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Date: 7 April 2026

Dear Chris,

## **SCREENING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017**

Thank you for your screening opinion request dated 6 February 2026 in regards to the proposed Moray FLOW-Park project including the installation of mooring lines and anchoring systems located in the Moray Firth (“the Proposed Works”).

The Scottish Ministers consider the Proposed Works to fall under paragraph 3(j) of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”), with the Proposed Works meeting the corresponding threshold described in column 2 of schedule 2. Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are an Environmental Impact Assessment (“EIA”) project under the 2017 MW Regulations.

Under regulation 10(5) of the 2017 MW Regulations, the Scottish Ministers have consulted with NatureScot (formerly Scottish Natural Heritage), the Scottish Environment Protection Agency (“SEPA”), the Highland Council, Moray Council and Historic Environment Scotland (“HES”) as to their view on whether the Proposed Works are an EIA project. Copies of the consultation responses received are attached for your review (at Appendix I).

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must provide their reasons in a written statement, taking into account the selection criteria set out in schedule 3 of the 2017 MW Regulations, as are relevant to the Proposed Works. This is set out below.

### **Characteristics of the works**

The Proposed Works are to provide temporary, seasonal mooring within an anchorage area for floating offshore wind (“FLOW”) foundation units prior to full wind turbine integration at a separate location. No assembled turbines, substations, export cables, or other electrical infrastructure are to be stored at the temporary anchorage. The total area of the Proposed Works will be 18 kilometres (“km”) squared.

The Proposed Works will provide anchorage for a maximum of 47 FLOW foundation units of varying designs, to accommodate multiple developers. FLOW foundations will be spaced approximately 600 metres (“m”) apart and arranged in a grid formation. The FLOW foundation units will have a maximum height of 40m (30m above mean sea level). Each FLOW

foundation unit will be secured through the permanent installation of up to six mooring lines, with additional lines used when required.

The type of mooring line to be used for the Proposed Works will depend on the final project design, with taut, semi-taut, catenary or a hybrid combination of mooring lines being considered. Each mooring line will be anchored to the seabed by up to 6 anchors. The anchor types under consideration include piled anchors, suction anchors or gravity anchors.

The Proposed Works also include a maximum of 4 safety and security buoys (“S&SB”), 15 m in height, to be permanently installed, one at each corner of the area of the Proposed Works. Each S&SB will be moored using a 3-point spread mooring, with the mooring lines secured to the seabed using piled anchors.

### **Location of the works**

The Proposed Works are to be located in the inner Moray Firth within 12 nautical miles of mean high water springs. The boundary of the Proposed Works has a minimum distance to shore of 1.06km. The Proposed Works are wholly within the Moray Firth Special Protection Area (“SPA”) and the Moray Firth Special Area of Conservation (“SAC”); and are adjacent to the Moray and Nairn Coast SPA/Ramsar site, the Culbin Bar SAC, the Culbin Sands, Culbin Forest and Findhorn Bay Site of Special Scientific Interest (“SSSI”). In addition, due to proximity, the Proposed Works also has connectivity to the Dornoch Firth and Morrich More SAC. NatureScot advised that there are a number of impact pathways which may lead to significant effects on one or more of these protected sites.

NatureScot advised that large footprint of the Proposed Works is likely to result in the displacement of SPA waterbirds through structural displacement pressures, alterations to benthic foraging habitats, and increased or displaced vessel activity. The Proposed Works therefore has the potential to adversely affect the condition status of SPA birds that are currently in unfavourable or declining condition.

In relation to the Moray Firth SAC, NatureScot advised that the Proposed Works may cause potential impacts to qualifying features due to underwater noise from piling, increased vessel related disturbance, risk of collision or entanglement (including from unattached mooring lines), displacement and disruption of movement or migratory patterns. Additionally, NatureScot stated that the Proposed Works may impact prey species through underwater noise and habitat loss. NatureScot further advised that as the Proposed Works overlap with the subtidal sandbank feature of the Moray Firth SAC there is potential for impact as this feature is sensitive to physical disturbance and changes in water quality.

