

MS-LOT European Protected Species Case Handling Report

Licence Number: 00010677

Licensing Officer: Redacted

Site	Stromar Offshore Wind Farm
Company	Stromar Offshore Wind Farm Limited 2nd Floor 2 Lochrin Square 96 Fountainbridge Edinburgh EH3 9QA
Applicant	Redacted
Brief Description of Project	Geophysical and Benthic Surveys
Associated Licences	Basking Shark Licence No. 00010679

Species	harbour porpoise (<i>Phocoena phocoena</i>); bottlenose dolphin (<i>Tursiops truncatus</i>); minke whale (<i>Balaenoptera acutorostrata</i>); Risso's dolphin (<i>Grampus griseus</i>); short beaked common dolphin (<i>Delphinus delphis</i>); white-beaked dolphin (<i>Lagenorhynchus albirostris</i>)
Inshore/Offshore	Inshore

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TEST 1	Purpose of licence
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
Comments	
<ul style="list-style-type: none"> • Is a specific need being addressed? <ul style="list-style-type: none"> - The Stromar OWF will contribute to the delivery of a low-cost and low-carbon supply of electricity to the UK as well as contribute significantly towards national climate change policies. The Stromar OWF also aims to deliver multi-billion pound investments and significant numbers of jobs locally as well as contribute towards the growing socioeconomic strength within Scotland. • What benefit does the activity provide or what need does it address – social, economic, environmental, health and safety etc? (they should give some details) <ul style="list-style-type: none"> - The Stromar OWF benefits include increased employment, training opportunities and use of local supply chains on a local and regional scale in line with national planning framework 4. • Why is the activity essential? <ul style="list-style-type: none"> - The proposed geophysical surveys within the array area and proposed export cable corridor will provide a fundamental understanding of the seabed conditions to help inform multiple work streams within the EIA. The geophysical survey will also inform the Stromar project team of any submerged objects within the export cable survey area, therefore contributing towards the health and safety of those that will construct the Stromar OWF. If the geophysical survey did not take place then the construction of the Stromar OWF could not take place. • What public interest is served? <ul style="list-style-type: none"> - The installation of this OWF will contribute towards the UK renewable energy sector in the long term as well as reduce UK reliance on fossil fuels and improve UK energy security. • Is the activity in relation to any government targets or policies? <ul style="list-style-type: none"> - Completion of the geophysical survey will allow for the development of the Stromar OWF which supports the Scottish Government's Offshore Wind Policy, will contribute to the UK government's national and international commitments to reduce greenhouse gas production. The project also fits with the Scottish National Marine Plan Section 11, Offshore Wind and Marine Renewable Energy (2015) objectives, and supports the targets set in the Scottish Government's 'Securing a green recovery on a path to net zero: climate change plan 2018-2032' (3.1 Electricity, 2020) by producing renewable energy to aid the transition to net zero. It also meets the ambitions and policies set out within NPF4, and supports the national targets set out in the Scottish Government's 'Securing a green recovery on a path to net zero: climate change plan 2018-2032' by producing additional renewable energy to aid the transition from traditional fuel sources to net zero. • Is the applicant undertaking a statutory function? <ul style="list-style-type: none"> - No. Applicant has not stated this <p>Test 1 has been satisfied based on the above.</p>	
Test 1 satisfied?	YES

TEST 2	Satisfactory alternatives
Comments	
<ul style="list-style-type: none"> • Has the applicant demonstrated that reasonable effort has been made to consider alternatives that would 	

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achieve the same result but with less / no impact on EPS?

- Details have been provided for various alternatives that the applicant considered – please see section below for more information.

- They should explain what alternatives were considered and justification for considering they are unsatisfactory.

- Do nothing approach has been considered. The application has outlined that the Stromar project would not be able to proceed without the proposed geophysical survey going ahead as information is required on the seabed and its geophysical and environmental conditions in order to define appropriate infrastructure installation techniques/ construction methodology and identification of appropriate operation and maintenance programmes. Not undertaking the survey would result in no impact on EPS, however the developer has outlined that not undertaking the survey is not considered to be a viable option in terms of determining a project design or in terms of a robust and successful EIA and consent application

- The applicant has considered alternative vessel that do not include the use of USBL, however as USBL is always required when towing equipment, no alternative vessel was identified. The geophysical survey results will be used to identify any potential hazards that should be avoided by the development. The key areas where the geophysical survey results will be used within the EIA are within the baseline characterisation of multiple technical topics. For example, within the modelling of coastal processes, benthic ecology and marine archaeology.

- The applicant has considered alternative sites to conduct the surveys, however as the location of the array is constrained to the leased site through the SMP, an alternative site was not deemed satisfactory. The developer undertook environmental and technical constraints assessments alongside cost analysis to determine the most appropriate area within the plan option that should be developed within minimal impact to marine users and the environment. The developer is also constrained by the onshore connection point, with a route planning exercise being undertaken based on a connection point near New Deer 2. The developer has also undertaken detailed landfall analysis, BRAG analysis, consultation with stakeholders and a site visit to identify a potential offshore export cable corridors between the array area and the landfall area of search. The impact on the qualifying features of the Southern Trench MPA has been considered and the Developer has outlined that any of the preferred routes within the proposed export cable corridor is likely to have the same impact on EPS due to the presence of the qualifying features throughout that region, therefore no alternative route could be identified which reduced the risk to EPS.

- The applicant has also considered conducting the surveys at different times of the year. The applicant notes that conducting the survey in the summer will limit survey down time due to good weather, therefore minimising the time the vessel is on site and the subsequent localised disturbance to EPS. The applicant has also noted that conducting the surveys in the autumn or winter risks exposing the survey vessel to more extreme weather which may result in survey delay and more time spent on site.

- They should always consider the ‘do-nothing’ alternative.

- The applicant has considered this.

- Possible alternatives may be equipment, methods, locations and timing.

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- See sections above

Test 2 has been satisfied based on the above.

Test 2 satisfied?	YES
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TEST 3	Favourable conservation status
Comments	
<p>In summary:</p> <ul style="list-style-type: none"> • if the proposed JNCC (2017) mitigation is secured and applied, then the risk of auditory injury can be mitigated and an EPS licence for injury will not be required; • an EPS licence under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) to cover disturbance is required; • an EPS licence under the Conservation of Offshore Marine Habitats and Species Regulation 2017 to cover disturbance is not required; • A BS licence for disturbance under the under the Wildlife and Countryside Act 1981 is not required; • And there will be no detrimental effect on favourable conservation status of any EPS species from disturbance under these Regulations. <p>We advise an EPS licence under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) to cover disturbance is required. In terms of equipment, this should include the Sonardyne Ranger 2 USBL and the Innomar Medium 100 SBP for all cetaceans. All species capable of being disturbed by the activity have been correctly identified in Table 3-1 of the EPS Risk Assessment and 3a of the EPS Application Form.</p>	
Test 3 satisfied?	YES

Date application received: 17/01/2024

Consultation start date: 25/01/2024

Consultation end date: 22/02/2024

Notes

Date	Text	Created By
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Awaiting Information

Start date	End date	Duration (days)	Waiting for	Waiting on Information From
18/01/2024	22/01/2024	4	coordinates missing from EPS application form	Applicant

Licence issue date: 11/03/2024

Date report due: 15/04/2025

Licence start date: 15/03/2024

Licence end date: 15/03/2025

National Marine Plan considerations:

The decision is: In accordance and no further action required

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Comments:

Reviewed and signed by:

Signed:
Redacted

Date: 18/03/2024