and Export Cable Corridor (ECC). This is site 11 as part of the Innovation and Targeted Oil and Gas Decarbonisation (INTOG) leasing round and has been awarded an exclusivity lease by Crown Estate Scotland.

Our advice on the natural heritage interests to be addressed within the Environmental Impact Assessment Report (EIA Report) is outlined below. We consulted JNCC on aspects relating to offshore Marine Protected Areas (MPAs) and have incorporated their advice into our response.

The specific questions posed by the Applicant are presented in text boxes within our advice.

Background

We were previously consulted on the original EIA Scoping Report for Cenos in April 2023, and we provided our advice in May 2023. A Scoping Opinion was issued by Scottish Ministers in June 2023. Cenos have subsequently submitted a revised EIA Scoping Report which supersedes their original EIA Scoping Report. Our advice in this letter is in response to the revised EIA Scoping Report and supersedes the advice we provided for the original EIA Scoping Report.

Policy context

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

Our corporate plan – A nature-rich future for all 2022-2026, indicates the steps required to tackle the climate emergency and the nature crisis in Scotland. In addition, world events in 2022 continue to shine a spotlight on energy security requirements across Europe and beyond. However, we are in a climate-nature crisis because of our historic and continuing use of fossil fuels and our management actions on land and in water.

Both the UK and Scottish Governments have, or are, indicating their ambitions / urgency around renewables targets and have raised issues for further consideration around the exploitation of fossil fuels. The North Sea Transition Deal[1] sets out the ambitions for early targets to reduce greenhouse gas emissions from oil and gas production.

The Sectoral Marine Plan for Offshore Wind in Scottish waters is currently undergoing review to include the consideration of lease areas identified in the INTOG leasing round[2] announced by Crown Estate Scotland in March 2023. The Cenos project has secured a TOG exclusivity agreement, to enable offshore wind farms to connect directly to oil and gas infrastructure, to provide electricity and reduce the carbon emissions associated with fossil fuel production.

We seek to provide advice that is enabling and secures the right development in the right place with most benefit for climate change reduction and that which avoids damage, and where possible, achieves enhancement and restoration of biodiversity.

Proposal

The proposed development is to be located in the Central North Sea, approximately 185km east of Aberdeen, within INTOG area E-a. The array is entirely within the East of Gannet and Montrose Fields nature conservation MPA (NCMPA).

The proposal uses a project design envelope approach[3] and comprises of:

- Up to 95 floating wind turbine generators (WTGs) with a generating capacity of up to 1.35 GW.
- A maximum height to blade tip of 320m (above LAT) and a minimum blade tip clearance of 22m (above Mean Sea Level).
- The floating foundation types being considered include buoyancy stabilisation (e.g. semi-submersible) and mooring stabilisation (e.g. tension leg platform).
- The mooring systems being considered include catenary, taut moorings, semi-taut moorings and tension moorings.
- The anchor types being considered include driven or drilled piles, suction piles and drag embedment anchors.

[1] https://assets.publishing.service.gov.uk/media/605b148ce90e0724c7d30c2b/north-sea-transition-deal_A_FINAL.pdf
[2] https://www.crownestatescotland.com/scotlands-property/offshore-wind/intog-leasing-round
[3] https://www.gov.scot/publications/guidance-Applicants-using-design-envelope-applications-under-Section-36-electricity-act-1989/

- Either a single integrated Offshore Substation & Converter Platform (OSCP), including equipment needed to connect to the grid and the onward oil & gas asset(s), or two adjacent bridge-linked OSCPs. The OSCPs will be fixed jacket structures which will require small scale pin piles.
- Up to three export/import cables (two HVDC and one fibre optic), each approximately 230km in length with landfall at Lochhaven, Aberdeenshire.
- Approximately 330km of inter-array cables.
- Cable and scour protection may be required.
- A proposed 30-year operational lifetime.

The Applicant seeks to coordinate their interconnector cable with the consented, but not built, NorthConnect Interconnector project. There is still a lack of clarity as to what will be delivered as part of the consenting strategy for Cenos. We seek clarity on what is meant by 'one set of infrastructure' and how any join up in infrastructure would be achieved should the consented NorthConnect infrastructure be utilised and what the alternative will be if it is not utilised.

The Scoping Report identifies that landfall is proposed to be at Longhaven in Aberdeenshire. It is noted that the onshore aspects for ongoing grid connection (above MHWS), including the landward exit point and cable pull through, have already been consented through the NorthConnect HVDC Cable Planning Consent and will not be assessed as part of the current Project.

The cable installation at landfall will be via Horizontal Directional Drilling (HDD) and the marine exit point is in water in excess of 25m deep and approximately 190m offshore. The HDD activity will be assessed as part of the current Project.

Clarity on both the landfall and transmission assets in the absence of join up with NorthConnect would be welcomed. We wish to have no remaining doubt in our mind as to how the connection to the National Grid will be managed, with or without North Connect.

Power generation from the proposed wind farm will be provided via onward connections to oil and gas assets for decarbonisation of existing oil / gas platforms. Marine licences for these cables will be applied for separately at some point in the future. This aspect will be included in the cumulative assessment for the current Cenos Project.

East Of Gannet and Montrose Fields NCMPA

The location of the Cenos proposal, wholly within the East of Gannet and Montrose Fields NCMPA, is of particular concern. We (JNCC and NatureScot) have raised concerns relating to this proposed development as part of the Sectoral Marine Plan Iterative Plan Review as to the suitability of siting development within a NCMPA.

We will continue to provide advice on this proposed development as it goes through the application process, but we request detailed consideration of the proposed development on the NCMPA conservation objectives as well as the completion of a standalone NCMPA assessment. We also highlight at this early stage, the potential, if the proposed development is consented, on the need to implement Measures of Equivalent Environmental Benefit (MEEB) if assessed to have significant effects on the NCMPA conservation objectives.

In addition, we have concerns that not all the impacts of the development will be assessed at this stage. The Scoping Report indicates that onward interconnector cables linking into the oil and gas assets to be decarbonised will be considered as a cumulative effect within this EIA Report. We consider that these cables are an integral part of the development (and is indeed how the developers have justified the TOG location within the NCMPA) and should not be seen as an additional licensable activity to be assessed only cumulatively. Given the proposed development's location is within an NCMPA, and the likelihood for any cables between the windfarm and oil and gas assets to lie within the NCMPA, we consider that this should be considered as one project and details of the interconnectors be provided and assessed as part of one EIA Report.

We request further discussion with Marine Directorate, including JNCC, around the assessment to be undertaken for the East of Gannet and Montrose Fields NCMPA and Turbot Bank NCMPA, preferably prior to a further Scoping Opinion being issued.

EIA Scoping Report

We are generally content with the format of the EIA Scoping Report, which is well laid out, easy to navigate and read. However, we notice that some of the questions that were asked in the Scoping Workshop held on 29th February 2024 have been repeated in the Scoping Report, which suggests, despite the provision of advice during the workshop and subsequently by letter (dated 2nd April), that the workshop and associated advice has not fully informed the contents of the Scoping Report. This is disappointing, especially given the number of advisers we mobilised to provide such timely advice.

Assessment approach

The EIA Report should consider the impact of all aspects and all phases of the proposed development on the receiving environment, including effects from pre-construction activities as well as the construction, operation and maintenance and decommissioning phases. We recommend that the following aspects are considered further and included in the EIA Report, in addition to the issues raised above regarding interconnector cables to the oil and gas targets, as well as the interconnector cable to shore.

Ecosystem assessment

Increasingly, there is a need to understand potential impacts holistically at a wider ecosystem scale in addition to the standard set of discrete individual receptor assessments. This assessment should focus on potential impacts across predator prey interactions. This will enable a better understanding of the consequences (positive or negative) of any potential changes in prey distribution and abundance from the development of the wind farm on bird and mammal (and other top predator) interests and what influence this may have on population level impacts.

Climate change and carbon costs

The impact of climate change effects should be considered, both in futureproofing the project design and how certain climate stressors may work in combination with potential effects from the proposed wind farm. The EIA Report should also consider the carbon cost of the wind farm (including supply chain) and to what extent this is offset through the production of green energy (noting our concerns above). We recognise that some aspects of this are addressed in Sections 22 and 23 (Climate Change Resilience and Carbon and Greenhouse Gases).

Blue carbon

In addition to the climate change assessments outlined in Section 22 of the EIA Scoping Report, we recommend that consideration is given to impacts on blue carbon and whether or not an assessment can be undertaken. This should expand on the information and assessment conducted for benthic ecology to focus on the potential impacts of the proposed development on marine sediments and coastal habitats.

Cumulative impact assessment

We are concerned with the likelihood of multiple offshore export cables making landfall in the area around Fraserburgh/Peterhead and the potential for cumulative impacts arising from construction and associated geophysical, geotechnical and environmental survey programmes. Therefore, we recommend that this is considered further. We have also raised the need for strategic consideration by both Scottish Government (Offshore Wind and Marine Directorates) and the Electricity System Operator (ESO).

While the Applicant has outlined their intention to co-ordinate with the NorthConnect Interconnect project such that only one set of infrastructure will be installed, it isn't clear from a consenting perspective how this will be assessed individually or cumulatively either by this development and / or other development proposals.

Discussion may be required with OPRED to ensure that all relevant projects / activities located within the East of Gannet and Montrose Fields NCMPA are included in the cumulative assessment.

Wet storage

In Section 5.6.2.15 of the Scoping Report, it is stated that potential impacts associated with wet storage are proposed to be scoped out of the assessment. The justification provided for this is that the requirement for the wet storage of turbines near a port or harbour will be linked to decisions on construction and marshalling port(s) and/or harbour(s).

Wet storage could represent a significant impact, therefore consideration of the potential impacts on all receptors needs to be addressed, including cumulative impacts. However, it is unclear whether this should form part of the EIA Report for this application or should be considered as an aspect related to the relevant port and harbour expansion considerations. We are aware that Marine Directorate are currently considering consenting routes and processes around the activities associated with both the construction and maintenance phases and requirements to assemble, maintain and store components away from the Array Area. We would welcome further discussion on this as and when further details are available, to help inform our advice going forward.

Mitigation

We support the identification of "designed in measures" described in each of the relevant Sections of the EIA Scoping Report (for example Section 7.7).

However, much of the embedded mitigation detailed throughout includes the development and adherence to post-consent plans/programmes. Plans do not strictly constitute mitigation – it is the measures contained within the plan that will mitigate impacts. The EIA Report must clearly articulate those mitigation measures that are informed by the EIA (HRA or MPA assessment) and are necessary to avoid or reduce predicted significant adverse environmental effects of the

proposed development. We advise that the full range of mitigation and monitoring measures, and published guidance, are considered and discussed in the EIA Report.

Environmental Impact Assessment Report (EIA Report)

The EIA Report provides the assessment to support the application and should be suitably structured, with appropriate formatting, sufficient information with limited repetition to ensure it can be reviewed efficiently and effectively. Consideration should therefore be given to the following aspects:

- It should clearly follow the direction provided in the Scoping Opinion, or where specific agreement was later reached during the pre-application process. Any divergence from this needs to be laid out separately and must be fully justified.
- Consideration should be given to the volume and flow of information within and across each receptor chapter and associated technical appendices. The flow of information relating to impact pathway, assessment and conclusions should be concise, but not omit key information on steps taken. Repeated duplication of text should be avoided through appropriate structuring.
- In electronic versions of the EIA Report, navigational aids including use of hyperlinks etc. are required, particularly where there are supporting technical appendices to any chapters.
- However, note that we have requested a standalone NCMPA assessment that is clear and has limited cross-referencing to multiple chapters in order to get a clear picture of the impacts.
- Each stage of the assessment process should be sufficiently transparent to allow the assessments to be repeated. Where specific tools have been used, details of which version and when the assessment was carried out is required.

Habitats Regulations Appraisal (HRA)

We note that we have been consulted on the HRA Screening Report separately, subsequent to the Scoping Report consultation.

Positive effects for biodiversity and nature inclusive design

We recommend early consideration of potential inclusion of positive effects for biodiversity as well as nature inclusive design. Whilst it is not a policy requirement, as part of the need to address both the climate and biodiversity crises, we encourage developers to consider this as part of their application.

Natural heritage interests to be considered

We provide advice as detailed below within receptor-specific technical appendices for key natural heritage interests to be considered in the EIA Report, this includes advice from JNCC with respect to assessment requirements for the protected features of East of Gannet and Montrose Fields NCMPA and Turbot Bank NCMPA:

- Advice on physical processes (including marine and coastal processes) is provided in **Appendix A**.
- Advice on benthic ecology in provided in **Appendix B**.
- Advice on East of Gannet and Montrose Fields NCMPA and Turbot Bank NCMPA is provided in **Appendix C** (from JNCC).

- Advice on marine mammals is provided in **Appendix D**.
- Advice on ornithology is provided in **Appendix E**.
    - Digital Aerial Survey – **Annex 1**
    - Inshore Ornithology Survey Strategy – **Annex 2**
- Advice on fish and shellfish ecology is provided in **Appendix F**.
- Advice on migratory bats is provided in **Appendix G**.

For the Seascape, Landscape Character and Visual Impact Assessment (SLVIA), which is considered in Section 16 of the Scoping Report, we advise:

- Following the Cenos Scoping Workshop in February 2024, we provided written advice (issued 2nd April 2024). We advised that due to the location of this proposal and the distance from shore, the proposed development in the wind farm Array Area and the export cable corridor to MHWS is unlikely to give rise to significant effects to coastal character and/or visual receptors and therefore can be scoped out.
- However, as we have indicated above, we advise that the assembly and pre-commissioning of the turbines, including any wet storage and related activity is an aspect that requires further consideration. We would welcome further discussions on this issue with regulators and developers as we consider this could have considerable project specific and/or cumulative impacts that should be assessed.

Further information and advice

We hope this advice is of assistance to help inform the Scoping Opinion, noting that there may be aspects where some further engagement is required to assist in preparing the EIA Report and RIAA.

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

Yours sincerely,

Jenna Lane

Marine Sustainability Adviser – Sustainable Coasts and Seas

NATURESCOT ADVICE ON EIA SCOPING REPORT FOR CENOS OFFSHORE WIND FARM

APPENDIX A – PHYSICAL PROCESSES

Physical processes are considered in Section 7 (marine and coastal processes) of the EIA Scoping Report.

Scoping questions to consultees have been set out in Section 7.13 of the Scoping Report. Within our advice below we have used text boxes to clearly identify these questions.

Study area

The study area is described in Section 7.3 of the Scoping Report. A 30 km Zone of Influence (ZoI) is proposed. This is based on an evaluation of the variation of tidal ellipses along the ECC and across the Array Area, as well as a comparison with study areas of adjacent offshore wind farm projects. Following further analysis within the EIA, the ZoI will be refined. This refinement should take place pre-application.

As noted by JNCC, we highlight that Section 7.3.4 of the Scoping Report has incorrectly named the East of Gannet and Montrose Fields NCMPA. The designations listed for the site are also incorrect. The site is designated for "Offshore deep sea muds" and "Ocean quahog aggregations (including sands and gravels as their supporting habitat)".

In addition, Figure 7-3 does not show all the current marine assets within the East of Gannet and Montrose Fields NCMPA and its surroundings. We suggest that this information is updated.

Baseline characterisation

Do you agree that the data sources identified, including project specific surveys, are sufficient to inform the MCP baseline for the EIAR?

We agree that the data sources listed in Table 7-4 are sufficient to inform the marine and coastal processes baseline.

Impact pathways

The potential impacts proposed to be scoped in and scoped out for marine and coastal processes are summarised in Table 7-8.

Do you agree that the impacts described in Table 7-8 can be scoped out for MCP?

