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Ms Claire Gilchrist  
Near na Gaoithe Offshore Wind Limited  
Atria One  
144 Morrison Street  
Edinburgh  
EH3 8EX

Date: 2 October 2020

Dear Ms Gilchrist,

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

Thank you for your screening opinion request dated 23 July 2020 in regard to the proposed changes to the offshore transmission infrastructure marine licence (Marine Licence 06778/19/1) (“the OfTI marine licence”) and the extension of the offshore export cable corridor (“OECC”) in relation to the Near na Gaoithe Offshore Wind Farm.

The proposed changes include the addition of high-density polyethylene (“HDPE”) and steel cable ducts to the already licensed deposits, the inclusion of trenching trials within the licensed activities, an increase in the licensed grout volumes for the offshore substation platforms (“OSPs”) and the extension of the OECC (collectively referred to as “the Proposed Works”).

The Scottish Ministers consider the Proposed Works fall under paragraph 13 of schedule 2 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) (“the 2017 MW Regulations”). Consequently, the Scottish Ministers are obliged to adopt a screening opinion stating whether the Proposed Works are, or are not, an EIA project under the 2017 MW Regulations.

Under regulation 10(5) of the 2017 MW Regulations, the Scottish Ministers have consulted with NatureScot for their view on whether the extension of the OECC would constitute an EIA project.

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must take into account the selection criteria set out in schedule 3 of the

2017 MW Regulations as are relevant to the works. In this regard, the Scottish Ministers have considered the following:

### **Characteristics of the works**

Neart na Gaoithe Offshore Wind Limited (“NnGOWL”) assessed the Horizontal Directional Drilling (“HDD”) methodology required for the export cable installation at landfall in the original application and Environmental Impact Assessment Report (“EIA Report”) however, the licensed deposits in the OfTI marine licence did not include the material to be used for horizontal cable ducts. In addition, it is possible that the HDD may now be installed by pushing from onshore toward the exit pit in the nearshore area. The original application assessed the duct installation as a “pull through” method however, this change in methodology does not alter the assessments presented in the EIA Report and can be considered a minor change.

NnGOWL’s preferred cable protection mechanism is to achieve a safe burial that will mitigate the risk of other sea users and protect the integrity of installed subsea cables. In order to maximise the burial success NnGOWL are seeking to undertake trenching trials along the export cable corridor to optimise burial prior to cable installation. Selection of trenching trial locations will take into account the variable sedimentary habitats along the offshore export cable corridor. The trenching trials are considered necessary to maximise the success in reaching the target burial depth and therefore minimise the requirement for additional protection measures. The trenching trials are to be completed at three locations and will comprise of a deployment of 1 kilometre (“km”) length of export cable on the seabed. The burial tool will be deployed and the cable will be buried, the cable will then be recovered to the deck of the vessel and returned to shore for recycling and disposal. A maximum of three trenching trials will be undertaken in advance of the export cable installation campaign.

The EIA Report submitted in support of the OfTI marine licence considered the impact of the installation of 86km of export cables. No additional cable is required in order to undertake the trenching trials as this is within the length of cable permitted in the OfTI marine licence. The activities associated with the trenching trials remain within the worst case design envelope assessed within the application and the EIA Report.

To maximise the possibility of cable burial and for lasting cable security, cable burial within sedimentary substrates is the preferred cable protection option. Following analysis of geophysical surveys, NnGOWL identified an area of steep protruding rock at the seabed along the consented OECC approximately 9km offshore from Thorntonloch Beach. This rock protrusion obstructs the 300 metres (“m”) consented OECC and is viewed as a hazard to the export cable installation process. Since the consented OECC is only 300m wide NnGOWL have limited scope for rerouting around this feature. However, the geophysical surveys have identified a suitable area to the west of the existing OECC through which both export cables are proposed to be re-routed with the aim of minimising the requirement for additional rock protection.