In relation to the Moray and Nairn Coast SPA/Ramsar Site, NatureScot advised that the osprey breeding season runs from 1 April to 31 August and the Proposed Works may overlap with the sensitive period in which osprey forage in coastal waters and that surface marker buoys may cause displacement of osprey from important foraging areas. NatureScot further advised some qualifying features of the Moray and Nairn Coast SPA and Ramsar Site, regularly forage in subtidal waters and may be subject to displacement impacts from the Proposed Works.

NatureScot also advised that the Proposed Works may lead to changes in current speeds, wave energy or turbulence resulting in changes to existing sediment transport systems and therefore impacting the shifting sand dune feature of the Culbin Bar SAC and the coastal

geomorphology feature of the Culbin Sands, Culbin Forest and Findhorn Bay SSSI which are supported by the sediment transport systems.

In relation to the Dornoch Firth and Morrich More SAC, NatureScot highlighted that the Proposed Works lie 700 m from the designated haul-out site located at Findhorn which is used by the harbour seal feature of the Dornoch Firth and Morrich More SAC. NatureScot advised that potential impacts to harbour seal are consistent with those identified for bottlenose dolphin, with the additional requirement to consider the pupping period which runs from June to July. NatureScot advised the pupping period represents a particularly sensitive phase in the species' annual cycle and therefore disturbance, displacement, collision risk and vessel-related pressures during this period will require careful assessment.

Due to the potential of significant impacts to the environment, it is NatureScot's view that the Proposed Works are an EIA project.

### **Characteristics of the potential impact**

In addition to the impacts on designated sites, NatureScot noted that vessel transit routes associated with towing units is a key aspect of the Proposed Works and advised that impacts from vessel activity should be included and assessed within the Habitats Regulations Appraisal process.

Moray Council advised that the Proposed Works is located in close proximity to the Culbin to Burghead Special Landscape Area ("SLA"), noted for its coastal features, wildlife habitats, and historic WWII structures.

Moray Council further stated that any landscape effects from the Proposed Works may have impacts on tourism and the local economy, and the Proposed Works may adversely impact marine activities such as fishing or recreational activities. There is also uncertainty with regard to light and noise impacts arising from the Proposed Works that will require further consideration and all impacts to onshore receptors should be fully considered. Moray Council therefore is of the view that the Proposed Works are an EIA project.

The Highland Council stated that the Proposed Works may impact the visibility of large areas of the coastline from sensitive locations on the Black Isle, as well as impacts to the Sutors of Cromarty, Rosemarkie, and Fort George SLA. Due to the potential seascape, landscape, and visual impacts, it is the Highland Council's view that the Proposed Works are an EIA project.

HES advised that it was unlikely the Proposed Works would have any significant effects on its historic environmental interests however there is potential for setting impacts on terrestrial assets, particularly scheduled monuments. HES therefore requests inclusion on the associated marine licence application consultation if the proposal proceeds.

SEPA referred to its standing advice "SEPA standing advice for the Department for Business, Energy and Strategy and Marine Scotland on marine consultations". This standing advice highlights the presence of marine invasive non-native species ("mINNS") as a risk for water body degradation, with the introduction of mINNS shown to occur when construction equipment is moved from one area to another. Therefore mitigation measures will be required to minimise the risk of mINNS throughout all stages of the Proposed Works. Additionally, to prevent pollution and preserve marine ecology interests, good working practice should be implemented and steps taken to prevent marine pollution or disturb sensitive species.

## Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works **are** an EIA project under the 2017 MW Regulations and, therefore, an EIA **is** required to be carried out in respect of the Proposed Works.

If you increase, alter or extend the Proposed Works, you are advised to contact Marine Directorate - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to the Highland Council and Moray Council planning department. The screening opinion has also been made publicly available through the Marine Directorate website.

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely,

**Kate Taylor**

Marine Directorate - Licensing Operations Team