The Scoping Report (Section 7.3.4.1) acknowledges that the ECC crosses the south-east part of the Southern Trench NCMPA. In this area there are moraines and/or small sub-glacial tunnel valleys. Both of these component elements of the Quaternary of Scotland feature are sensitive to physical damage, e.g. from cable trenching, and obscuring, e.g. by cable protection. We advise that the potential effects on the Quaternary of Scotland feature should be scoped in.

We agree with the scoping in of “potential modifications to sediment transport pathways”. Note this pathway should also be considered with respect to the subtidal sand and gravels that are a feature of (or support the Ocean quahog feature of) the East of Gannet and Montrose Fields NCMPA. Since sediment transport at the depths concerned is largely by tidal currents, scoping in this effect acknowledges that changes to tidal currents are possible. In that sense, the proposal to scope out “potential changes to wave and tidal regime” seems inconsistent. If this impact

pathway was altered to “potential changes to wave & tidal regime outwith the Array Area”, we would agree with scoping it out based on the arguments made in Table 7-8.

We note that landfall will be via Horizontal Directional Drilling (HDD), as detailed in Section 3.5.5.3. This will avoid potential impacts on the Coastal Geomorphology feature of the Bullers of Buchan Coast SSSI.

Approach to assessment

Do you have any specific requirements for the MCP assessment methodology?

The proposed approach to the assessment is outlined in Section 7.11 of the Scoping Report.

With regards to the potential effects on the Quaternary of Scotland feature of the Southern Trench NCMPA, which we have advised be scoped in, if the cable route can avoid the landforms in question, no further assessment is required. Otherwise, the assessment method should be the use of expert geodiversity analysis to undertake a qualitative MPA assessment against the relevant Conservation Objectives.

Cumulative assessment

The approach to the cumulative assessment is described in Section 7.9.

Discussion may be required with OPRED to ensure that all relevant projects/activities located within the East of Gannet and Montrose Fields NCMPA are included in the cumulative assessment.

Mitigation and monitoring

Do you agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on the MCP receptors?

The embedded mitigation measures are detailed in Section 7.7 of the Scoping Report. In principle, we agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on marine and coastal processes receptors. However, we note that most proposed mitigation measures are based around future plans rather than specific measures. In addition, further mitigation and monitoring may be needed if impacts are predicted.

Transboundary impacts

Potential transboundary effects on physical processes is considered in Section 7.10 of the Scoping Report and Appendix 5D: Transboundary Screening Matrix. We agree that physical processes should be scoped out for the assessment of transboundary effects.

NATURESCOT ADVICE ON EIA SCOPING REPORT FOR CENOS OFFSHORE WIND FARM

APPENDIX B – BENTHIC ECOLOGY

Benthic ecology interests are considered in Section 9 of the EIA Scoping Report.

Scoping questions to consultees have been set out in Section 9.13 of the Scoping Report. Within our advice below we have used text boxes to clearly identify these questions.

Study area

The study area for the benthic ecology assessment is detailed in Section 9.3 of the Scoping Report. We agree with the Zone of Influence (ZoI) of 20 km, based on the approximate extent of two mean tidal excursions.

Baseline characterisation

The baseline conditions are discussed in Section 9.5 of the Scoping Report.

Do you agree that the data sources identified, including the project specific geophysical and benthic surveys, are sufficient to inform the ecology baseline for the EIAR?

We agree that the data sources listed in Table 9-3, which include existing data sources and site-specific surveys, are sufficient to inform the benthic ecology baseline. We also recommend the following as a useful information source:

Pearce, B. and Kimber, J. (2020). The Status of *Sabellaria spinulosa* Reef off the Moray Firth and Aberdeenshire Coasts and Guidance for Conservation of the Species off the Scottish East Coast. *Scottish Marine and Freshwater Science*. Vol 11, No 17.[4]

Inshore survey strategy

As is explained in Section 9.5, we note that the Project is undertaking an inshore survey in 2024 to re-validate the existing NorthConnect data used by the Project to support the baseline characterisation of the inshore ECC, from landfall to 12 nm spanning a 500 m corridor. We are aware that this survey took place in March 2024. The survey employed a hull mounted Multibeam Echosounder (MBES) to assess changes to the seabed, and drop-down video (DDV) transects to assess changes to key habitats and species.

We have previously provided advice to the Applicant on this survey (by email on 21st March and 16th April 2024). Overall, we were content with the inshore survey strategy proposal.

Other comments

As noted by JNCC, we consider that there is currently no single method that effectively surveys or monitors the population status of *Arctica islandica* (ocean quahog) in situ. We therefore would suggest that developers do not undertake any systematic survey for *A. islandica* unless agreed with the regulator or consultees. We recommend that where possible, this species is avoided as much as practically possible by minimising the seabed footprint of the Project or avoiding known areas of high concentrations.

[4] https://data.marine.gov.scot/dataset/status-sabellaria-spinulosa-reef-moray-firth-and-aberdeenshire-coasts-and-guidance

Note that in paragraph 9.5.2.18, the NCMPA name is incorrect. It should be East of Gannet and Montrose Fields NCMPA.

Impact pathways

Have all potential impacts resulting from the Project been identified for benthic receptors?

The potential impacts on benthic ecology are summarised in Table 9-6. We are generally content that all potential impacts have been identified for benthic receptors.

One exception is for the “introduction of INNS” impact pathway, the justification provided in Table 9-6 only includes Invasive Non-Native Species (INNS) from vessels and hard substrate for cable protection. Other sources may include, for example, floating structures which may be towed into position and/or towed during maintenance activities (if required), and wet storage of floating structures (if required). Even if floating substructures/units will be towed from a UK port, there are still INNS present in certain ports around the UK which could pose a risk if transferred elsewhere in UK waters. Therefore, INNS from any source should be scoped in, not just vessels and hard substrate. Moreover, the potential for offshore wind farms to act as stepping stones for INNS should be considered in the EIA Report. Although there are mitigation measures (i.e. management plans) which can help reduce the risks, there is still a lot of uncertainty around their effectiveness to reduce the spread of INNS.

Do you agree that the impacts described can be scoped out (Table 9-6), specifically intertidal habitats and species and accidental pollution events from sources vessels and equipment?

As noted by JNCC, “temporary impacts to the seabed and benthic habitats” should be screened in for the operation and maintenance phase due to potential use of jack up vessels and/or anchorage of vessels during planned and unplanned maintenance and for wet storage of cables when devices need to be taken ashore for repair. These activities were all highlighted in previous Sections of the Scoping Report.

In addition, “long term impacts to the seabed and benthic habitats” should be screened in for all phases due to the use of materials (e.g. rock dump) for stabilisation, protection (including scour protection), and remediation that will be required and should be considered a permanent impact, although these have not been addressed in the Scoping Report. Infrastructure that will not be removed at decommissioning (e.g. cables, piles, or anchor parts) will also have a long-term permanent impact. Remediation of mooring and anchor depressions within the offshore deep sea mud habitat has, with other industries, required a substantial quantity of rock dump which has not been accounted for here.

The impact pathway "introduction of hard substrate in a predominantly sedimentary environment” should be screened in for all phases for the same reasoning as that detailed for 'long term impacts to the seabed and benthic habitats' (see above comment), for example with respect to rock dump.

Provided that Horizontal Directional Drilling (HDD) is used and there are no other activities that have the potential to impact the intertidal region, we agree that “landfall works may disturb intertidal habitats and species” can be scoped out of the assessment.

We also agree that "accidental spills to the marine environment" can be scoped out of the assessment. This advice is based on the inclusion of standard and well-established preventative measures confirmed as embedded mitigation.

In Appendix 5F, Section 1.2.2.7, the Applicant states that they are seeking further discussion with a view to scoping out EMF. The summary in Section 1.2.3.2 of Appendix 5F states that EMF is scoped out for benthic invertebrates. This contradicts Table 9-6 of the Scoping Report, which suggests it is scoped in for the operation and maintenance phase. We advise that impacts of EMF on benthic invertebrates should be scoped in, based on the uncertainties around impacts, and especially given the size of the development. Even if the assessment is only qualitative, this will give some idea of the significance of the impact and the need for mitigation and monitoring.

In the written advice we provided after the Cenos Scoping Workshop (2nd April 2024, by email), it was advised by JNCC and NatureScot that the "removal of hard structures during decommissioning resulting in loss of colonised surfaces" impact pathway should be scoped in, even if it can only be assessed qualitatively. This was advised because we do not have a good understanding of how, when, or if the habitats will return to their pre-impact states. The Applicant has proposed to scope this impact pathway out, however we disagree with the justification provided that the removal of introduced hard substrates represents a return to pre-impact conditions and will promote re-establishment of the soft substrate communities characteristic of the area.

Approach to assessment

For those impacts scoped in (Table 9-6), do you agree that the methods described are sufficient to inform a robust impact assessment?

Yes, we are content with the proposed approach to assessment, based on the sensitivity and magnitude criteria described in Section 9.11 and Chapter 5.

The Applicant is proposing to use the MPA Screening Assessment guidance by the MMO. It was previously agreed with JNCC that this is a suitable approach for the MPA assessment.

Note that in paragraph 9.11.1.7 the NCMPA name is incorrect. It should be East of Gannet and Montrose Fields NCMPA.

Basis of Assessment

The key assumptions upon which the benthic ecology scoping assessment is based are listed in Section 9.6. JNCC welcomes the acknowledgement that scour protection may be required around the base of foundations, noting that this contradicts the text from paragraph 3.5.2.19. The Applicant will need to consider this and the resulting impact that scour protection will have on the East of Gannet and Montrose Fields NCMPA.

Cumulative assessment

Potential cumulative effects are discussed in Section 9.9. We note that it is stated that the cumulative effects assessment for benthic ecology will specifically consider seabed disturbance and consequent effects on benthos within the ECC (if nearby cable or pipeline routes are identified within 20 km), and the cumulative footprint of development within the East of Gannet and Montrose Fields NCMPA. This may be pre-empting findings of the individual assessment.

JNCC agrees that the cumulative footprint of development within the East of Gannet and Montrose Fields NCMPA should be considered. However, the cumulative impacts mentioned for the ECC should also be applied to the Array Area.

The cumulative effects assessment should include all impacts which may arise from the development, and not be limited to the three impacts highlighted in Section 9.9. Furthermore, it should also include any impacts which could be identified as minimal for the individual development but may have impacts when considered cumulatively (such as EMF).

Regarding EMF, we have observed a tendency for wind farm projects to reach a no significant effect conclusion for electromagnetic field (EMF) impacts from a cumulative perspective. However, noting the proposed number of offshore wind developments in Scottish waters, we are concerned that the spatial and temporal scale is not being sufficiently considered cumulatively across the network of cables, including those outwith of the proposed development. Thus, we advise that EMF impacts are considered in the cumulative assessment.

Mitigation and monitoring

Do you agree that the approach is robust enough and sufficient for the purposes of mitigating impacts to benthic ecology, given the technical and environmental constraints on the Project?

In principle, the high-level approach outlined is appropriate to enable an assessment of the potential impacts of the project on benthic ecology. The outcome of the assessment will indicate where there are benthic ecology impacts and what mitigation may be required. Therefore, we are unable to comment on how this approach relates to mitigation of impacts until we have sight of the results of the impact assessment. We are unsure what is meant by “technical and environmental constraints on the Project”.

Do you agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on benthic ecology receptors?

The embedded mitigation measures are detailed in Section 9.7 of the Scoping Report. In principle, we agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on benthic ecology receptors. However, we note that most proposed mitigation measures are based around future plans rather than specific measures. In addition, further mitigation and monitoring may be needed if impacts are predicted.

Where possible, we encourage consideration of collaborating and contributing to strategic monitoring of EMF impacts from cables (for example, through ScotMER), to help build understanding of these poorly understood impacts.

Transboundary impacts

Potential transboundary effects on benthic ecology is considered in Section 9.10 of the Scoping Report and Appendix 5D: Transboundary Screening Matrix. We agree that benthic ecology should be scoped out for the assessment of transboundary effects.

Summary – Paragraph 9.12.1.5

As noted by JNCC, a clear distinction of all impacts and footprints need to be provided for the East of Gannet and Montrose Fields NCMPA and Turbot Bank NCMPA to allow for accurate assessment

of the overall impact. We take this opportunity to emphasise the importance of assessing all potential operational impact pathways in combination with the Site Information Centre documents on the JNCC website for East of Gannet and Montrose Fields NCMPA[5] and Turbot Bank NCMPA[6]. Where assessment of potential impacts occur, they must be on a per-feature basis.

[5] https://jncc.gov.uk/our-work/east-of-gannet-and-montrose-fields-mpa/
[6] https://jncc.gov.uk/our-work/turbot-bank-mpa/

NATURESCOT ADVICE ON EIA SCOPING REPORT FOR CENOS OFFSHORE WIND FARM

APPENDIX C – EAST OF GANNET AND MONTROSE FIELDS NCMPA AND TURBOT BANK NCMPA

The following advice was provided by JNCC.

JNCC's role in relation to offshore renewables has been delegated to NatureScot. NatureScot is now authorised to exercise JNCC's functions as a statutory consultee in respect of certain applications for offshore renewable energy installations in inshore and offshore waters (0-200 nm) adjacent to Scotland.

JNCC however, maintains responsibility for offshore Marine Protected Areas (MPAs). As such, JNCC have provided the following advice in relation to the Cenos Offshore Wind Farm scoping request to provide a view on nature conservation matters related to the East of Gannet and Montrose Fields Nature Conservation Marine Protected Area (NCMPA) and Turbot Bank NCMPA. JNCC have not reviewed other parts of this application and will not be providing comment on parts other than those relevant to the NCMPA assessment.

The following documents were reviewed in providing this response:

- Cenos Offshore Windfarm EIA Scoping Report - Volume I
- Cenos Offshore Windfarm EIA Scoping Report - Volume II: Appendices

The following chapters were reviewed in providing this response:

- Chapter 1: Introduction
- Chapter 2: Legislative and Policy Context
- Chapter 3: Project Description
- Chapter 4: Site Selection and Consideration of Alternatives
- Chapter 5: Approach to Scoping and EIA
- Chapter 6: Consultation Process
- Chapter 7: Marine and Coastal Processes
- Chapter 9: Benthic Ecology
- Chapter 24: Summary and Next Steps
- Appendix 5A: Survey Strategy
- Appendix 5C: Cumulative Effects Assessment Long List of Projects
- Appendix 5E: Marine Protected Area Screening Assessment

The following advice relates to Marine Protected Areas (MPAs) within the offshore environment, extending out from the 12 nm limit. For all other advice, we defer to NatureScot.

Overall comments

The project is located within the East of Gannet and Montrose Fields NCMPA and includes the entirety of the Array Area, part of the Export/Import Cable Corridor (ECC), and the onward cable connections to decarbonise the oil and gas fields (not detailed within the EIA Scoping documentation). Turbot Bank NCMPA is located 6 km from the ECC and 122 km from the Array Area.

East of Gannet and Montrose Fields NCMPA

This NCMPA is designated for "Offshore deep sea muds" and "Ocean quahog aggregations (including sands and gravels as their supporting habitat)" with the Array Area positioned within the 'Offshore deep sea mud' habitat. The current conservation objective for the '*Offshore deep sea mud'* habitat is to '*Recover*' the structure and function and to '*Conserve*' both the extent and distribution and supporting processes. The current conservation objective for the '*Ocean quahog aggregations* (including sands and gravels as their supporting habitat)' is '*Conserve*'. It should be noted that a new conservation advice package for this NCMPA will be published early to mid Q2 2024 which will need to be taken into consideration in the environmental impact assessment. We take this opportunity to emphasise the importance of assessing all potential operational impact-pathways in combination with the Site Information Centre documents on the JNCC website[7].