The proposed extension area does not overlap with any conservation sites designated for benthic habitats or species. A number of shellfish species (including Nephrops and squid) are typically found in the region and have distribution overlapping the proposed extension area however, the consented OECC and wind farm area also overlap these species.

In addition, following further geophysical data analysis and confirmation of casing and pile lengths at the OSP locations the estimated grout quantities are greater than the quantities licensed. NnGOWL anticipate an additional 50 cubic metres of grout is required however, the

installation of the casings and piles for the OSPs as described in the EIA Report and approved Construction Programme and Construction Method Statement remain unchanged.

Based on the information provided, the Scottish Ministers are of the opinion that the characteristics of the Proposed Works are unlikely to have significant effects on the environment.

### **Location of the works**

The OECC extension area, existing OECC and part of the wind farm area are located within the Outer Firth of Forth and St Andrews Bay Complex proposed Special Protection Area (“pSPA”).

The use of HDPE or steel ducts and the inclusion of trenching trial activities are within the consented design envelope and will not have any additional significant effects on the pSPA and neither will the increase in grout deposits.

The effects of environmental receptors resulting from re-routing of the cables through the OECC extension area may arise as a result of the impact pathways during construction and operation and are identified as:

- Direct disturbance to seabed habitats and species as a result of construction activity;
- Increased suspended sediment resulting from seabed disturbance during installation;
- Habitat loss/change as a result of placement of rock protection; and
- Emission of electromagnetic fields from subsea cables during operation.

There will be no overall increase in area of impact when considering cumulative impact of the activities. It is considered that the assessment of effects in the previous assessments remain valid for the OECC extension area. The footprint of the OECC extension area will also be relatively small and there will be no increased construction period due to these works. In addition, no additional plans or projects were identified which could potentially impact on environmental receptors in the vicinity of the OECC extension area.

The cable lay and burial activities result in an area approximately 0.06km<sup>2</sup> of seabed habitats being affected within the OECC extension area. The impact on disturbance of supporting subtidal habitats would be of limited duration and limited spatial scale being restricted to a small proportion of the overall OECC extension area. Burial of the cable also increases the distance between the cable surface, organisms, fish and benthic invertebrate species in the vicinity in relation to electromagnetic fields.

NatureScot confirmed that there was no significant issues in relation to the pSPA associated with the OECC extension area and considered this not to be a material issue.

Disruption and loss of fishing grounds may be impacted by the OECC extension area. Nephrops demersal trawl grounds and lobster and crab potting grounds are present along the entirety of the consented OECC so there is unlikely to be any additional significant effects by the OECC extension area. In addition, re-routing the export cables through the OECC extension area should enable burial in the soft ground which would avoid the use of significant amounts of cable protection in this area.

All existing consent plan requirements and management and mitigation measures required by the offshore consents and in the OfTI marine licence will also be implemented in relation to the Proposed Works.

Based on the information above and advice received, the Scottish Ministers are of the opinion that the location of the Proposed Works are unlikely to have significant effects on the environment.

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

A Supporting Environmental Information Report has been prepared by NnGOWL which reviewed the proposed changes and receptors assessed in the EIA Report and provided consideration of whether there will be any new potential impacts and/or changes in significance of impact to what was described in the original application.

Given the small scale nature of the disturbance arising from the Proposed Works, both spatially and temporarily, and based on the information above and advice received, the Scottish Ministers are of the opinion that the characteristics of the Proposed Works are unlikely to have significant effects on the environment.

### **Conclusion**

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works are not an EIA project under the 2017 MW Regulations and therefore, an EIA is not 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 Scotland - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to Angus Council, Dundee City Council, East Lothian Council, Fife Council and the Scottish Borders Council planning departments. The screening opinion has also been made publicly available through the [Marine Scotland Information](#) website.

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

Yours sincerely

Sophia Irvine  
Marine Scotland - Licensing Operations Team