As the project is entirely within the East of Gannet and Montrose Fields NCMPA, a comprehensive, standalone NCMPA assessment will be needed, which fully considers the features of the site and their conservation objectives. The standalone NCMPA assessment, against the conservation objectives for the features of the site, needs to consider all relevant activities (e.g. installation of turbines, anchors, cables and export cables, remediation/protection works, decommissioning, etc.) and should ensure all relevant ecological information is included in that assessment. Cross referencing between chapters should be limited or, if used exceptionally, clearly stated. It also must consider cumulative aspects for the site. Where assessment of potential impacts occur, they must be on a per-feature basis, not solely a per site basis. We also highlight at this early stage, the potential, if the proposed development is consented, on the need to implement Measures of Equivalent Environmental Benefit (MEEB) if assessed to have significant effects on the NCMPA conservation objectives.

As this is an Innovation and Targeted Oil & Gas (INTOG) licensed project with the purpose of decarbonising the offshore oil and gas industry, we would expect to see all cable connections fully detailed within the documentation to allow JNCC to fully assess the impact which this proposed development could have on the East of Gannet and Montrose Fields NCMPA. Clear details of which oil and gas infrastructure the proposed development will be connecting into, proposed cable routing, all crossings, and remediation is crucial information required in this regard throughout all phases of the project. Connections to the oil and gas industry are a fundamental element of the Targeted Oil and Gas (TOG) project, a "project connected directly to oil and gas infrastructure, to provide electricity and reduce the carbon emissions associated with production"[8], and as such this information should be included to allow a complete assessment of potential impacts to the NCMPA. Without details of the onward oil and gas connection routes, it is hard to understand how the project falls within the remits of an INTOG project, as detailed by Crown Estate Scotland, and justifies its location within an NCMPA. It is JNCC's view that without this information, the project alone details are incomplete and therefore unable to be fully assessed (please refer to our comments below on Chapter 1). Impacts of this project are further complicated as there is a delay to the Sectoral Marine Plan Iterative Plan Review, which will include INTOG sites. We (JNCC and NatureScot) have raised concerns relating to this proposed development as part of the Sectoral Marine Plan Iterative Plan Review as to the suitability of siting development within a NCMPA.

[7] https://jncc.gov.uk/our-work/east-of-gannet-and-montrose-fields-mpa/
[8] Crown Estate Scotland (www.crownestatescotland.com/scotlands-property/offshore-wind/intog-leasing-round).

Plate 1-1 of Appendix 5E, Point iii of Stage 1, suggests the activity could be relocated to a different location. As environmental considerations were not initially considered in determining the location of the Project (detailed in Section 4.2.2.4 of the Scoping Report), JNCC would welcome a re-location outside of a Marine Protected Area. Figure 4-2 of the Scoping Report details a possible area where a windfarm can feasibly be constructed to the north of the Eastern Trough Area Project (ETAP) outside East of Gannet and Montrose Fields NCMPA. JNCC would like to understand if this location was considered and, if so, what the reasonings were for not siting the project there. In a recent workshop (29 February 2024) with the Applicant, JNCC queried the connection to oil and gas assets to the east that already have proposed plans for direct cable connection to land. It is not clear if the Applicant has considered this further (this also relates to Section 5.6.2.12).

On a number of occasions throughout the document, the Applicant has not referred to the East of Gannet and Montrose Fields NCMPA correctly and/or not detailed the correct designations for this protected site. We have highlighted some of these instances in our advice, but we would strongly suggest that the Applicant ensures that this information is correct throughout all subsequent documentation. Considering the Array Area and parts of the ECC, and additional cabling (not detailed in the documentation) are within this NCMPA, it is disappointing that the Applicant has not prioritised these details.

Turbot Bank NCMPA

Turbot Bank NCMPA is designated for "Sandeels". The protected feature of the site ('*Sandeels*') is considered to be in '*Favourable*' condition. The Conservation Objective for the Turbot Bank NCMPA is that the protected feature, '*Sandeels*', so far as already in favourable condition, remain in such condition; and so far as not already in favourable condition, be brought into such condition, and remain in such condition. With respect to the '*Sandeels*', this means that the quality and quantity of its habitat and the composition of its population are such that they ensure that the population is maintained in numbers which enable it to thrive. We take this opportunity to emphasise the importance of assessing all potential operational impact-pathways in combination with the Site Information Centre documents on the JNCC website[9].

As the project is in close proximity to Turbot Bank NCMPA, a comprehensive, standalone MPA assessment will be needed, which considers the features of the site and their conservation objectives. The standalone NCMPA assessment, against the conservation objectives for the site, needs to consider all relevant activities and should ensure all relevant ecological information is included in that assessment. Cross referencing between chapters should be limited or, if used exceptionally, clearly stated. It also must consider cumulative aspects for the site.

Appendix 5A: Survey Strategy

It is not possible for JNCC to comment on the survey sufficiency due to a lack of information provided for sampling and survey stations within the NCMPA. As a minimum, a map needs to be provided detailing all survey locations within the NCMPA boundary and in relation to the Array Area, ECC, and buffer.

Table 1-3: Although information on Drop Down Video (DDV) and grab samples have been provided along the ECC, details of how many samples were taken within the area of overlap between the

[9] https://jncc.gov.uk/our-work/turbot-bank-mpa/

ECC and the NCMPA need to be provided to allow for a complete assessment on the appropriateness of survey information within the site.

Appendix 5E: Marine Protected Area Screening Assessment

Table 1-1: The comment listed in this table from JNCC was not related to the EIA Scoping Report and was in fact related to a standalone application for a survey. This error has been raised with the Applicant previously by email on 5 February 2024 and subsequently on 20 February 2024 and was subsequently acknowledged by the Applicant with an assurance that it would be corrected. To reiterate those comments from the original communication, our position would be that we feel that including this line of advice within this table is misleading with lines prior to and subsequent lines all related to the project level 2023 EIA Scoping Report. We would therefore request, again, that they are removed from the table in its current format. We would suggest that if the information is deemed important to the project, that an additional table is created to capture that information in the correct context.

Table 1-2: The column heading 'Protected features' should be changed to 'Designated features'. 'Protected Features' can imply a much larger number of species and/or habitats that are present within the NCMPA but which the NCMPA is not designated for.

Table 1-2: The designated features listed for this site are incorrect. The site is designated for "Offshore deep sea muds" and "Ocean quahog aggregations (including sands and gravels as their supporting habitat)".

Table 1-2: Due to the increased anthropogenic activity within East of Gannet and Montrose Fields NCMPA, JNCC are in the process of updating the site conservation objectives. It is expected that these will be available towards early to mid Q2 2024 and will need to be taken into consideration in the environmental impact assessment.

Table 1-2: The designated features listed for East of Gannet and Montrose Fields NCMPA are incorrect. The site is designated for “Offshore deep sea muds” and "Ocean quahog aggregations (including sands and gravels as their supporting habitat)". We suggest that this column is checked against each Site Information Centre and updated for all listed Sites.

Table 1-3: For benthic features receptors, "*Direct impact/disturbance leading to temporary or long-term habitat loss*" and "*Alterations to the local habitat through introduction of hard surfaces*" should be screened in for all phases. The Applicant has not fully addressed the use of hard materials, such as rock dump, for aspects of protection, stabilisation, scour, and remediation. These introductions would be considered a permanent impact to the habitat and permanent change of habitat. This comment also applies to Table 1-4 for East of Gannet and Montrose Fields NCMPA of the same Appendix and subsequently an update to Table 1-5.

Table 1-3: Although JNCC agree with the potential impact “*Localised damage to sensitive epifauna (e.g., sea pens) due to operational mooring lines*”, it is very specific relating to operational mooring lines only. Has the Applicant considered instances of mooring lines during construction and decommissioning, for example in relation with the OSCP(s)? These should be taken into account.

Table 1-4: Turbot Bank NCMPA has a potential impact of "*Direct impact/disturbance leading to temporary or longterm habitat loss*" for all three phases. This is not consistent with earlier entries for the same potential impact but for East of Gannet and Montrose Fields NCMPA where the Array Area and part of the ECC is located. Turbot Bank NCMPA is located 6 km away from the ECC

according to Table 1-2 which would imply that a direct impact would be less likely at Turbot Bank NCMPA. We suggest that the information within this table (Table 1-4) is critically reviewed and updated for inconsistencies.

Table 1-5: The designated features listed for this site are incorrect. The site is designated for "Offshore deep sea muds" and "Ocean quahog aggregations (including sands and gravels as their supporting habitat)".

Table 1-5: Table 1-5 needs to be updated based on comments from Table 1-3 and Table 1-4 (see above).

Section 1.6.2.1: JNCC do not believe that "*calculating area and percentage of the MPA impacted by the Project (total and impact specific) to help provide a quantitative and qualitative assessment*" will be a true representation. The 'Offshore deep sea mud' habitat does not cover 100% of the NCMPA so any impact calculated as a percentage of the site will significantly underestimate the impact to the habitat. As previously stated, JNCC would expect to see impacts assessed against each designated feature within the NCMPA.

Other Comments

Chapter 1: Introduction

Section 1.2.1.5; Figure 1-1; Section 1.3.3.9: See overall comments above relating to the need for detailed information of onward connections to oil and gas facilities to allow for a complete assessment of the project's impact on the East of Gannet and Montrose Fields NCMPA.

Section 1.3.3.9: JNCC do not believe that such a consenting approach is appropriate considering the location of the proposed development, with the Array Area wholly within the East of Gannet and Montrose Fields NCMPA. Specific details of the oil and gas assets (and the associated cable routes) that may benefit from exported power from the Project must be finalised before the full impact to the NCMPA can be assessed. We would advise that the Targeted Oil and Gas (TOG) Onward Development Area mentioned in Section 1.3.3.10 of the Scoping Report will need to contain sufficient detailed information on such onward work in order for as comprehensive an NCMPA assessment to be made as possible and the risks associated with deviating from this onward plan in terms of future licences in an environmentally sensitive area are fully understood by the Applicant.

Chapter 3: Project Description

Section 3.5.1.4: JNCC welcomes the base case option of one Offshore Substation and Converter Platform (OSCP), however, we would expect a worse case scenario to be assessed in relation to environmental impact, particularly within the NCMPA. In this regard, Option 2, utilising two platforms, should be considered when assessing impacts.

Section 3.5.1.6: JNCC do not agree with "*These onward connections will be considered as part of the environmental assessment within the cumulative effects assessment (CEA) but will not form part of the Project consent application*". The onward connections are an integral component of a TOG project and should be part of the Project consent application to allow for a full assessment of impact to the environment, particularly the East of Gannet and Montrose Fields NCMPA.

Figure 3-3: It would be useful to show all the MPAs on this map.

Section 3.5.2.15: JNCC would expect all infrastructure to be removed at decommissioning in-line with current guidelines.

Table 3-4: The project involves the introduction of hard substrate into a mainly sedimentary environment. We encourage the Applicant to minimise the amount of hard substrate material used. We note that the long-term effect of the introduction of substratum into naturally sandy or muddy seabeds is not fully understood at present and should be carefully considered by developers and regulators.

Section 3.5.3.3: JNCC would prefer cables to be bundled into one trench, assuming this would have the smaller seabed impact footprint within the NCMPA and this would not hinder any decommissioning options for the future.

Section 3.6.1.1: As the overarching aim of the Project is to "*facilitate decarbonisation of the oil and gas industry through the electrification of offshore oil and gas installations*", we would expect to see details of the oil and gas infrastructure connections that justify the project location and not just estimated cable corridor options.

Section 3.7.1.12: During the construction phase of the OSCP, the Applicant will need to consider the vessels involved, in particular their mooring requirements (if any) or rock stabilisation for jack up vessels, and what seabed impact that would have within the NCMPA.

Section 3.7.2.8: The Applicant will need to consider the seabed impact of additional stabilisation (rock dump) for jack up vessels within NCMPA. This would be considered a permanent impact to the environment.

Section 3.7.3.2: JNCC welcome the removal of all infrastructure within the NCMPA. However, the proposed project is within the Offshore deep sea mud feature of the NCMPA which, from our experience with other industries, has shown that large quantities of permanent deposits of rock dump have been required during operations, including decommissioning operations. This permanent impact to the feature and site will move the NCMPA further away from its conservation objectives. Due regard should be given and assessed as to the materials used and how likely removal at the decommissioning stage is, noting experiences wider than the offshore wind sector.

Chapter 4: Site Selection and Consideration of Alternatives

Section 4.2.2.4: Environmental impact, particularly relating to an MPA should be a key constraint. JNCC is concerned that the Applicant has not considered that in relation to the siting of the Array Area and suggests that this is re-assessed. The location and justification of this project's location is further complicated by the delay to the Sectoral Marine Plan Iterative Plan Review. We (JNCC and NatureScot) have raised concerns relating to this proposed development as part of the Sectoral Marine Plan Iterative Plan Review as to the suitability of siting development within a NCMPA.

Section 4.2.2.5 and Section 4.3.1.8: The NCMPA site name is incorrect. It should be East of Gannet and Montrose Fields NCMPA.

Figure 4-4: To allow for a clearer understanding of the potential impact to the NCMPA, we would request that all maps clearly show the MPA boundary.

Chapter 5: Approach to Scoping and EIA

Section 5.5.2.4: JNCC do not agree with this statement, "*From the outset, the environment has been central to the design of the Project, and this is demonstrated in Chapter 4: Site Selection and Consideration of Alternatives*". Environmental considerations were not considered in the siting of the project as detailed in Section 4.2.2.4.

Section 5.6.2.10: To allow for a complete assessment of environmental impacts to the NCMPA, JNCC would need the 'project' to be assessed in full and not just the topics of a project. It is JNCC's view that, as a TOG project under the INTOG leasing round, the onward cable connections to oil and gas assets are fundamental in that regard.

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APPENDIX D – MARINE MAMMALS

Marine mammals are considered in Section 10 of the EIA Scoping Report.

Scoping questions to consultees have been set out in Section 10.13 of the Scoping Report. Within our advice below we have used text boxes to clearly identify these questions.

Study area

The study area for marine mammals is described in Section 10.3 of the Scoping Report. We agree with the use of UK marine mammal mitigation units (MMMUs) to define the study area.

Do you agree that all the marine mammal protected areas within the study area have been identified?

Yes, we agree that all the marine mammal protected areas within the study area have been identified. We note that the Habitats Regulation Assessment (HRA) screening report is not presented with the Scoping Report, so there is no information about Special Areas of Conservation (SACs) with marine mammal features. The only Nature Conservation Marine Protected Area (NCMPA) with marine mammal features is the Southern Trench MPA.

Baseline characterisation

Do you agree that the data sources identified are sufficient to inform the marine mammal baseline for the EIAR?

We agree that the data sources listed in Table 10-4 are sufficient to inform the baseline characterisation for marine mammals. We note that Carter *et al*. (2022) is not listed in Table 10-4, although it is referred to elsewhere in the text.

Impact pathways

Have all potential impacts resulting from the Project been identified for marine mammal receptors?

The potential impacts on marine mammals are summarised in Table 10-8. We advise that all potential impacts have been identified for marine mammals.

Do you agree that the impacts described in Section 10.8 can be scoped out?

“Changes to prey resources” has been scoped in for construction and decommissioning, but scoped out for the operation and maintenance phase. We advise that changes to prey resources should be scoped in for the operation and maintenance phase. This is because there may be ongoing impacts to prey due to EMF, hydrodynamics, scour, etc.

“Subsea mooring systems may cause entanglement resulting in injury and/or mortality” is proposed to be scoped out. The information presented in Appendix 5G (Approach to secondary entanglement as a potential impact) is helpful and indicates that risk of secondary entanglement is likely to be low. However, we advise that this impact pathway (secondary entanglement) should be scoped in to the EIA for marine mammals, due to the high uncertainty around this potential impact, the lack of monitoring to date, and the scale of the development which is greater than

previous infrastructure projects in the area. We would not expect to see a quantitative assessment, rather the information provided in the Scoping Report could be used in the EIA to support qualitative assessment of sensitivity and magnitude of impacts.

Approach to assessment

For those impacts scoped in (Table 10-8), do you agree that the methods described are sufficient to inform a robust impact assessment?

Based on the information presented in Section 10.11 on the proposed approach to the assessment for marine mammals, we agree in principle that the methods described are sufficient to inform a robust impact assessment. This is with the caveat that there is not much detail on the methodology.

Reference Populations

Note that, for impact assessment, we advise use of population estimates for the UK portion of the Inter-Agency Marine Mammal Working Group (IAMMWG) Management Units (MUs), rather than the full MUs, for species with very large MUs. The reasoning for this is to try to present the most realistic assessment of numbers of animals affected by developments in Scottish waters. The MUs for most species are very large areas, and in most cases are too big for a meaningful understanding of impacts to affected populations. Although we know this is based on a non-biological delineation, we think that using the UK portion of the MU better reflects the likely size of populations affected by the potential impact pathways. For species with smaller MUs, such as bottlenose dolphin in the Coastal East Scotland MU, and seals, the entire MU should be used in the assessment.

The Cenos site straddles the boundary of two SCANS-IV blocks (NS-D or NS-G). We advise using the more precautionary of the density estimates from the two SCANS-IV blocks for each species. However, if the DAS data are sufficiently robust to provide a density estimate, and are more precautionary than the SCANS-IV estimates, then the DAS estimates should be used instead. For any impacts within the cable route, block NS-D estimates should be used, as the cable is entirely within this block.

Sensitivity Scoring

The approach to receptor sensitivity is outlined in Section 5.7.3 within the Assessment Methodology. Regarding sensitivity scoring, we agree that this should take their ability to tolerate, recover and adapt behaviour to maintain vital rates in response to assessed pressures into account. We also expect sensitivity scoring to take conservation value into account as is the case for the other ecological receptor assessments, e.g. ornithology and benthic interests. As such, we welcome the inclusion of value within Section 5.7.3.

Do you have any additional specific requirements for the underwater noise modelling and assessment methodology?

The proposed approach to the underwater noise modelling and assessment methodology is discussed in Section 10.11.2 and 10.11.3 of the Scoping Report.

We require further information about the choice of a 1% threshold for determining significance of effects and evidence of where it is “generally accepted” (see Section 10.11.2.2). The references

provided in relation to this in Paragraph 10.11.2.2 do not refer to this threshold. The significance will depend on a number of factors, including the natural variability of the population and the duration of the potential impact. Therefore, other factors will also need to be considered, not just a percentage threshold. Use of any threshold must be discussed and agreed during pre-application.

Cumulative assessment

The approach to the cumulative effects assessment is discussed in Section 10.9. We caution that the cumulative assessment may need to consider more than the immediate ZoI (i.e. there can be cumulative impacts even where ZoIs don't directly overlap).

Mitigation and monitoring

Do you agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on marine mammal receptors?

The embedded mitigation measures are detailed in Section 10.7 of the Scoping Report. In principle, we agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on marine mammal receptors. However, we note that most proposed mitigation measures are based around future plans rather than specific measures. In addition, further mitigation and monitoring may be needed if impacts are predicted.

Transboundary impacts

Potential for transboundary effects on marine mammals is considered in Section 10.10 of the Scoping Report and Appendix 5D: Transboundary Screening Matrix. We agree that marine mammals should be scoped in for the assessment of transboundary effects.

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APPENDIX E – ORNITHOLOGY

Ornithology interests are considered in Section 11 of the EIA Scoping Report.

Scoping questions to consultees have been set out in Section 11.13 of the Scoping Report. Within our advice below we have used text boxes to clearly identify these questions.

Study area

Do you agree with the Study Areas defined for offshore ornithology?

The study area is described in Section 11.3 of the Scoping Report. The Regional Study Area has been defined as species-specific and derived from breeding season foraging ranges from Woodward *et al.* (2019) and non-breeding season Biologically Defined Minimum Population Scales (BDMPS) regions as defined in Furness (2015). We agree with this, but highlight that there are some exceptions to the standard foraging ranges for guillemot, razorbill and gannet for particular SPAs. These can be found in our Guidance Note 3[10].

For the site-specific Digital Aerial Surveys (DAS), the surveys were conducted over the lease area plus a 4 km buffer. We agree with the survey area employed for the DAS.

Baseline characterisation

The baseline conditions are discussed in Section 11.5 of the Scoping Report.

Designated Sites

Table 11-6 shows the SPAs likely to have connectivity with the Project and designated qualifying features. We note the provisional list of SPAs and qualifying features in this table and that this list is purely indicative with no screening or connectivity analysis carried out. We would expect our Guidance Notes 3[11] and 4[12] to be followed when determining connectivity and await submission of the Stage 1 LSE Screening report.

Are there any new legislation/policy documents that the Project should be aware of?

No, there is not any new legislation or policy documents that the Project should be aware of.

Is there any new guidance that the Project should be aware of? Is there any emerging guidance, which is relevant to ornithology?

Collision Risk Modelling

[10] https://www.nature.scot/doc/guidance-note-3-guidance-support-offshore-wind-applications-marine-birds-identifying-theoretical
[11] https://www.nature.scot/doc/guidance-note-3-guidance-support-offshore-wind-applications-marine-birds-identifying-theoretical
[12] https://www.nature.scot/doc/guidance-note-4-guidance-support-offshore-wind-applications-ornithology-determining-connectivity

Our CRM guidance note[13] is currently being revised and an updated version will be published shortly. We recommend using the revised guidance to develop the CRM approach.

At this stage we can share the following key changes to our guidance:

- We have taken account of Ozsanlev-Harris *et al.* (2023)[14] updated avoidance rates;
- When running CRM we only require:
  - Most likely scenario (MLS) – option 2 (using the generic flight height dataset)
  - Worst case scenario (WCS) – option 2 (using the generic flight height dataset).

Please note that we require both stochastic and deterministic CRM outputs and these should be presented using the 2022 update to the sCRM tool shiny app (Caneco, 2022)[15]. The sCRM tool provides three approaches for estimating the variability for monthly density data. We advise that 1000 samples from a distribution of mean densities (e.g. from a bootstrapped sample) is used.

Where stochastic models have been used we require a clear statement as to which variability approach has been chosen and should the first or second approach be used, this will require justification. The bootstrapped data should be provided to enable the modelling to be re-run and the outputs checked.

Availability Bias

A report has recently been published which presents new availability bias correction factors for auks and red-throated diver (Dunn *et al.*, 2024)[16].

We are currently reviewing this and will update our guidance shortly if appropriate.

Do you agree with the species which have been scoped into assessment?

The species scoped in are those that were most abundant in the DAS and therefore should be considered for assessment.

Please see Annex 1 below for our advice on the DAS Survey Report.

Impact pathways

The potential impacts to be scoped in or out are listed in Table 11-8.

Do you agree that the following impact pathways should be scoped in for assessment for ornithology receptors within the offshore EIAR: direct disturbance and displacement during construction and decommissioning; distributional responses during the operational phase; collision risk during the operational phase; changes to prey resources (all life-cycle phases)?

[13] https://www.nature.scot/doc/guidance-note-7-guidance-support-offshore-wind-applications-marine-ornithology-advice-assessing

[14] Ozsanlav-Harris, L., Inger, R. & Sherley, R. 2023. Review of data used to calculate avoidance rates for collision risk modelling of seabirds. JNCC Report 732, JNCC, Peterborough, ISSN 0963-8091.

[15] https://dmpstats.shinyapps.io/sCRM/

[16] Dunn, R., Duckworth, J., O'Brien, S., Furness, R., Buckingham, L., Daunt, F., Bogdanova, M., & Green, J. 2024. Temporal and spatial variability in availability bias has consequences for marine bird abundance estimates during the non-breeding season. 10.1101/2024.03.13.584773.

The wording of this question does not exactly match what is stated in Table 11-8. In Table 11-8, direct disturbance and displacement is correctly included in all three life-cycle phases. We agree that distributional responses during the operational phase, collision risk during the operational phase and changes to prey resources (all life-cycle phases) should be scoped in for further assessment.

Do you agree that the above impact pathways [in Table 11-8] are scoped out for assessment for ornithology receptors?

Disturbance and / or displacement of ornithology receptors

It is stated in Table 11-8 that "*there may be temporary disturbance and displacement effects to ornithological receptors during the construction of the HDD. However, these are expected to be localised and temporary in nature and fully mitigated. This impact is therefore scoped out of the EIA".* We are unable to comment on whether this pathway should be scoped out as it is not made clear how this impact is to be fully mitigated. We also highlight that if the ornithological receptors in question are features of an SPA then this impact will need to be considered under HRA, noting that mitigation cannot be considered when assessing likely significant effects (LSE).

Secondary entanglement

"Subsea mooring systems may cause entanglement resulting in injury and/or mortality" is proposed to be scoped out for birds. The information presented in Appendix 5G (Approach to secondary entanglement as a potential impact) is helpful and indicates that risk of secondary entanglement is likely to be low. However, we advise that this impact pathway (secondary entanglement) should be scoped in to the EIA for birds, due to the high uncertainty around this potential impact, the lack of monitoring to date, and the scale of the development which is greater than previous infrastructure projects in the area. We would not expect to see a quantitative assessment, rather the information provided in the Scoping Report could be used in the EIA to support qualitative assessment of sensitivity and magnitude of impacts.

Wet storage

Wet storage could also be a significant impact pathway for ornithological receptors depending on the nature and location of activities associated with the construction assembly and maintenance of floating turbines. Agreement will be needed as to how this aspect is dealt with and assessed.

Do you agree with the potential significant effects which have been scoped into assessment?

Please see our comments above regarding the scoping of potential significant effects.

Approach to assessment

The proposed approach to the ornithology assessment is detailed in Section 11.5.2 and 11.11 of the Scoping Report.

Collision Risk

The approach to the collision risk assessment is discussed in Section 11.11.2.18-22. This Section states that the ornithological receptors which will be assessed for collision risk will be: kittiwake, gannet, and fulmar. However, fulmar is not considered to be at high risk of collision impacts, as

flight height is generally close to the sea surface and below potential collision height. It is standard practice that collision risk modelling is not undertaken for this species.

Migratory Birds

Migratory birds are discussed in Section 11.11.2.22. We note that a qualitative assessment of migratory birds will be undertaken if the migratory CRM tool continues to be unavailable. The recently published Strategic Review of Birds on Migration in Scottish Waters (Woodward, *et al.*, 2023)[17] will help inform decisions about which species need to be scoped in.

Is there updated guidance on how to address avian flu in assessment?

There is a need for ongoing engagement in relation to the impacts of Highly Pathogenic Avian Influenza (HPAI) and how to incorporate these impacts within assessments. Work is continuing within NatureScot to provide further information, which we will provide when we can. In the meantime, we expect the impact of HPAI on colonies to be considered qualitatively especially when reviewing Population Viability Analysis (PVA) outputs. As the DAS survey work straddles the HPAI outbreak, it will be important for assessment purposes to consider the current status of seabird populations at SPA colonies. Surveys have been undertaken at a number of key seabird colonies in 2023, coordinated by RSPB, and some will be repeated in 2024. Recent data for key species at some sites can already be found on the Seabird Monitoring Programme (SMP) database[18]. RSPB have just published a report on HPAI effects which will provide helpful context (Tremlett *et al.*, 2024)[19].

Should collision mortalities using avoidance rates from SNCB or Ozsanlav-Harris *et al* be taken through to later stages of assessment?

As above, we are currently revising our Collision Risk Modelling Guidance Note[20] and the revised guidance note recommends using Ozsanlav-Harris *et al.* (2023)[21] avoidance rates in assessments.

What Option do you propose the Project takes, to derive guillemot non-breeding season regional populations?

We have already provided advice (letter sent by email on 2nd April 2024) that Option 2, using the BDMPS population, should be the main approach taken in assessments for this site and it should be used for PVAs. The relevant BDMPS population would be UK North Sea & Channel waters.

We are aware of ongoing tagging work on auks in the non-breeding season, building on Buckingham *et al.* (2022), including the new Scottish Government's Offshore Wind Directorate's funded project 'Auk Foraging Ecology in the Non-Breeding Season' on the over-wintering ecology of guillemots and razorbills called Aukestra (AUKs: ESTimating Risk of displacement At sea). This

[17] https://www.gov.scot/publications/strategic-study-collision-risk-birds-migration-further-development-stochastic-collision-risk-modelling-tool-work-package-1-strategic-review-birds-migration-scottish-waters/pages/1/
[18] https://app.bto.org/seabirds/public/index.jsp
[19] Tremlett, C.J., Morley, N., and Wilson, L.J. (2024). UK seabird colony counts in 2023 following the 2021-22 outbreak of Highly Pathogenic Avian Influenza. RSPB Research Report 76. RSPB Centre for Conservation Science, RSPB, The Lodge, Sandy, Bedfordshire, SG19 2DL.
[20] https://www.nature.scot/doc/guidance-note-7-guidance-support-offshore-wind-applications-marine-ornithology-advice-assessing
[21] Ozsanlav-Harris, L., Inger, R. & Sherley, R. 2023. Review of data used to calculate avoidance rates for collision risk modelling of seabirds. JNCC Report 732, JNCC, Peterborough, ISSN 0963-8091.

project requires the deployment of GLS/TDR loggers in 2024 and 2025. Once this work is complete and published, we will review it and update our guidance if required.

For Option 1 to derive guillemot non-breeding season regional populations, should additional colonies be added to those already listed in Buckingham *et al.?*

With respect to the colonies used for Option 1, this is not our preferred option. However, we note that the list provided above by HiDef is very limited and excludes a number of potentially relevant sites on the east coast of mainland Scotland, Orkney and Shetland. These include Fowlsheugh, West Westray, Calf of Eday, Rousay, Marwick Head, Hoy, Copinsay, Noss, Sumburgh Head and St Abbs Head to Fast Castle SPAs.

Are you content for impacts to be considered in the context of guillemot non-breeding season regional populations for populations derived through both Option 1 and Option 2, for distributional responses and CRM?

The Applicant is welcome to present their Option 1 as well, as an alternative approach, but our assessment of the project will be based on Option 2. An explanation of the rationale for including Option 1 and justification for its use would be required.

Would you prefer guillemot non-breeding season regional populations derived through Option 1 or Option 2 be used within PVAs?

We advise that Option 2 is used to derive guillemot non-breeding season regional populations to be use within PVAs.

Do you agree with the list of colonies to be included in the breeding season regional population for fulmar?

Initially, we would expect all designated sites with theoretical connectivity to the development for each relevant qualifying species to be included based on mean-max + 1SD foraging ranges in the breeding season and taking account of by sea distances. This should define the maximum extent of the offshore ornithology regional study area and the regional population for a species.

What is your preferred approach for non-breeding season apportioning? Should we use colony counts from the BDMPS or are there more up to date data we should be using?

We advise that colony counts from the BDMPS should be used for non-breeding season apportioning.

Do you agree with the approach and assessment methodology proposed for project alone assessment?

We agree that the methods presented are appropriate and follow our guidance for the project alone assessment.

Do you agree with the proposed approach, or is there guidance on a different preferred approach that can be employed?

Please see our comments within this letter on similar questions.

Cumulative assessment

Do you agree with the approach for cumulative effects, in particular, how projects will be screened in for quantitative assessment of collision risk and distributional responses?

Cumulative effects are considered in Section 11.9 of the Scoping Report. We agree with the proposed approach for the assessment of cumulative effects on ornithology receptors.

Mitigation and monitoring

The embedded mitigation measures are detailed in Section 11.7 of the Scoping Report. In principle, we agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on ornithology receptors. However, we note that most proposed mitigation measures are based around future plans rather than specific measures. In addition, further mitigation and monitoring may be needed if impacts are predicted.

Transboundary impacts

Do you agree with the proposed approach for transboundary and inter-related effects? Or is there guidance / preferred approach that can be employed?

Potential transboundary effects on ornithology are considered in Section 11.10 of the Scoping Report and Appendix 5D: Transboundary Screening Matrix. We agree that ornithology should be scoped in for the assessment of transboundary effects and we agree with the proposed approach to the assessment. We do not currently have specific guidance for transboundary and inter-related effects.

With the information presented in the questions above for ornithology, do you wish to raise any additional matters on the overview of the ornithology assessment presented?

Please see our additional advice in the relevant Sections above, as well as Annex 1 and Annex 2 below, which contains our advice on the two-year Digital Aerial Survey Report and the inshore ornithology survey strategy.

ANNEX 1 – DIGITAL AERIAL SURVEY

After the Cenos Scoping Workshop in February 2024, Cenos sent NatureScot their two-year Digital Aerial Survey (DAS) Report for review on 4th March 2024. The DAS Report was not included within the Scoping Report Appendices for stakeholder consultation. However, we have included our advice on the DAS Report here as an Annex to our Scoping advice, as this advice will inform the EIA Report. This advice also covers Section 11.5.3 (Site-Specific Digital Aerial Surveys) of the Scoping Report.

Methods

Section 2.1 of the DAS Report details the survey flight methodology. In summary, the following methodology was used:

- 24 months of surveys, April 2021 – March 2023
- 2.5 km spaced transects
- 2 cm Ground Sample Distance (GSD)
- 550 m flying height
- 10% site coverage.

This is standard methodology for HiDef surveys, which we generally accept. Further, the 4 km buffer is acceptable for this development.

It is noted that no information on environmental conditions, e.g. weather, sea state, etc. are provided in the report. This is something we would expect to see.

Data Analysis

The data analysis is described in Section 2.5 of the DAS Report and is as would be expected and standard practice for HiDef. We note that availability bias has been addressed appropriately for auks.

Survey Effort

Survey effort is discussed in Section 3.1 of the DAS Report. No surveys were carried out in July 2021 and December 2022 due to weather constraints. Two surveys were carried out in August 2021, one on 4 August to make up for lack of survey in July, the other on 20 August. It was a relatively long gap between the June survey on 10th June and the 4th August survey. In 2022 there were no months missed and surveys over the summer months were quite regular, including a survey on 21st July.

Whilst it is surprising that weather prevented survey for a whole month in July, we can accept this as an additional survey was carried out to fill the gap and there was sufficient coverage the following year.

A missed survey in December 2022 is of less concern as bird numbers tend to be low at this time of year, plus an additional survey was carried out early in January 2023.

Survey Results

Identification Rates

Identification rates are explained in Section 3.2 of the DAS Report. We note that each animal was assigned to a species group, and where possible these were also assigned a species identification with confidence levels of 'Possible', 'Probable' or 'Definite'. The analysis of data to species level uses all levels of identification confidence. Table 3 in the DAS Report presents identification rates that range from 94 -100%. This appears to be excellent, but it should be qualified by the fact that it is based on all confidence levels including 'possible' and 'probable,' but does not show the number of identifications that fall into the different confidence categories. This makes the percentage identification rates rather misleading and further explanation is required.

General

The results are as would be expected for a project so far offshore – 185km from the coast by Peterhead. Specific comments for two species are provided below.

Guillemot

We note in Plate 11-1 in the Scoping Report that overall bird numbers in 2022 were considerably higher than in 2021, particularly in the period July/August to November. It is clear from the two-year DAS Report that this difference is driven by guillemot numbers.

Guillemot numbers were significantly lower in 2021 (2055) than in 2022 (4502) overall, especially from July/August-November. Large peaks of guillemot regularly occur during this post-breeding dispersal period, with large aggregations of birds often appearing offshore during these months. So, the low numbers in 2021 are of concern and are likely to have been caused by the auk wreck of Autumn 2021, which began with initial strandings in August on the east coast of Britain.

We advise undertaking two years of survey to allow for interannual variation and for when events such as this occur which depress numbers in a particular year. We consider that the 2021 results may not provide representative data.

We would be interested in any information the Applicant could provide that might help explain the significant differences in numbers. We suggest possible options for addressing this:

1. Undertake additional digital aerial surveys at the same time of year following the same methodology used in the previous surveys and, if possible, similar dates. This could help establish more reliable baseline data for auks in the dispersal period.
2. Carry out a review of data available, or being collected, from east coast offshore wind farm sites on auk numbers and dispersal, during this period. As well as data from other site-specific bird surveys and monitoring, the study could include the regional DAS surveys being undertaken by the East Developer Collaboration.
3. It may also be useful to review any recent guillemot productivity data from the region, if available, to clarify chick fledging dates. This could provide useful data to help inform how the post-breeding dispersal period is considered within the assessment in general and for understanding the low numbers in 2021.
4. Use the 2022 August-November guillemot numbers for this period in 2021.

We would be happy to discuss these options further with the Applicant and agree an approach to address this.

Gannet

It is noted that the surveys span the HPAI outbreak which began in 2021 and remains ongoing. This is likely to have particularly affected gannet numbers and the report states that a total of 59 gannets were recorded deceased, with the highest number recorded dead in June 2022.

It will be important to consider the impact of HPAI in assessments, as we have explained in our advice above.

ANNEX 2 – INSHORE ORNITHOLOGY SURVEY STRATEGY

As shown in Figure 7-4 of the Scoping Report, the ECC will make landfall within the Buchan Ness to Collieston Coast SPA and will also pass through the marine extension of the SPA. There is therefore potential for the works related to the ECC to impact on the qualifying seabird features, primarily through disturbance.

We understand that the Applicant is coordinating with NorthConnect Limited regarding the inshore portion of the ECC (the 28 km Section of cable from the 12 NM territorial boundary to MHWS) and that this Section of the ECC has previously been assessed within the EIA Report submitted for NorthConnect Limited. It is stated throughout the Scoping Report (e.g. Section 5.6.2.4) that previous EIA work for NorthConnect will be considered when assessing impacts from the Project's ECC from MHWS to 12 NM, updated by any other readily available information and surveys undertaken.

We raised concerns about the age of the NorthConnect Project survey data at the Scoping Workshop in February 2024. Generally, we do not accept survey data that is older than 5 years, and we understand the NorthConnect Project data is from 2017.

The Scoping Workshop meeting minutes include an action point for Cenos to provide NatureScot with an update on planned ornithology survey work related to this issue. We received an email from Cenos on 3rd May 2024 providing this information, which we have reviewed and provide the following advice on.

Two types of survey are being undertaken to update the NorthConnect data, using the same methodologies as the previous surveys.

Time lapse camera surveys, using two cameras at the same locations and with the same set ups as for the NorthConnect surveys in 2016/17, were deployed in April 2024. The aim is to collect comparable data, to help understand any changes in bird numbers. It is not clear how long the cameras will be deployed for.

Vantage point surveys will also be undertaken on a monthly basis from April up to and including October, focusing on the cable landfall site and up to 2 km offshore. The survey design mirrors that previously employed by the NorthConnect Project to characterise the baseline of the Project's landfall zone whilst ensuring that birds utilising seaward areas out to 2km are also recorded.

We welcome the new surveys and the Applicant's intention to update the NorthConnect Project's data. The methodologies employed are acceptable and we are pleased to see that they cover the 2 km marine extension to the SPA.

In addition to the survey work, it will be important to use up to date colony counts from the Seabird Monitoring Programme database for the Buchan Ness to Collieston Coast SPA in assessments, and to utilise any other available recent data from this area.

NATURESCOT ADVICE ON EIA SCOPING REPORT FOR CENOS OFFSHORE WIND FARM

APPENDIX F – FISH AND SHELLFISH ECOLOGY

Fish and shellfish interests are considered in Section 12 of the EIA Scoping Report.

Scoping questions to consultees have been set out in Section 12.13 of the Scoping Report. Within our advice below we have used text boxes to clearly identify these questions.

Study area

Do you agree with the Study Area defined for the fish ecology assessment?

The study area for fish ecology is described in Section 12.3 of the Scoping Report. The study area has been defined as the project area together with a 15 km ZoI, which has been defined considering the extent of tidal excursions. Close to shore the tidal ellipse is narrow, extending approximately 15 km on a north-south axis. The ellipse reduces in length with distance offshore and close to the eastern end of the ECC it is approximately 5 km long on a north by north-east to south by south-west axis, and up to 1 km wide.

The study area for diadromous fish has been defined as all waters located within the north-east anadromous fish region boundary.

A larger study area may be required if the ZoI is determined by underwater noise and not just suspended sediment concentration. The study area should be reassessed after the underwater noise modelling has been completed.

Baseline characterisation

Do you agree that the data sources identified are sufficient to inform the fish ecology baseline for the EIAR? Are there any new or emerging data sources or guidance documents that should be considered?

The data sources to be used to inform the baseline characterisation for fish are listed in Table 12-4. We note that no specific fish surveys have been conducted. The occurrence of fish species in the area has been assessed using landings data. We highlight that this would exclude many species, including sandeel (which is acknowledged in paragraph 12.11.2.3). However, Coull *et al.* (1998)[22] has been used to characterise the distribution of potential nursery and spawning grounds, which did identify sandeel.

We would expect the desk-based study to be assessed alongside benthic sampling surveys to inform the baseline characterisation for fish, especially for sandeel habitat and herring spawning habitat. Further, eDNA surveys undertaken should also inform the baseline for fish.

Noting our comments above, we largely agree that the data sources listed in Table 12-4 are sufficient to inform the baseline characterisation for fish.

Impact pathways

[22] Coull, K., A., Johnstone, R. and Rogers, S., I. (1998). *Fisheries sensitivity maps in British waters*. Published and distributed by UKOOA Ltd. Available at: https://www.cefas.co.uk/media/o0fgfobd/sensi_maps.pdf

Have all receptors and impacts potentially resulting from the Project been identified?

The fish and shellfish ecology receptors are discussed in Section 12.5 and the potential impacts resulting from the Project are discussed in Section 12.8. We are largely content that all receptors and potential impacts have been identified, with one exception below.

As we advised both in the Scoping Workshop (29th February 2024) and the written advice we provided after the workshop (2nd April 2024), we reiterate that basking shark should be scoped into the EIA as there are potential impact pathways (namely EMF, entanglement and collision). We understand that there is limited data on the distribution of basking shark in this region, but they do need to be considered through a qualitative assessment.

We note that underwater noise and vibration has been considered across all Project phases. There is emerging evidence showing that the movement of mooring and anchoring cables can be noisy. Results from the Hywind and Kincardine demonstrator sites[23] should be considered in the desk-based study.

Changes in Prey Species Availability

Many of the species included within the study area fish assemblage are important prey species for other receptors. We note that the fish and shellfish assessment will also be considered within the marine mammal and offshore ornithology chapters of the EIA Report. In addition, 'changes to prey resources' has been included as an impact pathway scoped into the marine mammal assessment (see Table 10-8) as well as the ornithology assessment (see Table 11-8).

Clear links should be made between those assessments and the fish and shellfish assessment. Most EIA Reports concentrate on receptor specific impacts; however, we increasingly need to understand impacts at the ecosystem scale. Therefore, consideration across key trophic levels will enable better understanding of the consequences (positive or negative) of any potential changes in prey distribution and abundance on marine mammal (and other top predator) interests and how this may influence population level impacts. Consideration of how this loss and or disturbance may affect the recruitment of key prey (fish) species through impacts to important spawning or nursery ground habitats should also be assessed.

In addition, the PrePARED (Predators and Prey Around Renewable Energy Developments) project[24] may be helpful in the understanding of predator-prey relationships in and around offshore wind farms.

Do you agree that the impacts described in **Table 12-11** can be scoped out?

We are largely content with the impacts scoped in and out, as per Table 12-11. However, please see one exception below.

Table 12-3 in the Consultation Section 12.4 states that during the Scoping Workshop on 29th February 2024 "*it was agreed to scope out entanglement*" for fish. This was not agreed with NatureScot during the workshop, and we confirmed in our written response (2nd April 2024) that

[23] Risch D., Favill G., Marmo B., van Geel N., Benjamins S., Thompson P., Wittich A., and Wilson B. 2023. Characterisation of underwater operational noise of two types of floating offshore wind turbines. Scottish Association for Marine Science, Xi Engineering Consultants, University of Aberdeen.

[24] https://owecprepared.org/

secondary entanglement (e.g. ghost nets entangled on subsea mooring lines) should be scoped in as a potential impact pathway during the operation and maintenance phase.

"Subsea mooring systems may cause entanglement resulting in injury and/or mortality" is proposed to be scoped out for fish in Table 12-11. The information presented in Appendix 5G (Approach to secondary entanglement as a potential impact) is helpful and indicates that risk of secondary entanglement is likely to be low. However, we advise that this impact pathway (secondary entanglement) should be scoped in to the EIA for fish, due to the high uncertainty around this potential impact, the lack of monitoring to date, and the scale of the development which is greater than previous infrastructure projects in the area. We would not expect to see a quantitative assessment, rather the information provided in the Scoping Report could be used in the EIA to support qualitative assessment of sensitivity and magnitude of impacts.

Approach to assessment

For those impacts scoped in **Table 12-11** do you agree that the methods described are sufficient to inform a robust impact assessment?

The proposed approach to the EIA is described in Section 12.11. Most of the approaches are to use 'source-pathway receptor model', with the exception of underwater noise which will be modelled, and EMF which will look at the sensitivity thresholds of key species against EMF produced by the proposed subsea cables. We agree with the proposed approaches to assessment for fish ecology.

Priority Marine Features (PMFs)

Section 12.5.2 refers to the presence of numerous PMFs within the fish and shellfish ecology study area. We recommend that the assessment should quantify, where possible, the likely impacts to key fish and shellfish PMFs. It should assess whether these could lead to a significant impact on the national status of the PMFs being considered[25].

Migratory fish

We note that for diadromous fish species there is limited knowledge of distribution and behaviour of these species in the marine environment. For example, the precise migration routes of adult or juvenile Atlantic salmon or direction taken by migrating adult European eels is not fully known. Published information indicates that European smelt and River lamprey are primarily, though probably not exclusively, associated with estuarine environments. Shad might also prefer estuarine environments.

Furthermore, for some species, like seals, we have a reasonable understanding of connectivity to individual SACs. We also have population estimates for nearly all seal SAC populations in the standard data forms which forms part of the citation package. For diadromous fish species we do not have population data for any salmon or lamprey SAC on the data forms.

This inability to understand connectivity to and within individual rivers to the development area, currently prohibits an informed assessment of the impact on individual site integrity. This is a necessary step within HRA assessment process.

[25] https://www.nature.scot/doc/priority-marine-features-guidance

The recently updated ScotMER evidence map[26] process for diadromous fish confirms these evidence gaps, particularly with respect to spatial and temporal distribution as well as uncertainty around migration routes, potential impact pathways and connectivity to protected sites. The ScotMER process is an important vehicle for helping to address these evidence gaps and uncertainties. We specifically welcome the ScotMER project *Diadromous Fish in the Context of Offshore Wind – Review of Current Knowledge & Future Research*, due to be published soon.

This research may change conclusions on how diadromous fish are treated in both EIA and HRA going forward. However, we advise, based on evidence currently available to us, it is not possible for us to carry out an assessment of diadromous fish to the level required under HRA. We therefore advise that diadromous fish species should be assessed through EIA only and not through HRA.

Sensitivity

For determining sensitivity of species, please note that all Priority Marine Features (PMFs) and some prey fish species are now available on the Feature Activity Sensitivity Tool (FeAST)[27].

Underwater noise modelling

There is a lack of information provided in the Scoping Report regarding the underwater noise modelling approach for fish. Assessment methods for consideration of underwater noise impacts from driven/drilled piles will be required, should this option remain within the Project Design Envelope.

Cumulative assessment

Do you agree with the approach for the CEA and for transboundary effects?

Potential cumulative effects on fish ecology are considered in Section 12.9 of the Scoping Report. As well as assessing the cumulative effects of underwater noise, we advise the Applicant to consider the cumulative effect of suspended sediment concentration closer inshore along the ECC.

Regarding EMF, we have observed a tendency for wind farm projects to reach a no LSE conclusion for electromagnetic field (EMF) impacts from a cumulative perspective. However, noting the proposed number of offshore wind developments in Scottish waters, we are concerned that the spatial and temporal scale is not being sufficiently considered cumulatively across the network of cables, including those outwith of the proposed development. Thus, we advise that EMF impacts are considered in the cumulative assessment.

Mitigation and monitoring

Do you agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on fish receptors?

The embedded mitigation measures are detailed in Section 12.7 of the Scoping Report. In principle, we agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on fish and shellfish receptors. However, we note that most proposed mitigation measures are based around future plans rather

[26] https://www.gov.scot/publications/diadromous-fish-specialist-receptor-group/ – published 26 January 2023
[27] https://feature-activity-sensitivity-tool.scot/

than specific measures. In addition, further mitigation and monitoring may be needed if impacts are predicted.

Transboundary impacts

Do you agree with the approach for the CEA and for transboundary effects?

Potential transboundary effects on fish ecology are considered in Section 12.10 of the Scoping Report and Appendix 5D: Transboundary Screening Matrix. It is considered that there is the potential for long range acoustic effects on spawning grounds for Atlantic mackerel and sandeel in adjacent Norwegian waters. We agree that fish ecology should be scoped in for the assessment of transboundary effects.

NATURESCOT ADVICE ON EIA SCOPING REPORT FOR CENOS OFFSHORE WIND FARM

APPENDIX G – MIGRATORY BATS

Migratory bats are considered in Section 5.6.1 and Appendix 5B (Approach to Migratory Bats) of the EIA Scoping Report.

All species of bat found in Scotland are European Protected Species (EPS) and are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). We advise that Nathusius' pipistrelle bats will need to be considered under EIA for the Offshore Project. We currently have very little knowledge of bat migration in Scotland, however photographic evidence from some of the wind farm developments in Scottish waters have captured Nathusius' pipistrelle bats flying through on migration. We are aware of research proposals reviewing Nathusius' pipistrelle migration, which do migrate across the North Sea from the Baltic region. We advise that bats do not require further assessment under the Offshore Project HRA. We provide more detailed comments on Appendix 5B below.

Overall, Appendix 5B is a comprehensive review of the existing state of knowledge with regards to migratory bats. However, note our following comments.

Figure 1-1 shows the known and possible migration routes for Nathusius' pipistrelle across Europe and illustrates how the possible route between Norway and Scotland is the longest unbroken sea crossing by a considerable margin. The North Sea is at least 470 km wide at this point and the only resting/stopping points would be oil and gas rigs, offshore wind farms and passing ships. When considered in these terms, and given the evidence that we do have from oil rigs and other offshore infrastructure coupled with the concerns raised by the Norwegian Environment Agency, it is remarkable that no specific study into this possible migratory route has been undertaken to date. Instead, the study effort has focused on the southern North Sea where the crossing distance is a fraction of that further north, but where there is still a risk to migratory bats due to coastal wind farms, e.g. in the Netherlands.

The data from the National Nathusius' Pipistrelle Project (NNPP) is presented in Figure 1-2. This clearly shows a concentration of Nathusius' pipistrelle records in central, east and south-east England. However, as with any such project relying mainly on volunteer bat group members to collect the data, there is likely to be a significant bias in recording effort towards this area because of the much higher level of volunteer activity in England. The distribution of recorder effort is not considered in the report. It is therefore wrong to assume that the relative paucity of Nathusius' pipistrelle records from Scotland indicates that there is no migratory route between Norway and Scotland.

Lastly, paragraph 1.1.8.7 states that *"Average bat movement speed is 25.1km/h (extrapolates as ~20 hours between Norway and UK)"*. Compare this with the earlier statement at paragraph 1.1.6.5 where it states *"The minimum migratory speed has been estimated at ca. 50 – 60 km/day"* (i.e. ~ 2.5km/h, assuming a 24 hr day). We are not clear how this latter figure was derived, but presumably it refers to the estimated minimum average migration speed over land where bats can stop and forage as and when required.

Radio Network Protection, BT

From: radionetworkprotection@bt.com
Sent: 26 April 2024 11:08
To: MD Marine Renewables
Subject: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024 WID13415

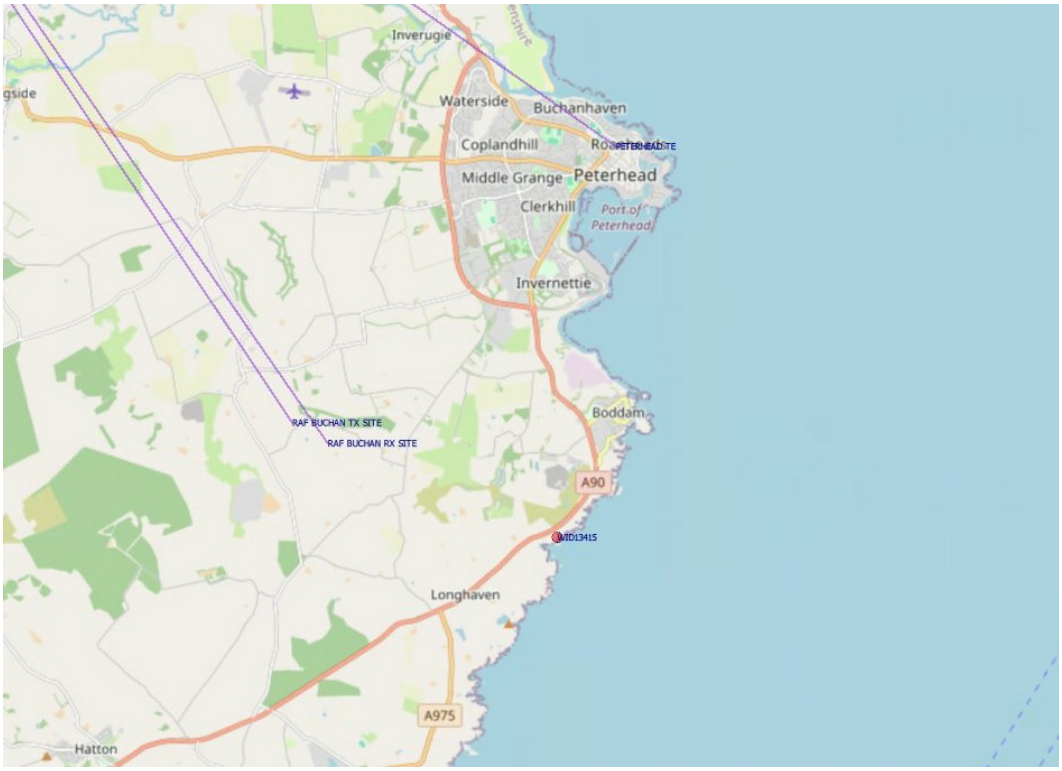
OUR REF:- WID13415

Good morning

Thank you for your email dated 24/01/2024

We have studied the proposed off-shore windfarm development with respect to EMC and related problems to BT point-to-point microwave radio links.
The conclusion is that the Project indicated should not cause interference to BT's current and presently planned radio network.

Kind Regards
Chris

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Aberdeen

Judith Horrill

From: Anne-Marie Brazier
Sent: 15 May 2024 13:20
To: MD Marine Renewables; Jennifer Smith
Cc:

Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm- Central North Sea- Consultee request for further information
Attachments: Cenos coordinates.xlsx

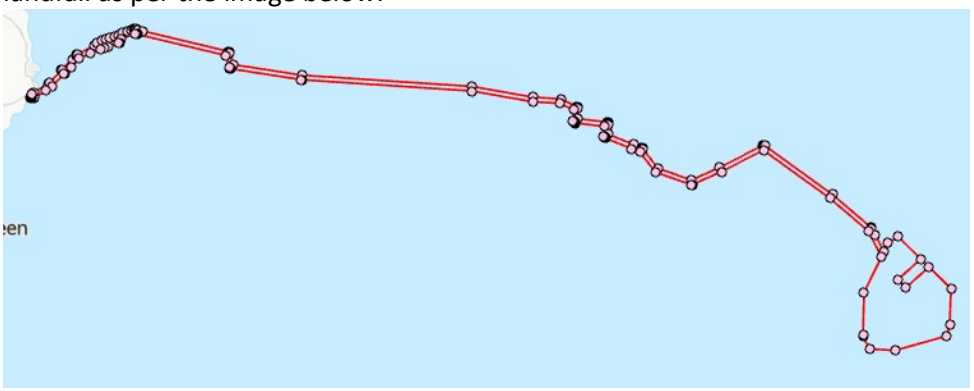
Good Afternoon,

Thank you for forwarding the request from MoD and for confirming that the extension request will not create any additional delay.

In terms of their queries, please could the attached information and the following be forwarded on our behalf. If MoD have remaining queries or would like anything clarified further please don't hesitate to forward these.

MoD queries 1-3
1. Array coordinates (corner points only) in both BNG 6 Digit Eas ng/Northing and Decimal Lat and Long
2. Any export corridor coordinates in Decimal Lat/long
3. Landfall coordinates in BNG Eas ng/Northing (if applicable)

Cenos response
Please find a spreadsheet attached contaning the vertices and associated coordinates for the Array Area, ECC and landfall as per the image below:



Tab 1 of the sheet shows the points in Decimal Degrees format using the WGS84 geographic coordinate system.

Tab 2 shows the points using the OSGB36 British National Grid geographic coordinate system and projection (in format order from left to right) in Decimal Degrees Longitude and Latitude, a British National Grid reference, 6 digit British National Grid Eastings and Northings

- Array Area coordinates are IDs 302-315 in each tab. This is highlighted in the excel file.
- Landfall coordinates are IDs 1-9 and 534-564 in each tab. This is highlighted in the excel file.

Please note the points have not been generalised but this can be done if required. We are also happy to provide the shapefile for the red line boundary should that be helpful.

MoD query 4
4. Onshore boundary coordinates (corner points only) in BNG Eas ng/Northing (if applicable)
Cenos response

This is a solely offshore application. Therefore, no onshore boundary to provide.

MoD queries 5-6
5. Maximum Hub Height
6. Maximum Rotor Diameter
7. Maximum Blade Tip Height

Cenos response
The answers to these queries are all detailed in Table 3-1 (page 67) of the submitted Scoping Report. As per the below:

Table 3-1: WTG design envelope

Design parameter	Design envelope
WTG Type	3-blade Horizontal Axis Wind Turbine (HAWT)
Minimum and maximum number of WTG	68 to 95
Minimum and maximum WTG hub height (to centre line of hub) (meters above lowest astronomical tide (LAT))	140 m to 180 m (above LAT)
Maximum WTG rotor diameter	Up to 280 m
Maximum blade tip height above LAT for Tension Leg Platform	Up to 320 m (above LAT)
Maximum blade tip height above LAT for Semi-Sub	Up to 310 m (above LAT)
Minimum Blade clearance – Lowest blade tip height above mean sea level (MSL)	22 m in operational conditions.
Maximum rotor swept area (based on 95 15 MW turbines with a maximum rotor diameter of 236 m)	4,369,626 m^2
Navigation and aviation lighting	As per regulatory authority requirements: **Navigation:** (marine lighting) – see **Table 3-2.** **Aviation:** Civil Aviation Authority (CAA) and Search and Rescue (SAR) requirements MGN645 Annex 5[56]: Perimeter WTGs should have a single red aviation hazard light on each nacelle, flashing Morse "W" in unison if the WTGs are more than 900 m apart. Other WTGs require a steady red aviation hazard light. Additionally, in winching areas, a low-intensity green status light indicates safe winching, and floodlighting is needed for night operations (if allowed). Consultation with the Ministry of Defence is required to understand military aviation requirements.

Kind regards,

Anne Marie

Anne-Marie Brazier
Principal Offshore Consenter

Flotation Energy Ltd
12 Alva Street
Edinburgh
EH2 4QG

Dept Tel: +44 (0) 1224 548 640
Email:

FLOTATION ENERGY

From: MD.MarineRenewables@gov.scot <MD.MarineRenewables@gov.scot>
Sent: Tuesday, May 14, 2024 9:25 AM
To: Jennifer Smith <jennifersmith@flotationenergy.com>
Cc: havar.rostad@vargronn.com; Håvar Røstad <havar.rostad@vargronn.no>; Christopher Pearson <christopherpearson@flotationenergy.com>; Anne-Marie Brazier <annemariebrazier@flotationenergy.com>; Alex Scott <alexscott@flotationenergy.com>; Alex Williams <alexwilliams@flotationenergy.com>; Adam Payne <adampayne@flotationenergy.com>; Document Control <documentcontrol@flotationenergy.com>; Jane.Renwick@gov.scot; Debbie.England@gov.scot
Subject: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm- Central North Sea- Consultee request for further information

External Email

Good morning,

Please see the attached email from MOD which was submitted to MD-LOT in response to the request for consultation on the above scoping. Please can you provide responses to the queries contained within that email to MD-LOT and they shall be passed on to the consultee.

You will note that the consultee has also requested an extension to the consultation deadline to allow them until 14 June 2024, at the latest, to submit their full response. MD-LOT shall allow this extension. However, please be assured that this will not create any additional delays in issuing the scoping opinion.

Kind regards,

Judith

Judith Horrill
Marine Licensing Casework Officer, Licensing Operations Team, Marine Directorate
Scottish Government | Marine Laboratory | Aberdeen | AB11 9DB
M: [Redacted] | E: Judith.Horrill@gov.scot

The Scottish Government

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Marine licensing and consenting: privacy notice - gov.scot (www.gov.scot)

I am working from home but available via email (preferred), MS Teams or mobile

MD-LOT Email addresses are MD.MarineLicensing@gov.scot for all licensing queries and MD.MarineRenewables@gov.scot for marine renewables/consenting correspondence.

Guidance on marine licensing and marine licence application forms can be found at:
https://www.gov.scot/publications/marine-licensing-applications-and-guidance/

Royal Society for the Protection of Birds

Judith Horrill
Marine Licensing Casework Officer
Licensing Operations Team
Marine Directorate
Scottish Government
Marine Laboratory
Aberdeen
AB11 9DB

By email: MD.MarineRenewables@gov.scot

7th June 2024

Dear Judith,

SCOP-0044- FLOTATION ENERGY LIMITED – CENOS OFFSHORE WIND FARM – CENTRAL NORTH SEA – SCOPING REPORT

Thank you for consulting RSPB Scotland on the above Scoping Report, and for allowing RSPB an extension of time to respond.

Unfortunately, due to ongoing capacity issues, which we very much hope to resolve shortly, we have been unable to engage as fully in this consultation as we might like to have done, but we do have the following comments to make.

RSPB Scotland supports the deployment of renewable energy projects, providing that they are sited in appropriate places and designed to avoid potential adverse impacts on wildlife. We advise that all assessments should follow appropriate NatureScot Guidance.

The UK is of outstanding international importance for its breeding seabirds and wintering marine birds. As with all Annex I and regularly migratory species, the UK has a particular responsibility under the Birds Directive to secure their conservation. Their survival and productivity rates can be impacted by offshore windfarms directly (i.e. collision) and indirectly (e.g. displacement from foraging areas, additional energy expenditure, potential impacts on forage fish and wider ecosystem impacts such as changes in stratification).

As set out in Searle et al (2023), assessing impacts of offshore windfarms and other renewables developments is inherently uncertain. This uncertainty is propagated throughout the impact assessments, as there are not only direct impacts, but ecosystem wide impacts that can change, for example, the abundance and availability of prey. Multiple data sources and modelling techniques are used to capture a simplified version of reality. They do not fully capture the complexity of seabird behavioural or demographic processes in a dynamic marine environment.

Not recognising these uncertainties risks poorly informed decisions being made. Furthermore an underestimation of impacts will have repercussions when consenting later offshore wind development. If a precautionary approach is taken from the beginning, the likelihood of irreversible damage occurring is reduced even whilst our knowledge base is incomplete, and modelling improves.

The precautionary principle requires the Applicant to demonstrate with scientific certainty that something would not be harmful. The concept of something being overly precautionary dismisses the inherent uncertainty in modelling and overlooks the simplistic version of reality that the modelling captures.

Ecosystem Impacts

RSPB Scotland would welcome an inclusion of consideration of the potential wider ecosystem impacts that may arise through the construction and operation of the wind farm. These could occur, for example, through changes in water column stratification arising from the presence of the wind farm ultimately altering the availability of prey to seabirds.

Highly Pathogenic Avian Influenza

The current H5N1 strain of Highly Pathogenic Avian Influenza (HPAI) has affected UK wild bird populations on an unprecedented scale since it was first recorded in the country in Great Skuas in summer 2021, with seabirds and waterfowl particularly affected. The extent of reported mortalities attributed to HPAI in the UK and across Europe in 2022 demonstrated that HPAI had become one of the biggest immediate conservation threats faced by multiple seabird species, including some for which the UK population is of global importance. Many species impacted by HPAI are of conservation

concern in the UK, and the outbreak comes on top of widespread declines reported by the latest seabird census.

It is currently unclear what the population scale impacts of the outbreak will be, but it is likely that they will be severe. This scale of impact means that seabird populations will be much less robust to any additional mortality arising from offshore wind farm developments. It also means that there may need to be a reassessment of whether SPA populations are in Favourable Conservation Status. With such uncertainty as to the future of these populations, there is the need for a high level of precaution to be included in examination of impacts arising from the proposed development.

Should you wish to discuss of any of the above please do not hesitate to contact me.

Yours sincerely,

Peter Hearn
Head of Planning, RSPB Scotland

RSPB Scotland Headquarters
2 Lochside View
Edinburgh Park
Edinburgh
EH12 9DH

Tel: 0131 317 4100
Facebook: @RSPBScotland
Twitter: @RSPBScotland
rspb.org.uk

Royal Yachting Association

RYA SCOTLAND

Caledonia House
1 Redheughs Rigg
South Gyle
Edinburgh, EH12 9DQ

Tel: 0131 317 7388
www.ryascotland.org.uk

9 May 2024

Judith Horrill
Marine licensing casework officer
Marine Directorate Licensing Operations Team
Scottish Government
Marine Laboratory,
375 Victoria Road,
Aberdeen,
AB11 9DB
MD.MarineRenewables@gov.scot

Dear Ms Horrill,

SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm

I have read the relevant parts of the scoping report on behalf of RYA Scotland and have answered the scoping questions below.

Do you agree that the data sources identified are sufficient to inform the shipping and navigation baseline for the Project NRA? I agree. It is clear that some recreational craft are likely to pass through the site, possibly in adverse weather conditions.

Have all potential impacts resulting from the Project been identified for shipping and navigation users? I am unaware of any other potential impacts.

Do you have any concerns in relation to the location or nature of the Project and cumulative routeing within the North Sea? These can be elaborated during the Navigation Risk Assessment and appropriate mitigation agreed.

Do you agree that the embedded mitigation measures described provide a suitable means for managing and mitigating the potential effects of the Project on shipping and navigation users? These provide a good starting point. There can be a significant time lag between sites being marked on the UKHO charts and them being available on the electronic charts downloaded by recreational boaters. It is important that AtoNs on the devices are resilient to storm damage

RYA SCOTLAND

Caledonia House
1 Redheughs Rigg
South Gyle
Edinburgh, EH12 9DQ

Tel: 0131 317 7388
www.ryascotland.org.uk

and other breakdowns as experience with wind farms shows that repairs can take a considerable time due to adverse weather preventing access.

We will work with our colleagues in the Cruising Association on the NRA.

Yours sincerely,

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

Salamander Wind Project Company Limited

SALAMANDER
Powered by Ørsted and Simply Blue Group

Salamander Wind Project Company Ltd.
E: info@salamanderwind.com
W: https://salamanderfloatingwind.com/

24 May 2024

Response to the Cenos Offshore Windfarm Scoping Report

To whom it may concern,

Salamander Offshore Wind Farm wishes to respond to the Cenos Offshore Windfarm Scoping Report.

Salamander Offshore Wind Farm is being developed by Salamander Wind Project Company Limited (SWPC), a joint venture partnership between Ørsted, Simply Blue Group and Subsea7.

Ørsted develops, constructs, and operates offshore and onshore wind farms, solar farms, energy storage facilities, and bioenergy plants, and provides energy products to its customers. Globally, Ørsted is the market leader in offshore wind and owns and operates the world's biggest offshore wind farms off the East Coast of the UK and thus we value the opportunity to participate in this consultation process.

Simply Blue Group is a leading blue economy developer focused on enabling a range of marine renewable energies. It develops pioneering blue economy projects – floating offshore wind, e-Fuels, wave energy, and low-impact aquaculture – all in harmony with the oceans.

Subsea7 is a global leader in the delivery of offshore projects and services for the evolving energy industry. Subsea7 creates sustainable value by being the industry's partner and employer of choice in delivering the efficient offshore solutions the world needs.

We would like to take this opportunity to clarify the stage of the Salamander Offshore Wind Farm:

• Salamander Offshore Wind Farm (capacity of up to 100 MW) is being developed under the innovation track of the INTOG leasing round and submitted its offshore consents applications, including Offshore Environmental Impact Assessment (EIA) Report in April 2024;

• The Offshore Array Area for Salamander Offshore Wind Farm is approximately 35 km off the coast of Peterhead;

• The Offshore Export Cable is proposed to make landfall north of Peterhead, near Lunderton and Kirkton; and

• The Onshore Export Cable Corridor and other onshore infrastructure will be located north of Peterhead, close to the Export Cable landfall.

We note the Cenos Offshore Windfarm project description, including the design envelope, is still in development but will be fully detailed in the EIA Report, and will include indicative maximum project parameters, taking into account consultee feedback provided within the Scoping Opinion.

The Cenos Offshore Windfarm has a Scoping Boundary which directly overlaps with the offshore application boundary of the Salamander Offshore Wind Farm. We understand that the Cenos export cable route under consideration would require crossing(s) of our export cables (either Cenos crossing Salamander or vice versa depending on construction timelines). Therefore, there is the potential for our respective projects to interact and for both developments to have cumulative environmental effects on other receptors. We would therefore expect any EIA in respect of your proposals to fully consider the potential effects on, and potential cumulative effects with, our Salamander Offshore Wind Farm.

Salamander Wind Project Company Ltd.
E: info@salamanderwind.com
W: https://salamanderfloatingwind.com/

Salamander Offshore Wind Farm is working with Cenos through the Peterhead Developers Forum, and wishes to engage in any discussions and be kept informed of your proposals so that the two projects may consider each other cumulatively through the development process. We would also welcome bilateral meetings at an appropriate time to discuss topics of common interest.

We are very pleased to have had the opportunity to input into your Scoping exercise at this stage and look forward to ongoing engagement in the future.

Yours sincerely,

Marten Meynell

Offshore Consents Manager, Salamander Offshore Wind Farm

Cc'd:

Marine Directorate – Licensing Operations Team [Email only]

Cenos Offshore Windfarm [Email only]

Scottish Water

Tuesday, 30 April 2024

Marine Licensing
375 Victoria Road

Aberdeen

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

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

Follow Us

Dear Customer,

Cenos Offshore Windfarm,, Central North Sea, Aberdeenshire, AB42 3BF
Planning Ref: SCOP-0044
Our Ref: DSCAS-0108895-V69
Proposal: Flotation Energy Ltd has requested the Scottish Ministers adopt a scoping opinion in relation to the above proposed works under the EIA Regulations.

Please quote our reference in all future correspondence

Audit of Proposal

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

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

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

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

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

General notes:

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

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

Yours sincerely,

Ruth Kerr.
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

Scottish Environment Protection Agency

Judith Horrill

From: Planning.North <Planning.North@sepa.org.uk>
Sent: 29 May 2024 16:42
To: MD Marine Renewables; Judith Horrill
Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea
Attachments: cenos_offshore_windfarm_eia_scoping_report_-_volume_1_redacted.pdf

Objective: -1

OFFICIAL

Dear Judith
I confirm that as the export cable corridor appears to relate only to the off-shore proposals and not any on-shore elements of the proposals we have no further comments.
Kind regards
Clare

Clare Pritchett | Senior Planning Officer
Scottish Environment Protection Agency

planning.north@sepa.org.uk

Angus Smith Building I 6 Parklands Avenue I Eurocentral I Holytown I North Lanarkshire I ML1 4WQ

Regenerative SEPA: Working flexibly

At SEPA, we're working flexibly as part of our moves towards net zero and beyond. I work flexibly (Tuesday – Thursday)

Disclaimer

OFFICIAL

OFFICIAL

From: MD.MarineRenewables@gov.scot <MD.MarineRenewables@gov.scot>
Sent: Tuesday, May 28, 2024 4:34 PM
To: Planning.North <Planning.North@sepa.org.uk>
Cc:
Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024

OFFICIAL

Good afternoon,

Thank you for your email. This scoping report does relate to the export cable corridor as well as the array area. Please can you confirm if SEPA have any further comment to make on this proposal. It would be very much appreciated if you could provide this response by 4 June 2024.

Kind regards,

Judith

Judith Horrill
Marine Licensing Casework Officer, Licensing Operations Team, Marine Directorate
Scottish Government | Marine Laboratory | Aberdeen | AB11 9DB
M: | E:

The Scottish Government

Scottish Government
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I am working from home but available via email (preferred), MS Teams or mobile

MD-LOT Email addresses are MD.MarineLicensing@gov.scot for all licensing queries and MD.MarineRenewables@gov.scot for marine renewables/consenting correspondence.

Guidance on marine licensing and marine licence application forms can be found at:
https://www.gov.scot/publications/marine-licensing-applications-and-guidance/

OFFICIAL

From: Planning.North <Planning.North@sepa.org.uk>
Sent: Wednesday, April 24, 2024 4:26 PM
To: Judith Horrill
Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024

OFFICIAL

Hello Judith
Not sure why we have received this consultation? We understand that that this consultation request relates to the proposed section 36 consent and marine licence application for the array area only and not the export cable corridor or onshore elements of the works. In that case please refer to SEPA Standing Advice for Marine Scotland on marine consultations and the extracts as below.

Marine Scotland

2.2 Please do not routinely consult SEPA directly on any applications which are purely within the marine environment, including at any stage of EIA or repeat consultations. Please consider our standing advice in Section 3 and Table 1 as SEPA's views and consultation response, where relevant.

2.3 Notwithstanding the advice above, should there be a development proposal of potentially significant impact on aspects of the environment directly regulated by SEPA which is not dealt with adequately by our standing advice or is novel or unusual, then please do consult us specifying exactly the aspect of the environment regulated by SEPA on which advice is sought.

Kind regards
Clare

Clare Pritchett | Senior Planning Officer
Scottish Environment Protection Agency

planning.north@sepa.org.uk

Angus Smith Building I 6 Parklands Avenue I Eurocentral I Holytown I North Lanarkshire I ML1 4WQ

Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

For the future of our environment

Scottish Fishermen’s Federation

Our Ref: FH-CenosOWF-TOG-SR/24-0001

Your Ref: SCOP-0043

E-mail:
MD.MarineRenewables@gov.scot

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

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

www.sff.co.uk

24 May 2024

Dear **Judith Horrill**

SFF Response on Cenos Offshore Windfarm EIA Scoping Report Consultation

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

General comments

TOG Projects

Although the SFF supports the requirement to decarbonise offshore Oil and Gas producing assets; however, we strongly support the transporting of energy to individual assets via connection hubs from the National Grid. Taking this approach, the need for further OREIs would be reduced, which, in turn would reduce the carbon footprint of constructing an OREI and associated costs. This approach would also reduce the cumulative impact of OREI and the ever-growing spatial squeeze. Therefore, the SFF object to TOG projects.

Project Design Envelope Approach

SFF note from section 3.4 'Project Design Envelope Approach' (PDE) of the Cenos Offshore Windfarm Scoping Report (SR) that a parameter-based Project Design Envelop (PDE) approach (also known as the 'Rochdale Envelope') will be adopted for the Environmental Impact Assessment (EIA) Report.

Firstly, the SFF object to the use of PDE since it will not give a realistic picture of the ORIEs impact on fisheries. Noting the former objection on use of PDE, the following comments are based on existing details provided in this Scoping Report and further comments will be shared in due course once the Project's designed is finalised.

Specific comments

Wind Turbine Generator (WTGs) foundation/spatial footprint
SFF notes from sub-section 3.5.2.4 (p67) that the WTG supplier has not been selected yet and specific WTG details cannot be provided at the time of writing. We also note from sub-section 3.5.2.7 (p68) that the main types of floating substructure under consideration are semi-submersible and Tension Leg Platform (TLP) designs.

Being concerned with the spatial footprint of floating WTGs and the potential snagging hazard that their moorings system creates to fishing vessels, SFF's preferred WTG floating foundation option is TLP since they have least spatial footprint on the seabed.

SFF note from sub-section, 3.7.1.7 the mooring systems will be pre-laid and stored temporarily on the seabed during WTGs installation. As pre-laid mooring systems on the seabed create snagging hazards to fishers we would propose guard vessels to be deployed to such sites to inform fishers of the snagging hazards.

Offshore substation platforms (OSPs)
SFF request to be consulted on the OSPs or Offshore Substation and Converter Platform (OSCP) site selections to ensure they do not sit on any prime fishing ground and fish and shellfish spawning and nursery areas.

Inter-Array Cable (IAC) and Export Cable
SFF note from sub-section 3.5.2.25 (p77) that during the design process, the dynamic cable configuration will be optimised in conjunction with the design of the floating substructure and mooring system. Considering the footprint of the dynamic IACs sections, SFF's preferred configuration is free hanging vs lazy wave and steep wave.

We also note from sub-section 3.5.3.3 that there will be two HVDC cables (230km) laid in up to two trenches (either bundled and laid in one trench or laid separately in two trenches). If laid separately, SFF would require the Applicant to ensure there is at least 50m space between the surface laid and protected areas of cables to allow trawl doors to regain stability should they interact with cable protections.
In addition, we would propose that if seabed conditions allow, simultaneous trench, lay and burial method of cable installation for export cables lay to be used to avoid further disruptions to fishers.

Cable Burial and Protection
SFF notes from sub-sections 3.5.2.26 (p77) and 3.5.3.4 (p79) that for the static sections of IAC cable, and export/import cables the preference is to bury cables wherever practicable, but rock protection may be required for asset crossings and where depth of burial (DoB) cannot be achieved. We also note from sub-section 3.7.1.16 (p86) that the Applicant prefers use of concrete mattresses over rock dump. With fishermen's safety being paramount SFF would suggest to the Applicants that they make all efforts to reach the required depth of cable burial and avoid using cable protection

measures as much as possible since the volume of cable protection mass will disrupt the marine habitat and would create snagging hazard for fishing vessels within array area.

In terms of using cable protections, SFF is opposed to using concrete mattresses and rock bags in open water since they create severe snagging hazards for bottom trawl fishing vessels and static gears. SFF's preferred cable protection measure is rock dump/protection considering industry standard rock size (1"- 5") with a 1:3 profile followed by an over trawl sweep alongside a long-term monitoring programme. We do not object to use of sandbags in cable protection works as long as their size is not significant to create snagging hazards for fishing vessels.

In terms of crossing points, as they create obstacles and snagging hazard to the fishing industry, SFF would suggest that the cable crossing should be avoided as much as possible otherwise the design of cables and pipelines crossing points should be consulted with the fishing industry to ensure their impacts are mitigated.

Wet storage
SFF note from sub-section 3.7.1.6 that the wet storage of turbines outside of the Array Area in close proximity to a port is linked to a decision on construction and marshalling port(s) and as such potential impacts associated with wet storage are proposed to be scoped out of this assessment. SFF wants the location of the wet storage to be selected in consultation with fishing industry to mitigate its spatial footprint on the fishing grounds and we ask that the wet storage is scoped for the afore mentioned reason.

Pre-construction Works -Boulder Clearance
As pre-construction activities include boulder clearance and where the relocation of boulders from their natural positions and re-positioning them on new surface causes snagging hazard for fishing vessels, SFF would suggest avoiding the relocation of boulders as much as possible. However, where boulders relocation is unavoidable, we recommend the new locations/coordinates of the relocated boulders should be recorded and shared with fishermen. Fishermen require geographical readings to decimal of a minute format (3 decimal places sufficient) rather than going down to actual seconds and the datum should be WGS84 rather than ED50.

Decommissioning
SFF note from sub-section 3.7.3.2 (p88) of the SR that a decommissioning programme (DP) will be prepared prior to construction, in line with the requirements of the Energy Act 2004 (as amended).

SFF would propose that the DP be prepared pre-consent in consultation with fishing industry. With the safety of fishing activities in mind SFF would like to see all development related infrastructures are recovered/removed to shore followed by over-trawl sweeps (seabed sweeps using fishing gears). The seabed is restored to its pre-development condition post-decommissioning, and it is safe for fishing operations to fully resume in the area.

Ch. 12. Fish and Shellfish Ecology
Scoping Questions

Question: Do you agree with the potential impacts scoped in and out?
SFF's response:

SFF is not content with scoping out the "Accidental release of pollutants" because if a vessel was to sink during any of the phases of the project life-span then an accidental release of pollutants would happen. Therefore, we would propose the 'accidental release of pollutants' be scoped in.

Ch. 13 Commercial Fisheries
Scoping Questions

Question: Do you agree with the listed data sources in Table 13-4 and are there any additional datasets that you feel should be reviewed to characterise the commercial fisheries baseline?
SFF's response:
SFF would want to see the pre-Brexit data used for the EIA Report to present a realistic baseline of the fishing activities within the study area.

In general collection of fishing plotter data from the fisheries organisations, and in specific data from smaller vessels that are not legally liable to use AIS or VMS is recommended.

Question: Do you agree with the key commercial fisheries receptors identified as requiring assessment (lobster and crab fishery, scallop dredging, demersal trawling for Nephrops and fish and the pelagic fishery for herring)?
SFF's response: SFF would propose the squid and mackerel jigging/handline near shore/inshore to be included in the assessment too.

Embedded mitigation measures
SFF has the following comments on the proposed embedded mitigation:

- We would appreciate the inclusion of 'the Fisheries Management and Mitigation Strategy (FMMS)' to be developed and adopted pre-consent in consultation with the fishing industry to ensure all fishing industry's concerns are considered and addressed accordingly.
- In relation to 'notice to mariners' (NtM) we note that the Applicant commits to timely and efficient distribution of Notice(s) to Mariners' (NtM), Kingfisher notifications and other navigational warnings of the position and nature of works associated with the Project, that will include Notice to Mariners (via Kingfisher Bulletins or other appropriate methods)'. We suggest the NtM are issued in sufficient time, at least 14 day in advance, to avoid any disruptions to the fishing activities in the intended area.
- We note from 'COM-012' that the Applicant would undertake of post-lay and burial inspection surveys and, where appropriate and practicable, undertaking of rectification works. SFF would emphasise that the only way to give fishers assurance that areas with cable protection is safe to resume fishing is through undertaking over trawl survey.

We would propose the following mitigation measures to be considered:

- As part of the proposed commitments, there is no measure for disruption payments for fishing vessels. SFF suggest that cooperation agreements should be considered for both the static and mobile gears where they are required to be relocated, or the impact is deemed to be significant.
- No mention has been made to mitigation once the site is operational and therefore loss of fishing opportunities to the fishing industry within the floating array area.

Scoping in and out of impact pathways in relation to commercial fisheries
SFF propose that the following points be considered:

- SFF notes from the Table 10.4 (p306) that 'Increased risk of loss or damage to gear snagging' has been scoped in. We agree with this being scoped in; however, since snagging in some limited cases has human casualties, we propose that the possibility of a loss of life should also be highlighted as to a risk of snagging hazards not just to fishing gear.
- SFF notes that the 'Displacement of fishing effort to other areas' have been scoped in; however, the potential for gear conflict in other areas as a result of displacement of fishing efforts from the project area must be scoped in too.

Question: How do MD-LOT and its advisors anticipate the management of compensation, mitigation, alternative investment etc?
SFF's response: FH: my understanding is the MD do not want to be involved in management of compensation, mitigation, alternative investment etc. Therefore, I assume this question needs to be address by MD. Any input is welcomed.

Ch. 14. Shipping and Navigation
Scoping Questions

Question: Have all potential impacts resulting from the Project been identified for shipping and navigation users?
SFF's response:
SFF notes from Table 14-7: that "Loss of station for a floating structure" have been scoped out for construction and decommissioning stages.

We agree that there will be no risk of loss of station pre-construction and post-decommissioning; however, when a number of WTGs have been installed or in the case of decommissioning, when all WTGs and related infrastructures are not yet removed, the risks of vessels to structure collision and 'loss of station' risk to other users of the sea exist/is imperative. Therefore, we propose the above two points be scoped in for construction and decommissioning phases.

In conclusion, SFF stresses that our primary concern is protecting the rights of fishermen to safely undertake their trade, and this is the cornerstone of our response. Our position is that fishing activities should continue unaffected and unharmed post-development. If fishermen impacted are to be denied the right to earn their living, we could not support the development of any proposal for a windfarm.

Best regards

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

Sport Scotland

From: Gillian Kyle
Sent: 02 May 2024 14:06
To: MD Marine Renewables
Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea – Consultation – Response Required by 24 May 2024

Objective: -1

Confirming 'nil return' for the below.

Thanks, Gillian

Please submit your response electronically to MD.MarineRenewables@gov.scot by 24 May 2024. If you are unable to meet this deadline, please contact us as soon as possible to discuss the possibility of an extension to the consultation period. If you have no comments to make please submit a "nil return" response.

Please note that the HRA Screening Report is yet to be submitted and will be subject to a separate consultation upon receipt.

Please be advised that the scoping report and this consultation request relate only to the proposed section 36 and marine licence applications.

Kind regards,

Judith

Judith Horrill
Marine Licensing Casework Officer, Licensing Operations Team, Marine Directorate
Scottish Government | Marine Laboratory | Aberdeen | AB11 9DB
M: [Redacted] | E: Judith.Horrill@gov.scot

The Scottish Government

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I am working from home but available via email (preferred), MS Teams or mobile

MD-LOT Email addresses are MD.MarineLicensing@gov.scot for all licensing queries and MD.MarineRenewables@gov.scot for marine renewables/consenting correspondence.

Guidance on marine licensing and marine licence application forms can be found at:
https://www.gov.scot/publications/marine-licensing-applications-and-guidance/

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

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

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

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

Scottish and Southern Electricity Networks Transmission

Scottish Hydro Electric Transmission Plc.
10 Henderson Road
Inverness
IV1 1SN

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

24 May 2024

Dear Sir/Madam,

REF: Scoping Report SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea

Thank you for the opportunity to respond to the Scoping Report, SCOP-0444 associated with the Cenos Offshore Wind Farm.

Whilst we note that potential cumulative effects with other developers and sea users are to be assessed in the Environmental Impact Assessment, we would like to draw your attention to the Eastern Green Link 2 project which has a granted Marine Licence (MS-00009943, 04 May 2023) which intersects the proposed export corridor. In addition, and as part of our responsibilities to deliver and maintain critical national transmission infrastructure within and connecting the North of Scotland, which is required to support NetZero targets, Scottish Hydro Electric Transmission Plc (SHE Transmission) has submitted a scoping request for an additional subsea cable transmission link, Eastern Green Link (EGL) 3.

In addition, SHE Transmission is also developing the Spittal to Peterhead HVDC link. At this stage it unlikely that the proposed routes will cross. However, there is potential for cumulative effects to occur so we would encourage due consideration of this development.

We note that final decisions on export cable routes and landfall locations for the Cenos Offshore Windfarm project have not yet been made. SHE Transmission request that present and future cables, both power and telecoms, are given due consideration and that the provision is maintained for cables to cross both export cables and the generation site, and that the freedom of the seas is maintained. SHE Transmission remains committed to working with other legitimate users of the sea in a proactive manner, enabling all parties to deliver successful projects wherever reasonably possible.

It is also noted that the proposed landfall area of the East coast is increasingly busy with survey activity and we would therefore encourage communication and coordination between the projects where possible, to minimise the impacts to local fisheries. We suggest that ongoing discussion and consultation between both parties is maintained, and where necessary that proximity and crossing agreements are developed as necessary.

I would be happy to discuss any questions or concerns in relation to the above.

Yours Sincerely,

Scottish & Southern Electricity Networks

North of Scotland
0800 300 999

Central Southern England
0800 072 7282

Kelsey Padgett

Marine Consents Manager

Transport Scotland

Development Management and Strategic Road Safety
Roads Directorate

George House 36 North Hanover St Glasgow G1 2AD
Direct Line:

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Judith Horrill
Scottish Government
Marine Laboratory
Aberdeen
AB11 9DB

MD.MarineRenewables@gov.scot

Your ref:
SCOP-0044

Our ref:
GB01T19K05

Date:
22/05/2024

Dear Sirs,

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2007

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

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

FLOTATION ENERGY LIMITED- CENOS OFFSHORE WINDFARM, CENTRAL NORTH SEA SCOPING CONSULTATION

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by WSP in support of the above development.

This information has been passed to SYSTRA Limited (SYSTRA) for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

We understand that the SR has been submitted as a revised Offshore EIA Scoping Report, following consultation comments made on an original SR submitted in February 2023. Transport Scotland were consulted in March 2023 on the original SR and provided comment in our letter dated 14th April 2023.

We understand that the MD-LOT 2023 Scoping Opinion advised that the information provided in the original 2023 SR lacked sufficient detail on the project design and proposed methods of assessment to enable a detailed statutory scoping response from MD-LOT and their advisors. Consequently, the revised SR has been produced which supersedes the 2023 SR and addresses any deficiencies contained therein.

We note that the proposal comprises 68 to 95 turbines with a maximum blade tip height of 320m (previously identified as up to 100 turbines with a maximum blade tip height of 352m) located approximately 185km off the Aberdeenshire coast.

Assessment of Environmental Impacts

In our previous response, Transport Scotland requested that the potential impact of traffic relating to the transport of materials on the trunk road network and the turbine components be quantified, with a threshold assessment carried out. We would again state that this is necessary and request that this be carried out in accordance with the Institute of Environmental Management and Assessment (IEMA) Guidelines, entitled Environmental Assessment of Traffic and Movement (July 2023).

Abnormal Loads Assessment

As indicated in our April 2023 response, we would state that should any turbine components require to be transported to the selected port(s) by road prior to turbine erection, Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

A full Abnormal Loads Assessment report should be provided that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

In the event that all turbine components are all to be transported by sea, this information will not be required.

I trust that the above is satisfactory but should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636.

Yours faithfully

[Redacted]

Iain Clement

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

Ugie District Salmon Fishery Group

From: Ugie Salmon
Sent: 24 April 2024 15:46
To: MD Marine Renewables
Cc: Alex Buchan (Score); Alexander Buchan; David Low ; David Will ; James Ritchie; John Fraser UAA; Louise Kershaw; Simon Stephen; Stephen Buchan ; Wull Stephen
Subject: RE: SCOP-0044- Flotation Energy Limited- Cenos Offshore Windfarm, Central North Sea - Consultation - Response Required by 24 May 2024

Dear Marine Scotland renewables
We are very concerned about the sheer number of these application.
On behalf of the Ugie District Salmon Fishery Board, I would like assurances from the developers that in the construction phase and during the operation of this project, that the populations of salmon and sea trout, whilst migrating in the sea and when in the River Ugie, will not be adversely affected by the project.

kind regards
Joseph Yule (Chairman)
Ugie District Salmon Fishery Board

Lunar Ugie Salmon
Salmon Fish House
Golf Road
Peterhead
AB42 1LS
tel no. 01779 476209
email
website www.ugie-salmon.co.uk
open Monday to Friday 8am - 5pm

UGIE SALMON 1585

UK Chamber of Shipping

From:	Eleanor Norris
Sent:	24 May 2024 13:10
To:	MD Marine Renewables
Cc:	Robert Merrylees
Subject:	UK Chamber of Shipping Response to Cenos Offshore Windfarm EIA Scoping Report - Chapter 14: Shipping and Navigation
Objective:	-1

UK Chamber of Shipping Response to Cenos Offshore Windfarm EIA Scoping Report - Chapter 14: Shipping and Navigation

Dear Marine Directorate,

The UK Chamber of Shipping appreciates the opportunity to review and provide feedback on the Cenos Offshore Windfarm EIA Scoping Report. The Chamber has focused specifically on Chapter 14 - Shipping and Navigation as the area of main interest to its members, however other chapters may also be of interest for latter engagement.

1. Legislation, Policy, and Guidance The Chamber finds the proposed legislation, policy, and guidance, including the Navigational Risk Assessment, suitable and sufficient. The inclusion of MGN 654 and IMO standards is expected and supported.

2. Study Area and Data Sources The defined study area of 10NM is industry standard and as expected, but the Chamber recommends extending the cumulative routeing study area to 50 nautical miles to ensure a comprehensive cumulative impact assessment. This extension aligns with industry standards and best practices for such projects.

The data sources considered, including AIS data and MAIB reports, are appropriate. The Chamber recommends:

- Using a 12-month AIS dataset to account for seasonal variations, ideally from the most recent complete year.
- Extending the MAIB dataset analysis to cover at least 20 years, which provides a robust historical context for incident trends.
- Including data from the UK Hydrographic Office (UKHO) for marine charts and Admiralty Sailing Directions.

3. Methodology for Risk Assessment The Chamber supports the outlined methodology, including cumulative assessments and the use of Anatec's CollRisk software for enhanced accuracy.

4. Identification of Hazards The Chamber acknowledges the identified potential hazards such as vessel displacement, collision risk, and under-keel clearance issues. Additional considerations for floating turbines include:

- Risk of loss of station during construction, transit, and decommissioning.
- Navigational risks from wet storage areas and potential vessel displacement from traditional anchoring zones.

- Management of lighting and marking during maintenance or repair, especially when turbines on the boundary are temporarily removed.

5. Mitigation Measures The proposed mitigation measures are suitable and sufficient for managing and mitigating the identified risks. The Chamber recommends further detailed plans for:

- Safety zones management during all project phases.
- Mitigation strategies for electromagnetic interference impacts on navigational equipment.

6. Additional Considerations The UK Chamber of Shipping advises the project to fully consider the unique risk factors of floating offshore wind projects, as detailed in the NASH Maritime report for ORE Catapult.

The UK Chamber of Shipping supports the scope of the EIA with recommendations for additional data sources, extended study areas, and thorough cumulative effect assessments. The Chamber remains available for further discussions to ensure the safe and efficient implementation of the Cenos Offshore Windfarm project.

Yours faithfully,

Ellie Norris
Policy Manager (Safety)

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